

City Council  
August 17, 2015

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Monday, August 17, 2015, at 7:00 p.m.

Council Members Present: Kevin Strength, Mayor  
Mark Singleton, Mayor Pro Tem  
Chuck Beatty, Councilmember  
David Hill, Councilmember  
Mary Lou Shipley, Councilmember

Others Present: Paul Stevens, City Manager  
Michael Scott, Assistant City Manager  
Steve Chapman, City Attorney  
Lori Saunders, City Secretary

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Mayor Kevin Strength called the meeting to order. Councilmember David Hill gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

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**CONSENT AGENDA:**

- a. Minutes of regular City Council meeting of August 3, 2015
- b. Minutes of City Council work session of August 3, 2015
- c. Minutes of City Council work session of August 6, 2015
- d. Minutes of City Council work session of July 29, 2015
- e. Minutes of Planning & Zoning Commission meeting of August 12, 2015
- f. Minutes of Firemen's Relief and Retirement meeting of August 11, 2015
- g. Minutes of Park Board meeting of July 30, 2015
- h. Minutes of Heritage Preservation Commission meeting of July 9, 2015
- i. Minutes of Keep Waxahachie Beautiful Committee meeting of June 9, 2015
- j. Monthly Code Enforcement Report for July 2015
- k. Monthly Violation Activity Statistics Report for July 2015
- l. Monthly Fire & EMS report for June 2015
- m. Monthly Crime Report for July 2015
- n. Approve Resolution to exercise the power of eminent domain to acquire easements for FM 875 utility relocation project

**Councilmember Chuck Beatty moved to approve Items a. through n. on the Consent Agenda.**  
Councilmember Mary Lou Shipley seconded, All Ayes.

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Mayor Strength announced there is not an Honorary Councilmember for the month of August.

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Mayor Strength read a Proclamation proclaiming September as “Blood Cancer Awareness Month” and presented it to Mr. Campbell Weber volunteer coordinator with the Leukemia and Lymphoma Society.

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Ms. Margaret Donathan requested street closure for Vintage Trailers on the Square to be held on Saturday, October 3, 2015 from 9:00 a.m. to 3:00 p.m. She requested to block Franklin Street between College Street and Rogers Street and College Street between Franklin Street and Main Street for the event. Ms. Donathan requested permission for the trailers to set up on Friday, October 2, 2015 at 6:00 p.m. for an overnight dry camp.

Ms. Anita Brown, Downtown Development Director, stated the event is comparable to the Junk in the Trunk events that are held downtown. She noted the downtown merchants are very excited about the event and will use the event for a fundraiser.

**Councilmember David Hill moved to approve street closure for Vintage Trailers on the Square as presented.** Councilmember Chuck Beatty seconded, **All Ayes.**

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Mayor Strength opened the on an Ordinance of the City of Waxahachie, Texas, amending the Waxahachie Zoning Section 10.4 Changes and Amendments to all zoning ordinances and districts and Administrative Procedures-Public hearing and notice, Section 33.11 General Manufacturing and Industrial Uses, Section 33.3 Educational, Institutional and Special Uses, and Section A-3 Definitions.

Ms. Derica Peters, Planning and Development Coordinator reviewed the following proposed amendments to the Zoning Ordinance:

- ***Public Notice Signage*** - In addition to the required Public Hearing notice and contact to property owners within 200 feet of a proposed property to be zoned, a sign will be posted on visible street frontage. There shall be one (1) sign per property for up to 300 feet of street frontage. The sign will indicate: case number, date and time of public hearing and Planning Department contact information. This will give the public an opportunity to become more informed and engaged.
- ***Temporary Batch Plant*** – remove the permitting from the Specific Use Permit process due to the Texas Commission on Environmental Quality (TCEQ) oversees these operations by reviewing the plans from the proposed plant, and issues a permit. The plant will continue to be monitored by the Public Works Department during the regular inspection of public infrastructure construction.
- ***New and Unlisted Use*** – referencing a resident home for adults with intellectual and developmental disabilities: currently the code defines and allows for a “community home” and the use is multi-family, with a higher density and appropriate site design. Staff proposed this use to be permitted in Multi-Family-1 and Multi-Family-2 Zoning Districts by approval of a Specific Use Permit. The follow use will be defined as

follows: "Resident home for adults with intellectual and developmental disabilities (IDDs) (aka congregate housing for the mentally impaired).

Council held a lengthy discussion on the New and Unlisted Use and after further discussion City Manager Paul Stevens recommended continuing the Public Hearing.

**Councilmember Chuck Beatty moved to continue the Public Hearing on the proposed Zoning Ordinance amendments.** Mayor Pro Tem Mark Singleton seconded, **All Ayes.**

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Mayor Strength opened the Public Hearing on a request by Alex Saracay for a Zoning Change from Single Family-2 (SF-2) to Single Family-2 (SF-2) with a Specific Use Permit for a rooftop solar panel system located at 100 Almond Street in the University Annex Addition, Lots 5B and 9, being 0.2339 acres.-Owner: Art Palmer (ZA 2015-27).

Mr. Alex Saracay, Solar City, 10430 Shady Trail, Dallas, Texas, representing the Applicant, reported the solar panel will cover 50% of the roof top. He stated the solar panels will blend with the dark shingles on the roof. Solar City warrants the roof and if the owner sells the new owner can finish out the contract.

Mr. Art Palmer, Owner, 100 Almond Street, requested approval.

There being no others to speak for or against ZA2015-27, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2806

**ORDINANCE NO. 2806**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT FOR LOT 5B AND LOT 9, UNVERSIY ANNEX ADDITION IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, CONTAINING 0.2339 ACRE, LOCATED AT 100 ALMOND STREET, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING SINGLE FAMILY-2 (SF-2) TO SINGLE FAMILY-2 WITH SPECIFIC USE PERMIT (SF-2 w/SUP) FOR THE PURPOSE OF ALLOWING A ROOFTOP SOLAR PANEL SYSTEM, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 2806 as presented.**  
Councilmember Chuck Beatty seconded, **All Ayes.**

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Mayor Strength opened the Public Hearing on a request by Ervin Equipment, Inc. for a Zoning Change from Light Industrial-2 and Future Development (LI-2 & FD) to Light Industrial-2 and Future Development (LI-2 & FD) with a Specific Use Permit for Truck and Trailer Rental and Sales located at 4675 I35-E in the EC Newton Survey Abstract No. 790, and J. Shaver Survey Abstract No. 1000-Owner: Louis Estrada (ZA 2015-28).

Mr. Clyde Melick, Director of Planning, noted the Applicant is absent and didn't receive notice they were not attending. He stated they are conforming to the landscaping requirements and will install an iron fence. Mr. Melick explained the Applicant is requesting to utilize pavement along Interstate 35 for 400 feet and 80 feet deep, for the display of the tractors, while allowing the storage of trailers on gravel at the back of the lot. He stated it is the same square footage; the applicant went wider instead of longer.

**After further discussion, Councilmember Chuck Beatty moved to continue the Public Hearing.**  
Councilmember David Hill seconded, **All Ayes.**

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Mr. Melick announced discussion of the Infill Planned-Development on Royal Street will be presented at a future City Council meeting.

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Mr. Cody Brooks, Bannister Engineering, LLC, 1696 Country Club Drive, Mansfield, Texas, requested approval of Final Plat of 52 residential lots for Sandstone Ranch Phase 1, being 29.109 acres located in the Robert Russell Survey Abstract No. 911-Owner: Sandstone Waxahachie Development LLC (FP 2015-22).

**Mayor Pro Tem Mark Singleton moved to approve Final Plat of 52 residential lots for Sandstone Ranch Phase 1, being 29.109 acres located in the Robert Russell Survey Abstract No. 911-Owner: Sandstone Waxahachie Development LLC (FP 2015-22).** Councilmember Mary Lou Shipley seconded, **All Ayes.**

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Mr. Larry Pope, 305 Grand Avenue, Waxahachie, requested approval of Replat of West End Addition of Block 14, Lots 1-4, being 3.286 acres located at 301-303, 305, and 307 Grand Avenue -Owner: Larry Pope (RP 2015-21).

Mr. Melick explained the Applicant wishes to replat 4 lots to adjust lot lines.

**Councilmember Chuck Beatty moved to approve Replat of West End Addition of Block 14, Lots 1-4, being 3.286 acres located at 301-303, 305, and 307 Grand Avenue -Owner: Larry Pope (RP 2015-21).** Mayor Pro Tem Mark Singleton seconded, **All Ayes.**

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Mr. Josh Martin, Crannell, Crannell, Martin Engineering, requested approval of Preliminary Plat of Camden Park for 99 residential lots, being 23.486 acres in the Silas M. Durrett Survey, Abstract No. 272–Owner: Wax Ennis 5142 LLC (PLM 2015-07).

Mr. Melick reported the Applicant is working through Staff and consulting engineer comments and recommended approval subject to Staff Comments.

**After further discussion, Councilmember Mary Lou Shipley moved to approve Preliminary Plat of Camden Park for 99 residential lots, being 23.486 acres in the Silas M. Durrett Survey, Abstract No. 272–Owner: Wax Ennis 5142 LLC (PLM 2015-07), subject to Staff Comments. Councilmember Chuck Beatty seconded, All Ayes.**

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Mr. Jay Finch, Scarborough Lane Development, 16380 Addison Road, Addison, Texas, requested approval of Final Plat of the Saddlebrook Estates Phase 1B-1, 1B-2, and 1B-3 for 121 residential lots, being 33.391 acres of the M. Raffery Survey, Abstract No. 898 and the G. Carpenter Survey, Abstract 190 – Owner: 287 Waxahachie, L.P. (FP 2015-11). He stated the City did a walk-through inspection with him and he is working on screen walls and landscaping.

**Mayor Pro Tem Mark Singleton moved to approve Final Plat of the Saddlebrook Estates Phase 1B-1, 1B-2, and 1B-3 for 121 residential lots, being 33.391 acres of the M. Raffery Survey, Abstract No. 898 and the G. Carpenter Survey, Abstract 190 – Owner: 287 Waxahachie, L.P. (FP 2015-11). Councilmember David Hill seconded, All Ayes.**

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Mr. Floyd Bates, 316 Spring Grove Drive, Waxahachie, requested approval of Replat of Littleton Estates Lots 4A and 4B, being 10 acres located at 1230 Brown Street – Owner: Church of God, Waxahachie (RP 2015-23). He explained the purpose is to add more parking.

**Councilmember Chuck Beatty moved to approve Replat of Littleton Estates Lots 4A and 4B, being 10 acres located at 1230 Brown Street – Owner: Church of God, Waxahachie (RP 2015-23). Mayor Pro Tem Mark Singleton seconded, All Ayes.**

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**Citizens' Petition and Request**

None

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**Comments by Mayor, City Council, City Attorney and City Manager**

Mayor Strength read a letter from Ms. Nickie Weyrauch expressing her gratitude for the City and Waxahachie Independent School District working together making the city and school district a better place for citizens to live.

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There being no further business, the meeting adjourned at 8:37 p.m.

Respectfully submitted,

Lori Saunders  
City Secretary