A G E N D A

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Tuesday, May 28, 2024 at 7:00 p.m***.

Commission Members: Rick Keeler, Chairman
Erik Test, Vice Chairman
Bonney Ramsey
David Hudgins
Ron Ansell
Marlene Norcross

1. Call to Order

2. Invocation

3. ***Public Comments***: Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. ***Speakers are requested to observe five (5) minute time limit***

4. ***Consider*** approval of minutes of the regular Planning & Zoning Commission of May 14, 2024

5. ***Continue Public Hearing*** on a request by the City of Waxahachie to expand the boundaries of the Historic Overlay District as created by Ordinance Number 2331, per the requirements of Ordinance Number 3020, and ordering the changing of the Zoning Map thereof in accordance with said change. (ZDC-69-2024) Staff: Eleana Tuley

6. ***Consider*** recommendation of ZDC-69-2024

7. ***Public Hearing*** on a request by Ralph Hewitt, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-56-Single Family-2 (PD-56-SF-2) zoning district located at 412 Gardenia Lane (Property ID 202997) - Owner: Ralph Hewitt and Renda Hewitt (ZDC-95-2024) Staff: Harper Lindamood

8. ***Consider*** recommendation of ZDC-95-2024

9. ***Public Hearing*** on a request by Andrew Weyand, Bloom & Pour LLC, for a Specific Use Permit (SUP) for a Private Club (Event Venue – Bloom & Pour) use within a Central Area (CA) zoning district located at 100 S Rogers Street (Property ID 170469) - Owner: Dunn Street Equities LLC (ZDC-67-2024) Staff: Zack King

10. ***Consider*** recommendation of ZDC-67-2024

11. ***Public Hearing*** on a request by Cyle Corse, for a Specific Use Permit (SUP) for a Tattoo or Body Piercing Shop use within a Commercial (C) zoning district located at 217 E Main Street (Property ID 274682) - Owner: Big Blue Truck LLC (ZDC-88-2024) Staff: Zack King

12. ***Consider*** recommendation of ZDC-88-2024

13. Adjourn

The Planning and Zoning Commission reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein. This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX

Notice of Potential Quorum
One or more members of the Waxahachie City Council may be present at this meeting.
No action will be taken by the City Council at this meeting.

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Tuesday, May 14, 2024 at 7:00 p.m.

Members Present:	Rick Keeler, Chairman Erik Test, Vice Chairman Bonney Ramsey David Hudgins Ron Ansell Marlene Norcross
Others Present:	Shon Brooks, Executive Director of Development Services Jennifer Pruitt, Senior Director of Planning Zack King, Senior Planner Harper Lindamood, Planner Macey Martinez, City Engineer Amber Villarreal, City Secretary Chris Wright, Council Representative

1. Call to Order
2. Invocation

Chairman Rick Keeler called the meeting to order and gave the invocation.

3. Public Comments

None.

4. Consider approval of minutes of the regular Planning & Zoning Commission meeting of April 23, 2024

Action:
Bonney Ramsey moved to approve the minutes of the regular Planning & Zoning Commission meeting of April 23, 2024 as presented. Motion was seconded by Erik Test and carried unanimously (6-0).

5. Public Hearing on a request by the City of Waxahachie to expand the boundaries of the Historic Overlay District as created by Ordinance Number 2331, per the requirements of Ordinance Number 3020, and ordering the changing of the Zoning Map thereof in accordance with said change. (ZDC-69-2024) Staff: Eleana Tuley

Chairman Keeler announced the applicant requested to continue the case to the May 28, 2024 Planning and Zoning Commission meeting.

Action:
Ron Ansell moved to continue the Public Hearing for ZDC-69-2024 to the May 28, 2024 Planning and Zoning Commission meeting. Motion was seconded by David Hudgins and carried unanimously (6-0).

6. Consider recommendation of ZDC-69-2024

No action taken.

7. Continue Public Hearing on a request by Chad Adams, for a Zoning Change from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a Planned Development – Single Family – 1 (PD-SF-1) zoning district (Hightower), located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

The Item was presented by Senior Planner Zack King. On April 7, 2024, the applicant requested to continue consideration of the Planned Development application for the Hightower Club to the May 14th Planning & Zoning Commission meeting and the May 20th City Council meeting. The applicant noted the purpose of the continuance request was to allow for additional time to revise the concept plan to address neighborhood concerns expressed at the March 26th Planning & Zoning Commission meeting. The applicant has made several changes to the proposed Hightower Club concept plan. These changes are noted below:

- The applicant has shifted the proposed street connection to Lakeshore Drive from the eastern edge of the property to the western edge of the property. The revised connection point would necessitate installation of a stop sign on Lakeshore Drive.
- The applicant has eliminated the proposal for a landscaped median at the street connection to Lakeshore Drive. The entry monument originally proposed in the landscaped median has been relocated to HOA maintained X-lots on either side of the street connection to Lakeshore Drive.
- The applicant has increased the number of residential lots facing Lakeshore Drive from five (5) to seven (7). The proposed lots facing Lakeshore Drive are 1.2 acres in size and larger.
- The applicant has committed to constructing a 6’ stained wood privacy fence along the eastern property line. The fence is proposed to be installed with the initial street and utility infrastructure for the property.
- The applicant has proposed a requirement for home builders to install a 5’ sidewalk along Lakeshore Drive adjacent to the subject property at the time each of the lots adjacent to Lakeshore Drive are developed.

The City Engineer and the Public Works & Engineering Department have evaluated the concept plan provided by the applicant with this Planned Development application. The applicant has conceptually accounted for drainage and detention requirements.

City Engineer Macey Martinez noted that full detailed drainage plans are provided to the City for review and approval with the Civil Construction permit. Should the Planned Development for the property be approved, the developer will be required to submit a Plat for the property. This will be reviewed by multiple departments including Engineering, Planning, Utilities, and Fire. After the Plat has been approved, the developer has 120 days to submit the full Civil Construction plans for review. These plans are also reviewed by our Engineering, Planning, Fire, and Utilities departments. These plans will include the full drainage design, utilities, roadway, grading, erosion control, signage, and lighting. During this plan review, the engineering team will look at the

drainage and detention calculations. The City Engineer also noted that per the City's Drainage Design Manual, post developed flows shall not exceed pre-developed flows. This is typically handled through detention and is one of the items evaluated during the review of Civil Construction plans. Building permits are not permitted to be issued until all public infrastructure (including drainage and detention infrastructure) is installed by the developer and accepted by the Public Works Department.

Mr. King explained, the City Engineer has noted that septic systems are allowed by Texas State law as long as they meet the requirements set forth by TCEQ. The City has a more stringent requirement of 1-acre minimum lot size for septic systems versus the State's requirement of 0.5 acres. The system must be designed by a registered sanitarian and this is verified by our Building Department. Notably, all existing homes within a mile of the lake are on septic systems.

The Public Works & Engineering Department has also evaluated the potential traffic impact of the proposed development. The City Engineer has noted that per Section 3.1.c.3 of the City's Subdivision Ordinance, a traffic impact analysis (TIA) is not required for developments of less than 100 lots or 1,000 one-way trips per day. This development falls far under that requirement at 68 lots. Staff does not have concern with the impact of additional traffic generated from this development onto Lakeshore Drive.

The applicant proposes to install two entry monuments at the entrance of the subdivision on Lakeshore Drive. The entry monuments are proposed to be located on HOA maintained X-lots on either side of the street connection to Lakeshore Drive. The entry monuments are proposed to be flanked by 6' wood privacy fences. A matching 6' wood privacy fence is proposed to be installed by the developer along the eastern property line with the initial street and utility infrastructure for the subdivision.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 34 notices were mailed to property owners within 200 feet of the request. Staff has received letters of support from seven (7) property owners and letters of opposition from twenty-two (22) property owners for the proposed PD. Note that six (6) of the property owners that initially submitted letters of opposition have submitted letters of support following the March 26, 2024 Planning & Zoning Commission meeting. The original letters of opposition from these property owners are attached to the staff report; but are not included in the total opposition count. Six (6) letters of support and seventeen (17) letters of opposition were provided for properties within the 200' notification buffer for the request.

Chairman Keeler continued the Public Hearing at approximately 7:11 p.m.

Those who spoke in opposition:
Steve Kennedy, 129 Lake Shore Drive, Waxahachie, Texas
Jeff Ross, 137 Lake Shore Drive, Waxahachie, Texas
Paul Mackel, 124 Lake Shore Drive, Waxahachie, Texas
Michelle Drolet, 128 Lake Shore Drive, Waxahachie, Texas
Melissa Harrison, 200 Lake Shore Drive, Waxahachie, Texas
Rafael Busato, 208 Lake Shore Drive, Waxahachie, Texas
Mary Lou Shipley, 209 Lake Shore Drive, Waxahachie, Texas
David Harrison, 200 Lake Shore Drive, Waxahachie, Texas

Chris Freeman, 303 Lake Shore Drive, Waxahachie, Texas
Duke Eason, 123 Lake Shore Drive, Waxahachie, Texas
Brad Burns, 3208 Howard Road, Waxahachie, Texas
Katherine Soliz, 2300 Howard Road, Waxahachie, Texas
Jefferey Smith, 117 Lake Shore Drive, Waxahachie, Texas
Brian Gray, 101 Homestead Way, Waxahachie, Texas
Dan Morton, Jr., 125 Lake Shore Drive, Waxahachie, Texas
Lora Mackel, 124 Lake Shore Drive, Waxahachie, Texas
Jerome Begnaud, 153 Lake Shore Drive, Waxahachie, Texas
Jack Scott, 216 Lake Shore Drive, Waxahachie, Texas
Kevin Johnston, 155 Lake Shore Drive, Waxahachie, Texas
Rob Drolet, 128 Lake Shore Drive, Waxahachie, Texas
Jennifer Reininger, 316 Lakewood, Waxahachie, Texas
Janet Scott, 216 Lake Shore Drive, Waxahachie, Texas

Those who spoke in support:
Larry Burks, 139 Lake Shore Drive, Waxahachie, Texas
Sidney Cockerham, 203 Lake Shore Drive, Waxahachie, Texas

Chad Adams requested approval of the request. He explained the Levante PD was approved in 2022 and designed from the beginning to gain additional points of access from adjacent properties to the west and to the south. It is important to note that the provision of at least two (2) points of access is a requirement for the build-out of Levante. This request for the Hightower PD and the design of the Hightower concept plan is intended to provide the required second point of access for both the Levante and Hightower neighborhoods. Mr. Adams also noted the Hightower PD will address drainage issues. A sidewalk will be added to Lake Shore Drive and the developer is open to extending the sidewalk to the park with an agreement with the City and landowners.

There being no others to speak for or against ZDC-128-2022, Chairman Keeler closed the Public Hearing at approximately 9:03 p.m.

8. Consider recommendation of ZDC-128-2022

Action:
Erik Test moved to recommend approval of ZDC-128-2022, a Zoning Change from a Future Development and Planned Development-Single Family-1 zoning district to a Planned Development-Single Family-1 zoning district, subject to the conditions in the staff report. Motion was seconded by David Hudgins and carried by a 4-2 vote, with Bonney Ramsey and Marlene Norcross voting in opposition.

9. Public Hearing on a request by Steve Kennedy, for a Specific Use Permit (SUP) for a Boat Dock +1500SF use within a Planned Development-Single Family-1 (PD-SF-1) zoning district located at 118 Hunter Pass (Property ID 219074) - Owner: Evan Ward and Johnny Ward (ZDC-60-2024) Staff: Zack King

The Item was presented by Mr. King. Steve Kennedy and Johnny Ward requested approval.

Chairman Keeler opened the Public Hearing at approximately 9:30 p.m.

Those who spoke in opposition:
David Bond, 104 Old Howard Road, Waxahachie, Texas
Jennifer Bond, 104 Old Howard Road, Waxahachie, Texas

Those who spoke in support:
Doug Ward, 125 Shoreway, Waxahachie, Texas

There being no others to speak for or against ZDC-60-2024, Chairman Keeler closed the Public Hearing at approximately 9:45 p.m.

10. Consider recommendation of ZDC-60-2024

Action:
David Hudgins moved to recommend approval of ZDC-60-2024, a Specific Use Permit (SUP) for a Boat Dock +1500SF, subject to the conditions in the staff report. Motion was seconded by Erik Test and carried unanimously (6-0).

11. Public Hearing on a request by Kathryn Soliz for a Specific Use Permit (SUP) for an Accessory Structure +700SF use within a Single Family-1 (SF-1) zoning district located at 2300 Howard Road (Property ID 199423) - Owner: Kathryn Soliz & Brodie Soliz (ZDC-41-2024) Staff: Zack King

The Item was presented by Mr. King and Kathryn Soliz requested approval.

Chairman Keeler opened the Public Hearing at approximately 9:51 p.m.

There being no others to speak for or against ZDC-41-2024, Chairman Keeler closed the Public Hearing at approximately 9:51 p.m.

12. Consider recommendation of ZDC-41-2024

Action:
Ron Ansell moved to recommend approval of ZDC-41-2024, a Specific Use Permit for an Accessory Structure +700SF, subject to the conditions in the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (6-0).

13. Public Hearing on a request by Gary Davis, for a Specific Use Permit (SUP) Amendment for an Ordinance 3469 – Accessory Structure +700SF use within a Planned Development-Single Family-1 (PD-SF-1) zoning district located at 109 Sanders Drive (Property ID 269676) - Owner: Gary Davis (ZDC-68-2024) Staff: Zack King

The Item was presented by Mr. King. Ashley Davis and Gary Davis requested approval to allow Oncor to connect electrical for a pottery studio for personal use at no cost to the homeowner.

Chairman Keeler opened the Public Hearing at approximately 10:07 p.m.

Those who spoke in support:
Brian Gray, 101 Homestead, Waxahachie, Texas

There being no others to speak for or against ZDC-68-2024, Chairman Keeler closed the Public Hearing at approximately 10:09 p.m.

14. Consider recommendation of ZDC-68-2024

Action:
Erik Test moved to recommend approval of ZDC-68-2024, a Specific Use Permit (SUP) Amendment for Ordinance 3469, with the SUP applying only to the current property owner, any future owner would have to reapply for a SUP, and restrict to only allowing electrical. Motion was seconded by Bonney Ramsey and carried unanimously (6-0).

15. Public Hearing on a request by Ana Reyes, for a Specific Use Permit (SUP) for a Cosmetic and Restorative Studio use within a Central Area (CA) zoning district located at 307 S Rogers Street (Property ID 170494) - Owner: With Willing Hands Investments LLC (ZDC-51-2024) Staff: Zack King

The Item was presented by Mr. King and Ana Reyes requested approval.

Chairman Keeler opened the Public Hearing at approximately 10:20 p.m.

There being no others to speak for or against ZDC-51-2024, Chairman Keeler closed the Public Hearing at approximately 10:20 p.m.

16. Consider recommendation of ZDC-51-2024

Action:
Erik Test moved to recommend approval of ZDC-51-2024, a Specific Use Permit (SUP) for a Cosmetic and Restorative Studio (Beauty & Image Studio by Ana Reyes), subject to the conditions in the staff report. Motion was seconded by Ron Ansell and carried unanimously (6-0).

17. Public Hearing on a request by Steve Wilson, for a Specific Use Permit (SUP) for a Bail Bond Agency use within a Central Area (CA) zoning district located at the northeast corner of the intersection of S Jackson Street and E Jefferson Street (Property ID 170438) - Owner: Richard Shinpaugh (ZDC-112-2023) Staff: Zack King

The Item was presented by Mr. King and Steve Wilson requested approval.

Chairman Keeler opened the Public Hearing at approximately 10:26 p.m.

Those who spoke:

Gloria Mata, 209 S. College, Waxahachie, Texas, asked if the alley would remain open and staff confirmed it would.
There being no others to speak for or against ZDC-112-2023, Chairman Keeler closed the Public Hearing at approximately 10:31 p.m.

18. Consider recommendation of ZDC-112-2023

Action:
David Hudgins moved to recommend approval of ZDC-112-2023, a Specific Use Permit (SUP) for a Bail Bond Agency, subject to the conditions in the staff report. Motion was seconded by Bonney Ramsey and carried unanimously (6-0).

19. Public Hearing on a request by Gregory Roberson for a Specific Use Permit (SUP) for an Accessory Structure +700SF use within a Future Development (FD) zoning district located at 3224 Howard Road (Property ID 283067) - Owner: Gregory Roberson (ZDC-65-2024) Staff: Harper Lindamood

The Item was presented by Planner Harper Lindamood and Gregory Roberson requested approval.

Chairman Keeler opened the Public Hearing at approximately 10:34 p.m.

Those who spoke in support:
Brad Burns, 3209 Howard Road, Waxahachie, Texas
Faith Suza, 3232 Howard Road, Waxahachie, Texas

There being no others to speak for or against ZDC-65-2024, Chairman Keeler closed the Public Hearing at approximately 10:36 p.m.

20. Consider recommendation of ZDC-65-2024

Action:
Ron Ansell moved to recommend approval of ZDC-65-2024, a Specific Use Permit (SUP) request for an Accessory Structure + 700SF, subject to the conditions in the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Motion was seconded by David Hudgins and carried unanimously (6-0).

21. Public Hearing on a request by Chris Clark, Clarkitecture LLC, for a Specific Use Permit (SUP) for a Drive-Through Establishment (HTeaO) use within a Planned Development-24-General Retail zoning district, located at 502 N US Highway 77, (Property ID 289738) – Owner: RS Waxahachie LLC (ZDC-74-2024) Staff: Zack King

The Item was presented by Mr. King and the applicant requested approval.

Chairman Keeler opened the Public Hearing at approximately 10:44 p.m.

Those who spoke in support:
Faye Ellyson, 1611 Alexander, Waxahachie, Texas

There being no others to speak for or against ZDC-74-2024, Chairman Keeler closed the Public Hearing at approximately 10:45 p.m.

22. Consider recommendation of ZDC-74-2024

Action:
Bonney Ramsey moved to recommend approval of ZDC-74-2024, a Specific Use Permit (SUP) for a Drive-Through Establishment (HTeaO) at 502 N US Highway 77, subject to the conditions in the staff report. Motion was seconded by Ron Ansell and carried unanimously (6-0).

23. Continue Public Hearing on a request by Melissa McClain, Equity Trust Company, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-28-General Retail (PD-28-GR) zoning district located at 515 N College Street (Property ID 171103) - Owner: Equity Trust Company Custodian (ZDC-35-2024) Staff: Oanh Vu

The Item was presented by Mr. King. At the April 23, 2024 Planning & Zoning Commission meeting, the Commission voted to approve a continuance for the proposed Short-Term Rental to allow the applicant additional time to develop a plan to provide on-site parking. Following the April 23rd meeting, the applicant has evaluated an option to add a curb cut for a driveway on N College Street to provide vehicular access to a parking area at the side and rear of 515 N College Street. If this request for a Short-Term Rental is approved, the applicant will be required to design and install a curb cut and driveway on N College Street, prior to approval of the Short-Term Rental registration.

Chairman Keeler continued the Public Hearing at approximately 10:48 p.m.

There being no others to speak for or against ZDC-35-2024, Chairman Keeler closed the Public Hearing at approximately 10:48 p.m.

24. Consider recommendation of ZDC-35-2024

Action:
Ron Ansell moved to recommend approval with conditions of ZDC-35-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions in the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by David Hudgins and carried unanimously (6-0).

25. Public Hearing on a request by Shelia Hood, Twin Cedars Trust, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 316 Cynisca Street (Property ID 175950) - Owner: Twin Cedars Trust (ZDC-77-2024) Staff: Zack King

The Item was presented by Mr. King. The applicant is requesting a SUP for a short-term rental use located at 316 Cynisca Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,960 square feet with three (3) bedrooms and sufficient parking to accommodate the maximum parking requirement of three (3) vehicles. The home is situated on an approximately 0.224-acre (9,757 square foot) lot. The applicant has been operating a short-term rental since approximately September of 2022, and has not been paying local hotel occupancy taxes. Staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the property and its current use in the past 12 months. The local emergency contact provided by the applicant is located 0.2 miles from the subject property. The property manager and local emergency contact for this SUP has

requested a variance not to display their contact information on the front door of the short-term rental. The property manager noted safety concerns as the reason for the variance request.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 87 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. A total of eight (8) letters of opposition and six (6) letters of support were received by staff, with zero (0) letters of opposition and three (3) letters of support being inside the 200' buffer and the remainder outside of the 200' buffer.

Shelia Hood and Gabrielle Tranel requested approval.

Chairman Keeler opened the Public Hearing at approximately 11:04 p.m.

There being no others to speak for or against ZDC-77-2024, Chairman Keeler closed the Public Hearing at approximately 11:04 p.m.

26. Consider recommendation of ZDC-77-2024

Action:
David Hudgins moved to recommend approval with conditions of ZDC-77-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions in the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Erik Test and carried unanimously (6-0).

27. Public Hearing on a request by Dainy Villanueva, Bleuvets LLC for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-Single Family-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-86-2024) Staff: Zack King

The Item was presented by Mr. King. In December of 2023, a SUP application for a Short-Term Rental (ZDC-190-2023) was submitted for this property. At the Planning and Zoning Commission meeting held on April 9, 2024, the Commission voted 6-0 to recommend denial of case number ZDC-190-2023. At the City Council meeting held on April 15, 2024, the City Council voted to deny the SUP application. Notably, City Council did not deny the SUP application "with prejudice"; which means the owner of the property is permitted to submit an additional SUP request at any time. The Waxahachie Zoning Ordinance notes that if a request is denied by City Council "with prejudice", the same or similar request may not be resubmitted to the City for six (6) months from the date of denial.

Following the denial of the original SUP Application, the owner of the subject property submitted this revised SUP request for a Short-Term Rental. The revised submittal includes a verified emergency contact, documentation of a long-term lease agreement, and a State HOT Tax Statement.

On May 7th, 2024, staff confirmed via our third-party short-term rental monitoring software (GovOS) that the applicant has continued listing and operating a short-term rental on the property following the denial of their original SUP application by City Council on April 9, 2024. The applicant has satisfied all of the requirements of Section 3.27 of the Zoning Ordinance. Staff

inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months. The local emergency contact is located 11.6 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 100 notices were mailed to property owners within 500 feet of the property as required in Section 3.27 of the City's Zoning Ordinance. A total of seven (7) letters of opposition and zero (0) letters of support have been received by staff, with one (1) letter of opposition being inside the 200' buffer and the remainder outside the 200' buffer.

Owner Ido Pistiner requested approval and explained the listing on the rental site is only for stays longer than 30 days, which is not considered a short-term rental.

Chairman Keeler opened the Public Hearing at approximately 11:22 p.m.

There being no others to speak for or against ZDC-86-2024, Chairman Keeler closed the Public Hearing at approximately 11:22 p.m.

28. Consider recommendation of ZDC-86-2024

Action:
Marlene Norcross moved to deny ZDC-86-2024, a Specific Use Permit (SUP) for a Short-Term Rental use. Motion was seconded by Erik Test and carried by a 5-1 vote, with David Hudgins voting in opposition.

29. Public Hearing on a request by James Mills, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-28-General Retail (PD-28-GR) zoning district located at 516 N College Street (Property ID 170715) - Owner: James Mills and Megan Mills (ZDC-78-2024) Staff: Zack King

The Item was presented by Mr. King and James Mills requested approval. The applicant is requesting a SUP for a short-term rental use located at 516 N College Street because it is located within the PD-28-GR zoning district. The subject property consists of a primary structure of approximately 3,322 square feet with three (3) bedrooms and enough improved surface to accommodate for the maximum parking requirement of three (3) vehicles, situated on an approximately 0.447-acre (19,471 square feet) lot. The applicant has not operated a short-term rental at this location in the past and has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. Staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months. The applicant's local emergency contact is located 0.3 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 61 notices were mailed to property owners within 500 feet of the property as required in Section 3.27 of the City's Zoning Ordinance. A total of six (6) letters of support and two (2) letters of opposition were received by staff, with one (1) letter of support and zero (0) letters of opposition being inside the 200' buffer and the remainder outside of the 200' buffer.

Chairman Keeler opened the Public Hearing at approximately 11:28 p.m.

There being no others to speak for or against ZDC-78-2024, Chairman Keeler closed the Public Hearing at approximately 11:28 p.m.

30. Consider recommendation of ZDC-78-2024

Action:
David Hudgins moved to recommend approval with conditions of ZDC-78-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions in the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (6-0).

31. Public Hearing on a request by Stacie Seabolt, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 404 N Gibson Street (Property ID 173340) - Owner: John Seabolt and Stacie Seabolt (ZDC-83-2024) Staff: Zack King

The Item was presented by Mr. King and Stacie Seabolt requested approval. The applicant is requesting a SUP for a short-term rental use located at 404 N Gibson Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,350 square feet with two (2) bedrooms and enough improved surface to accommodate for the maximum parking requirement of two (2) vehicles, situated on an approximately 0.1-acre (4,356 square feet) lot. The applicant has been operating a short-term rental since approximately April of 2023, and has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. Staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months. The local emergency contact provided by the applicant is located 25 feet from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 53 notices were mailed to property owners within 500 feet of the property as required in Section 3.27 of the City's Zoning Ordinance. A total of eight (8) letters of support and two (2) letters of opposition were received by staff, with three (3) letters of support and zero (0) letters of opposition being inside the 200' buffer and the remainder outside of the 200' buffer.

Chairman Keeler opened the Public Hearing at approximately 11:34 p.m.

There being no others to speak for or against ZDC-83-2024, Chairman Keeler closed the Public Hearing at approximately 11:34 p.m.

32. Consider recommendation of ZDC-83-2024

Action:
Erik Test moved to recommend approval with conditions of ZDC-83-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions in the staff report, authorizing the

City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (6-0).

33. Public Hearing on a request by Darrell James for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-3 (SF-3) zoning district located at 297 Finley Street (Property ID 175967) - Owner: Darmar Investments LLC (ZDC-84-2024) Staff: Zack King

The Item was presented by Mr. King and Darrell James requested approval. The applicant is requesting a SUP for a short-term rental use located at 297 Finley Street because it is located within the SF-3 zoning district. The subject property consists of a primary structure of approximately 2,601 square feet with three (3) bedrooms and enough improved surface to accommodate for the maximum parking requirement of three (3) vehicles, situated on an approximately 0.23-acre (10,018 square feet) lot. The applicant has not begun operating. The applicant has not satisfied the requirements of Section 3.27 of the Zoning Ordinance to identify occupancy limits and parking restrictions for the property within the Host Rules brochure. Staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the property and its current use in the past 12 months. The local emergency contact provided by the applicant is located 14.3 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 37 notices were mailed to property owners within 500 feet of the property as required in Section 3.27 of the City's Zoning Ordinance. Letters of support from three (3) properties were received by staff, with all three (3) properties being inside the 200' buffer and the remainder outside of the 200' buffer.

Chairman Keeler opened the Public Hearing at approximately 11:39 p.m.

There being no others to speak for or against ZDC-84-2024, Chairman Keeler closed the Public Hearing at approximately 11:39 p.m.

34. Consider recommendation of ZDC-84-2024

Action:
David Hudgins moved to recommend approval with conditions of ZDC-84-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions in the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Ron Ansell and carried unanimously (6-0).

35. Public Hearing on a request by Terri Griffith, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 402 Richmond Lane (Property ID 171713) - Owner: Terri Griffith (ZDC-85-2024) Staff: Zack King

The Item was presented by Mr. King and Terri Griffith requested approval. The applicant is requesting a SUP for a short-term rental use located at 516 N College Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,270 square feet with two (2) bedrooms and enough improved surface to

accommodate for the maximum parking requirement of two (2) vehicles, situated on an approximately 0.1769-acre (7,705 square feet) lot. The applicant has been operating a short-term and long-term rental since approximately spring 2021, and has been paying local hotel occupancy taxes since March of 2024. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance. Staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months. The local emergency contact provided by the applicant is located 2.3 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 92 notices were mailed to property owners within 500 feet of the property as required in Section 3.27 of the City's Zoning Ordinance. At the time of the publishing of this staff report, a total of ten (10) letters of opposition and eleven (11) letters of support were received by staff, with two (2) letters of opposition and four (4) letters of support being inside the 200' buffer and the remainder outside of the 200' buffer.

Chairman Keeler opened the Public Hearing at approximately 11:46 p.m.

Those who spoke in support:
James Mills, 506 N. College, Waxahachie, Texas
Megan Mills, 506 N. College, Waxahachie, Texas

There being no others to speak for or against ZDC-85-2024, Chairman Keeler closed the Public Hearing at approximately 11:46 p.m.

36. Consider recommendation of ZDC-85-2024

Action:
Bonney Ramsey moved to recommend approval with conditions of ZDC-85-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions in the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by David Hudgins and carried unanimously (6-0).

37. Public Hearing on a request by Juan Flores, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-Single Family-3 (PD-SF-3) zoning district located at 624 Xavier Court (Property ID 281280) - Owner: JC & AG Investment Group, Inc. (ZDC-87-2024) Staff: Zack King

The Item was presented by Ms. Lindamood and Juan Flores requested approval. The applicant requests a SUP for short-term rental use at 624 Xavier Court because it is located within the PD-SF-3 zoning district. The subject property consists of a primary structure of approximately 3,481 square feet, built in 2023 with four (4) bedrooms, 2.5 bathrooms and enough improved surface to accommodate for the maximum parking spaces of four (4) vehicles, situated on an approximately 0.736-acre (32,076 square feet) lot. The applicant has not been operating a short-term rental and has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. Staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its

current use in the past 12 months. The applicant's local emergency contact is located 14.4 miles from the subject property.

Chairman Keeler opened the Public Hearing at approximately 11:53 p.m.

There being no others to speak for or against ZDC-87-2024, Chairman Keeler closed the Public Hearing at approximately 11:53 p.m.

38. Consider recommendation of ZDC-87-2024

Action:
Erik Test moved to recommend approval with conditions of ZDC-87-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions in the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Bonney Ramsey and carried by a 5-1 vote, with Marlene Norcross voting in opposition.

39. Public Hearing on a request by Jason Luke, LJA Engineering, for a Plat of Saddlebrook Estates Phase 4, 252 residential lots and 5 open space lots, being 70.035 acres, located north of 250 Saratoga Drive, situated in the G. Carpenter Survey, Abstract 190, an addition to the City of Waxahachie (Property ID: 189842) – Owner: 287 Waxahachie LP (SUB-72-2024)

The Item was presented by Mr. King and Jake Finch requested approval.

Chairman Keeler opened the Public Hearing at approximately 11:58 p.m.

There being no others to speak for or against SUB-72-2024, Chairman Keeler closed the Public Hearing at approximately 11:58 p.m.

40. Consider recommendation of SUB-72-2024

Action:
David Hudgins moved to recommend approval of SUB-72-2024, a Plat of Saddlebrook Estates Phase 4, and the associated variance request, subject to the conditions in the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Motion was seconded by Ron Ansell and carried unanimously (6-0).

41. Public Hearing on a request by Jason Luke, LJA Engineering, for a Plat of Saddlebrook Estates Phase 4B, 131 residential lots and 5 open space lots, being 36.665 acres, located approximately 2,000 feet northeast of 147 Charismatic Road, situated in the G. Carpenter Survey, Abstract 190, an addition to the City of Waxahachie (Property ID: 189842) – Owner: 287 Waxahachie LP (SUB-73-2024)

The Item was presented by Mr. King.

Chairman Keeler opened the Public Hearing at approximately 12:00 a.m. on May 15, 2024.

There being no others to speak for or against SUB-73-2024, Chairman Keeler closed the Public Hearing at approximately 12:00 a.m. on May 15, 2024.

42. Consider recommendation of SUB-73-2024

Action:
Erik Test moved to recommend approval of SUB-73-2024, a Plat of Saddlebrook Estates Phase 4B, and the associated variance request, subject to the conditions in the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Motion was seconded by David Hudgins and carried unanimously (6-0).

43. Adjourn

There being no further business, the meeting adjourned at 12:01 a.m. on May 15, 2024.

Respectfully submitted,

Amber Villarreal, City Secretary

Staff Report

Case: ZDC-69-2024

MEETING DATE(S)

Planning & Zoning Commission: May 28, 2024

City Council: June 3, 2024

CAPTION

Public Hearing on a request by the City of Waxahachie to expand the boundaries of the Historic Overlay District as created by Ordinance Number 2331, per the requirements of Ordinance Number 3020, and ordering the changing of the Zoning Map thereof in accordance with said change.

RECOMMENDED MOTION

"I move to recommend approval ZDC-69-2024, a request by the City of Waxahachie to expand the boundaries of the Historic Overlay District, authorizing the City Manager and or Mayor to execute all documents accordingly."

HISTORIC OVERLAY EXPANSION

Request

The Heritage Preservation Commission (HPC) recommends expanding the Historic Overlay District in accordance with Section 3.24 (Historic Overlay Districts) of the Code of Ordinances to incorporate seventeen (17) properties deemed significant for preservation due to their historical importance and contribution to the City's historic and cultural heritage. A map delineating the proposed expansion of the Historic Overlay District is included with this request, and it is called the *"Recommended Historic Overlay Boundary."*

Previous Planning Efforts

The expansion of the Historic Overlay District has been a continuous effort that started in July 2023.

At the November 1, 2023 HPC meeting, the commission held a three-hour workshop to review each property under consideration in the former boundary and verify that each property was historically significant and worthy of inclusion in the historic overlay district. A map with the November 1st workshop results is included with this request. The commission reviewed a total of 82 properties.

It is important to note that the proposed expansion of the historic overlay does not include properties in the West End Historic District. This is because the Historic Preservation Commission (HPC) is interested in creating a new historic overlay for the West End Historic District area, as was created for the Oldham Historic District. This request may be presented for your consideration at a later meeting.

At the November 9, 2023 HPC meeting, the commission reviewed the workshop results to refine the boundary and to ensure the following:

- A contiguous boundary with the existing district boundaries so that there were no gaps; and
- To incorporate properties worthy of preservation that were not considered with the initial expansion of the historic overlay.

After the November 9, 2023 HPC meeting, the staff notified property owners whose properties were recommended for inclusion in the historic overlay expansion. The notice informed the property owners about the proposed expansion and requested their consent to include their property in the Historic Overlay District.

Staff received 7 letters of support and 2 letters of opposition. Per section 3.24 (b)(iv) of the Zoning Ordinance, the Heritage Preservation Officer must submit the request for action to the HPC, Planning and Zoning Commission, and City Council when staff receives support from 30 percent of the properties within the proposed expansion.

At the May 17, 2024 HPC meeting, the Heritage Preservation Commission recommended approval for the proposed expansion of the historic overlay, as enclosed in this request.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 17 notices were mailed to property owners within the proposed expansion of the historic overlay. In addition, a notice was published in the Waxahachie Sun. When this report was published, Staff received 7 letters of support and 2 letters of opposition.

Per Section 211.0165 of the Texas Local Government Code, the city council must take a supermajority vote if a property owner does not consent to be included in the historic overlay expansion.

ATTACHED EXHIBITS

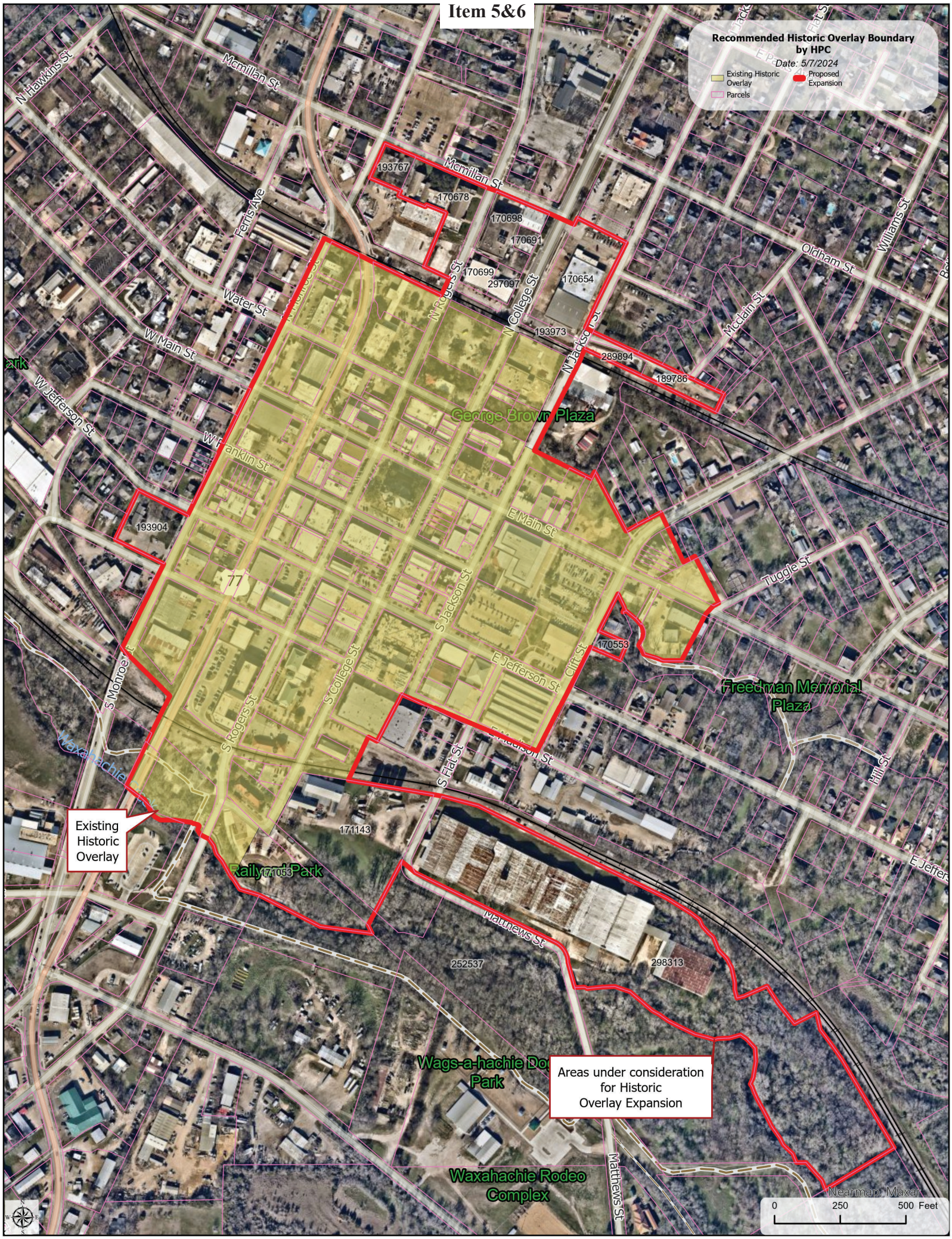
1. Recommended Historic Overlay Boundary
2. HPC Workshop Results
3. Notification List
4. Letter of Support and Opposition

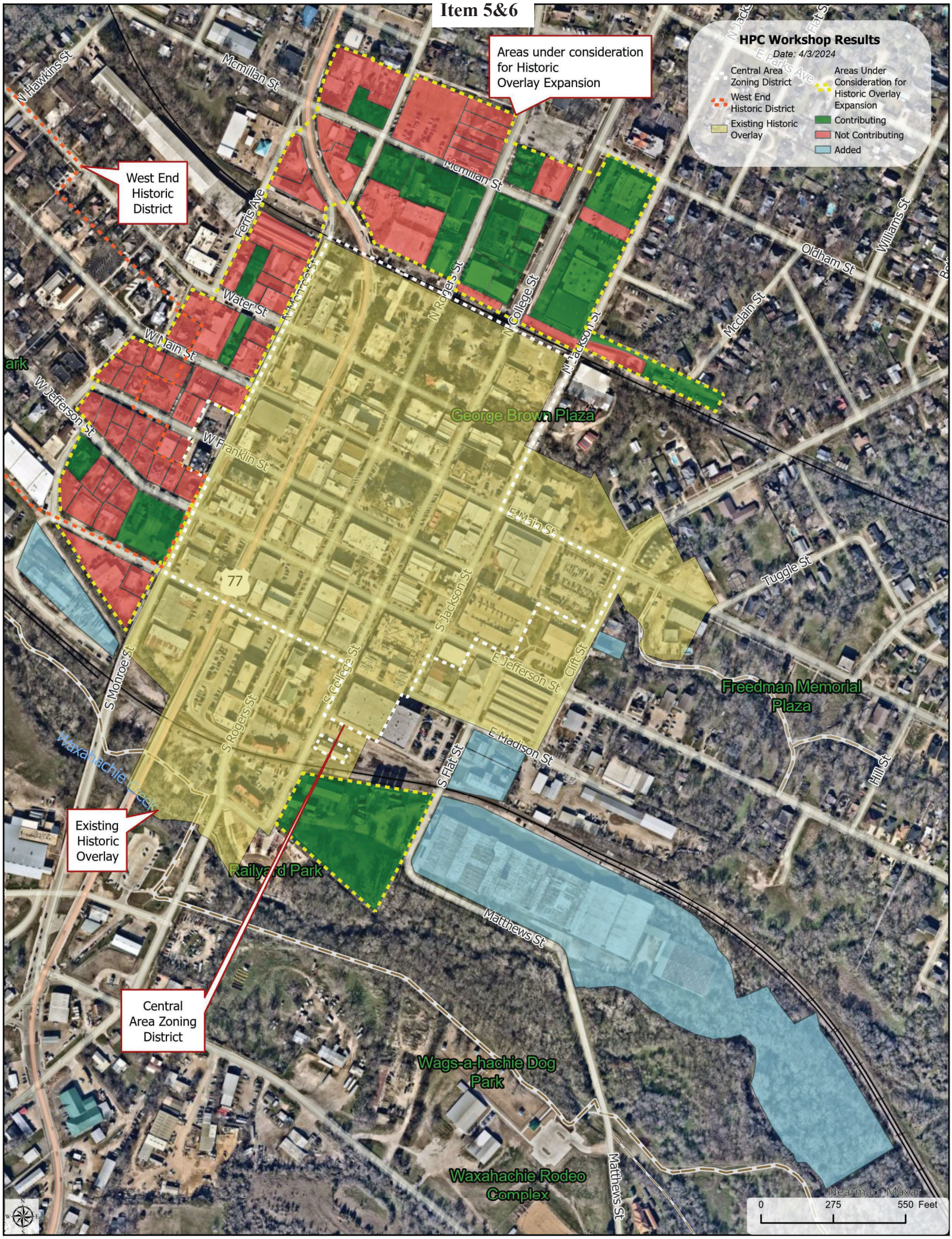
STAFF CONTACT INFORMATION

Prepared by:
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Downtown Redevelopment &
Historic Preservation Manager
eleana.tuley@waxahachie.com

Reviewed by:
Warren Ketteman,
Senior Director of Economic Development
warren.ketteman@waxahachie.com

Item 5&6


Recommended Historic Overlay Boundary by HPC
Date: 5/7/2024
Existing Historic Overlay
Proposed Expansion
Parcels
N Hawkins St
Mcmillan St
Ferris Ave
Water St
W Main St
W Jefferson St
W Franklin St
N Rogers St
N College St
N Jackson St
Oldham St
Williams St
Mcclain St
Tuggle St
E Main St
S Jackson St
S College St
S Rogers St
S Monroe St
E Jefferson St
Cliff St
S Flat St
Hill St
Matthews St
193767
170678
170698
170691
170699
297097
170654
193973
289894
189786
193904
170553
171143
171053
252537
298313
George Brown Plaza
Freedman Memorial Plaza
Rail Park
Waxahachie Rodeo Complex
Existing Historic Overlay
Areas under consideration for Historic Overlay Expansion
Nearmap, Maxar
0
250
500 Feet


HPC Workshop Results
Date: 4/3/2024
Central Area Zoning District
West End Historic District
Existing Historic Overlay
Areas Under Consideration for Historic Overlay Expansion
Contributing
Not Contributing
Added
Areas under consideration for Historic Overlay Expansion
West End Historic District
Existing Historic Overlay
Central Area Zoning District
George Brown Plaza
Freedman Memorial Plaza
Railyard Park
Wags-a-hachie Dog Park
Waxahachie Rodeo Complex
Waxahachie Creek
N Hawkins St
Mcmillan St
Ferris Ave
Water St
N Monroe St
W Main St
W Jefferson St
W Franklin St
N Rogers St
N College St
N Jackson St
Oldham St
Williams St
Mcclain St
E Main St
S Jackson St
Tuggle St
S Monroe St
S Rogers St
S College St
E Jefferson St
Cliff St
E Madison St
S Flat St
Hill St
Matthews St
77
Nearmap, Maxar
0
275
550 Feet

PID	OWNERSHIP	NO.	SUFF	STREETNAM	STREETSUF
189786	CITY OF WAXAHACHIE	308		SMOKEY	LN
289894	CITY OF WAXAHACHIE	300		SMOKEY	LN
193904	CITY OF WAXAHACHIE	407	W	JEFFERSON	ST
170654	HACHIE PROPERTIES LLC ETAL	308-310	N	COLLEGE	ST
171143	AL KEYSTONE HOLDINGS LLC	441	S	COLLEGE	ST
193973	TREND DEVELOPMENT CO			COLLEGE	ST
170678	ACKER23 LLC ETAL	315	N	ROGERS	ST
217275	CITY OF WAXAHACHIE		N	ROGERS	ST
297097	AUTREY DUSTIN D & JAMES D PATE	301	N	COLLEGE	ST
170698	SOUTHWESTERN BELL TELEPHONE CO	306	N	ROGERS	ST
170699	SZYMCZAK WALTER JR	300	N	ROGERS	ST
170691	311 COLLEGE LLC	311	N	COLLEGE	ST
298313	WACO BRC TEJAS WAXAHACHIE LLC	415	S	FLAT	ST
170553	HILL RICKEY	200		CLIFT	ST
171053	CITY OF WAXAHACHIE	455		COLLEGE	ST
193767	GRACE ANGELICAN CHURCH	308	N	MONROE	ST
252537	CITY OF WAXAHACHIE			RAILYARD PARK	

	Received Letter of Support (7)	41%
	Received Letter of Opposition (2)	

I, Michael Scott, on behalf of the City of Waxahachie, , owner of property located at Remainder of Parcel 171053, Waxahachie, TX 75165 have read

and understand the information enclosed related to the proposed expansion of the Downtown Historic

Overlay District and the proposed inclusion of my property within the expanded district. I hereby cast

my vote as for/against inclusion of my property:

☑	☐
FOR	**AGAINST**

Printed name: Michael Scott

Signature:

Date: 12/19/2023

Please return this ballot in the enclosed self-addressed stamped envelope no later than January 31, 2024.

I, Michael Scott, on Behalf of the City of Waxahachie, owner of property located at 407 W. Jefferson, Waxahachie, TX 75165 have read

and understand the information enclosed related to the proposed expansion of the Downtown Historic

Overlay District and the proposed inclusion of my property within the expanded district. I hereby cast

my vote as for/against inclusion of my property:

☑	☐
FOR	**AGAINST**

Printed name: Michael Scott

Signature:

Date: 12/19/2023

Please return this ballot in the enclosed self-addressed stamped envelope no later than January 31, 2024.

I, Michael Scott, on behalf of the City of Waxahachie owner of property located at 308 Smokey Lane, Waxahachie, TX 75165 have read

and understand the information enclosed related to the proposed expansion of the Downtown Historic

Overlay District and the proposed inclusion of my property within the expanded district. I hereby cast

my vote as for/against inclusion of my property:

☑	☐
FOR	**AGAINST**

Printed name: Michael Scott

Signature: [signature]

Date: 12/19/2023

Please return this ballot in the enclosed self-addressed stamped envelope no later than January 31, 2024.

I, Michael Scott, on Behalf of the City of Waxahachie, owner of property located at 300 Smokey Lane, Waxahachie, TX 75165 have read

and understand the information enclosed related to the proposed expansion of the Downtown Historic

Overlay District and the proposed inclusion of my property within the expanded district. I hereby cast

my vote as for/against inclusion of my property:

☐	☑
FOR	**AGAINST**

Printed name: Michael Scott

Signature: [signature]

Date: 12/19/2023

Please return this ballot in the enclosed self-addressed stamped envelope no later than January 31, 2024.

I, Walter Szymczak, owner of property located at 300 N. Rogers, Waxahachie, TX 75165 have read

and understand the information enclosed related to the proposed expansion of the Downtown Historic

Overlay District and the proposed inclusion of my property within the expanded district. I hereby cast

my vote as for/against inclusion of my property:

☒	☐
FOR	**AGAINST**

Printed name: Walter Szymczak

Signature:

Date: 1-2-24

Please return this ballot in the enclosed self-addressed stamped envelope no later than January 31, 2024.

I, Michael Scott, on Behalf of the City of Waxahachie, owner of property located at Lot 1 Blk 99 of Town Addition Portion of Parcel 252537, Waxahachie, TX 75165 have read

and understand the information enclosed related to the proposed expansion of the Downtown Historic

Overlay District and the proposed inclusion of my property within the expanded district. I hereby cast

my vote as for/against inclusion of my property:

☑	☐
FOR	**AGAINST**

Printed name: Michael Scott

Signature:

Date: 12/19/2023

Please return this ballot in the enclosed self-addressed stamped envelope no later than January 31, 2024.

I, Ken Box 311 College LLC, owner of property located at

311 N. College ST., Waxahachie, TX 75165 have read

and understand the information enclosed related to the proposed expansion of the Downtown Historic

Overlay District and the proposed inclusion of my property within the expanded district. I hereby cast

my vote as for/against inclusion of my property:

☐	☒
FOR	**AGAINST**

Printed name: Ken Box

Signature: [signature]

Date: 5-1-24

Please return this ballot in the enclosed self-addressed stamped envelope no later than January 31, 2024.

I, Brett Hess, owner of property located at 308 N College St, Waxahachie, TX 75165, Waxahachie, TX 75165 have read and understand the information enclosed related to the proposed expansion of the Downtown Historic Overlay District and the proposed inclusion of my property within the expanded district. I hereby cast my vote as for/against inclusion of my property:

[X]	[ ]
FOR	**AGAINST**

Printed name: Brett Hess

Signature: Brett A Hess

Date: 5/8/2024

Please return this ballot in the enclosed self-addressed stamped envelope no later than January 31, 2024.

DocuSign Envelope ID: 43DBB6E9-5515-4E48-9DE8-9BADCD842795

Brett Hess
Business Owner/ Realtor/ Landlord

To Whom it May Concern,

We are the owners of property id's 170654 and 193973 otherwise known as 308 College St, Waxahachie, TX 75165. As a local business owner within the proposed expansion of the Historic Overlay District we would like to express our absolute support of the proposal.

We look forward to encouraging the revival and protection of the historic properties in our town. I truly believe this expansion will encourage further improvement and development of our town.

Sincerely,

Brett Hess

City of Waxahachie, Texas
Notice of Public Hearing
for ZDC-69-2024
Expansion of the Historic Overlay

HACHIE PROPERTIES LLC ETAL
327 Blue Ribbon Rd
Waxahachie, TX 75165-8722

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Public Hearing on a request by the City of Waxahachie to expand the boundaries of the Historic Overlay District as created by Ordinance Number 2331, per the requirements of Ordinance Number 3020, and ordering the changing of the Zoning Map thereof in accordance with said change.

You received this notice because your property is located within the proposed expansion of the historic overlay. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Eleana Tuley, Downtown Manager at (469) 309-4111 or via email: eleana.tuley@waxahachie.com for additional information on this request.

In December 2023, the City sent a letter to property owners affected by the historic overlay expansion. A copy of the letter is attached for reference.

Case Number: ZDC-69-2024 **City Reference: 170654**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to eleana.tuley@waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Eleana Tuley, Downtown Development, 408 South Rogers Street, Waxahachie, TX 75165.

[X] SUPPORT [ ] OPPOSE

Comments:
We support the expansion.

Brett A Hess

Brett Hess
Printed Name and Title

5/8/2024
Date

308 N College St,
Waxahachie, TX 75165
Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-95-2024

MEETING DATE(S)

Planning & Zoning Commission: May 28, 2024
City Council: June 3, 2024

CAPTION

Public Hearing on a request by Ralph Hewitt, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development-56-Single Family-2 (PD-56-SF-2) zoning district located at 412 Gardenia Lane (Property ID 202997) - Owner: Ralph Hewitt and Renda Hewitt (ZDC-95-2024)

RECOMMENDED MOTION

- *"I move to recommend denial of ZDC-95-2024, a Specific Use Permit (SUP) for Short-Term Rental use."*
- *"I move to recommend approval of ZDC-95-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."*

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 412 Gardenia Lane

CASE INFORMATION

Applicant:	Ralph Hewitt
Property Owner(s):	Ralph Hewitt and Renda Hewitt
Site Acreage:	0.11 acres
Current Zoning:	Planned Development- Single Family-2 (PD-56-SF-2)
Requested Zoning:	PD-SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location:	412 Gardenia Lane
Parcel ID Number(s):	202997
Existing Use:	A single-family home currently occupies the subject property.
Development History:	The subject property is platted as Lot 12, Block C of the Enchanted Gardens subdivision

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-SF-2	Single Family Residence
East	PD-SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	PD-SF-2	Single Family Residence

Future Land Use Plan: Mixed-Use Neighborhood

Comprehensive Plan: A Mixed-Use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this place type, it is essential to make sure residential uses appropriately transition from one another based on the housing typology

Thoroughfare Plan: The subject property is accessible via Gardenia Lane

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP, with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The applicant requests a SUP for short-term rental use at 412 Gardenia Lane because it is located within the PD-SF-2 zoning district. The subject property consists of a primary structure of approximately 4,835 square feet, built in 1993 with two (2) bedrooms, (2) bathrooms and sufficient parking to accommodate the parking requirement of two (2) vehicles, situated on an approximately 0.11-acre (4,839 square foot) lot. The applicant has been operating a short-term rental since 2018. Has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance.

At the time of publishing this staff report, the City has received no complaints regarding any issues. During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The applicant's local emergency contact is Joseph Huneke (972-880-4051), 307 S. Elm Street, Waxahachie, TX. 75165, Josephhuneke@enterprises.com, located 1.9 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 59 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. The applicant has provided a support petition with over 20 signatures from properties in the immediate area.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
4. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Location Map (Exhibit A)
3. Zoning Map (Exhibit B)
4. Floorplan (Exhibit C)
5. Site Plan (Exhibit D)
6. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
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Harper.lindamood@waxahachie.com

Reviewed by:
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Senior Director of Planning
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Grant "SPECIFIC USE PERMIT'

for Short-term Rental

Located in Enchanted Gardens, 412 Gardenia Lane, Waxahachie, Texas

Ralph and Renda Hewitt have operated a short-term rental for over 5 years

at the above address. During that that time I have had No problems with the residence and or observed any disturbances.

Ralph and Renda Hewitt operate/manage their rental in a professional manner.

I feel they should be granted the "Specific Use Permit" to continue building our community and offering alternative accommodations for our Guests.

I will check SUPPORT on the letter from the City if received and return to the City.

We appreciate your support in this endeavor to maintain our much loved home and cover the expenses necessary to make a great place for people to enjoy all the pleasures Waxahachie gives us....

NAME	ADDRESS
Jan C. Crook	410 Gardenia Lane
Susie Wang	414 Gardenia Ln.
Barbara Mauger	408 Gardenia
Richard K Milner	401 Carnation
Karen Milner	401 Carnation
Mary Jo. Sezii	405 Carnation
Mary Ann Hanes	409 Carnation Ct. Waxahachie
John Hanes	409 Carnation Court

Grant "SPECIFIC USE PERMIT'

for Short-term Rental

Located in Enchanted Gardens, 412 Gardenia Lane, Waxahachie, Texas

Ralph and Renda Hewitt have operated a short-term rental for over 5 years

at the above address. During that that time I have had No problems with the residence and or observed any disturbances.

Ralph and Renda Hewitt operate/manage their rental in a professional manner.

I feel they should be granted the "Specific Use Permit" to continue building our community and offering alternative accommodations for our Guests.

I will check SUPPORT on the letter from the City if received and return to the City.

We appreciate your support in this endeavor to maintain our much loved home and cover the expenses necessary to make a great place for people to enjoy all the pleasures Waxahachie gives us....

NAME	ADDRESS
Hector H. Tovies	404 Lantana Terrace
Arturo Miranda	408 LANTANA TERRACE
Ryan Haney	400 LANTANA TER.
Mindy Boods	403 LANTANA TER.
Vicki J Bass	403 Lantana Ter
Laura Gilbert	408 Carnation CT
Stacie Dykes	406 CARNATION CT
Helen Highfoot	407 Carnation Ct.

RANDY ROGGS RROGGS@MAC.COM

Grant "SPECIFIC USE PERMIT'

for Short-term Rental

Located in Enchanted Gardens, 412 Gardenia Lane, Waxahachie, Texas

Ralph and Renda Hewitt have operated a short-term rental for over 5 years

at the above address. During that that time I have had No problems with the residence and or observed any disturbances.

Ralph and Renda Hewitt operate/manage their rental in a professional manner.

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We appreciate your support in this endeavor to maintain our much loved home and cover the expenses necessary to make a great place for people to enjoy all the pleasures Waxahachie gives us....

NAME	ADDRESS
LAVERNE + DAVID HALCOMB	717 E UNIVERSITY AVE, Waxahachie TX 75165
Nuvecja Thornton	713 E. University Ave Wax. TX 75165
Alan Hooper Hill	709. University AVE WAX 75165
Carolyn Brogdon	711 E. University Ave Wax 75165
Thomas G Oliphant	401 Sanlana Terrace 75165
Carolyn D. Oliphant	401 Sanlana TE165

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-95-2024

<>

HEWITT RALPH G & RENDA
409 CARNATION CT
WAXAHACHIE, TX 75165-1795

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 28, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 3, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ralph Hewitt, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Planned Development-56-Single Family-2 (PD-56-SF-2) zoning district located at 412 Gardenia Lane (Property ID 202997) - Owner: Ralph Hewitt and Renda Hewitt (ZDC-95-2024) Staff: Harper Lindamood

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: ZDC-95-2024 **City Reference: 202997**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 22, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT ☐ OPPOSE

Comments: Yes

Ralph Hewitt
Signature

Ralph Hewitt
Printed Name and Title

May 13
Date

412 Gardenia Ln
Address
Wax.

Item 7&8

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-95-2024

<>

MARTINEZ LAURA P
407 LANTANA TERRACE
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 28, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 3, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-95-2024 **City Reference: 203012**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 22, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments: I prefer to keep neighborhood strictly residential in nature.

Laura P Martinez
Signature

5/15/2024
Date

LAURA P. MARTINEZ
Printed Name and Title

407 Lantana Terr. Waxahachie, TX 75165
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-95-2024

<>◇<>

OLIPHANT CATHY C & THOMAS A
401 LANTANA TERRACE
WAXAHACHIE, TX 75165-1781

RECEIVED MAY 15 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 28, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 3, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

> Request by Ralph Hewitt, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Planned Development-56-Single Family-2 (PD-56-SF-2) zoning district located at 412 Gardenia Lane (Property ID 202997) - Owner: Ralph Hewitt and Renda Hewitt (ZDC-95-2024) Staff: Harper Lindamood

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: ZDC-95-2024 **City Reference: 203005**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 22, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☑ SUPPORT ☐ OPPOSE

Comments:

Thomas A. Oliphant
Signature

MAY 12, 2024
Date

THOMAS A. OLIPHANT
Printed Name and Title

401 LANTANA
Address

Case Number: ZDC-95-2024 **Item 7&8** **City Reference: 180842**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 22, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:

THIS IS A NICE QUIET NEIGHBORHOOD. THIS PROPERTY IS DIRECTLY BEHIND MY HOME. DUE TO THE POTENTIAL OF NOISE, TRASH AND OTHER ISSUES WITH SHORT TERM RENTALS, I AM OPPOSED TO CHANGING THE ZONING TO ALLOW.

Signature

5-15-24
Date

SAM A. MEASE OWNER
Printed Name and Title

103 GREENBRIER
Address

103 GREENBRIER
WAXAHACHIE, TX

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-95-2024

<>

RECEIVED MAY 16 2024

EDWARDS TRAVIS N & DEDDRA A
105 GREENBRIER ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 28, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 3, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ralph Hewitt, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Planned Development-56-Single Family-2 (PD-56-SF-2) zoning district located at 412 Gardenia Lane (Property ID 202997) - Owner: Ralph Hewitt and Renda Hewitt (ZDC-95-2024) Staff: Harper Lindamood

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Case Number: ZDC-95-2024 **City Reference: 180817**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 22, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:
GUESTS HAVE BEEN KNOWN TO BE CARELESS AND ROWDY

Signature

05.13.24
Date

TRAVIS EDWARDS
Printed Name and Title

105 GREENBRIER ST.
Address

Case Number: ZDC-95-2024 **Item 7&8** **City Reference: 203019**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 22, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE RECEIVED MAY 16 2024

Comments: Our quiet neighborhoods are no place for short-term rentals.

Signature

May 13, 2024
Date

Linda C Brown
George E. Brown
Printed Name and Title

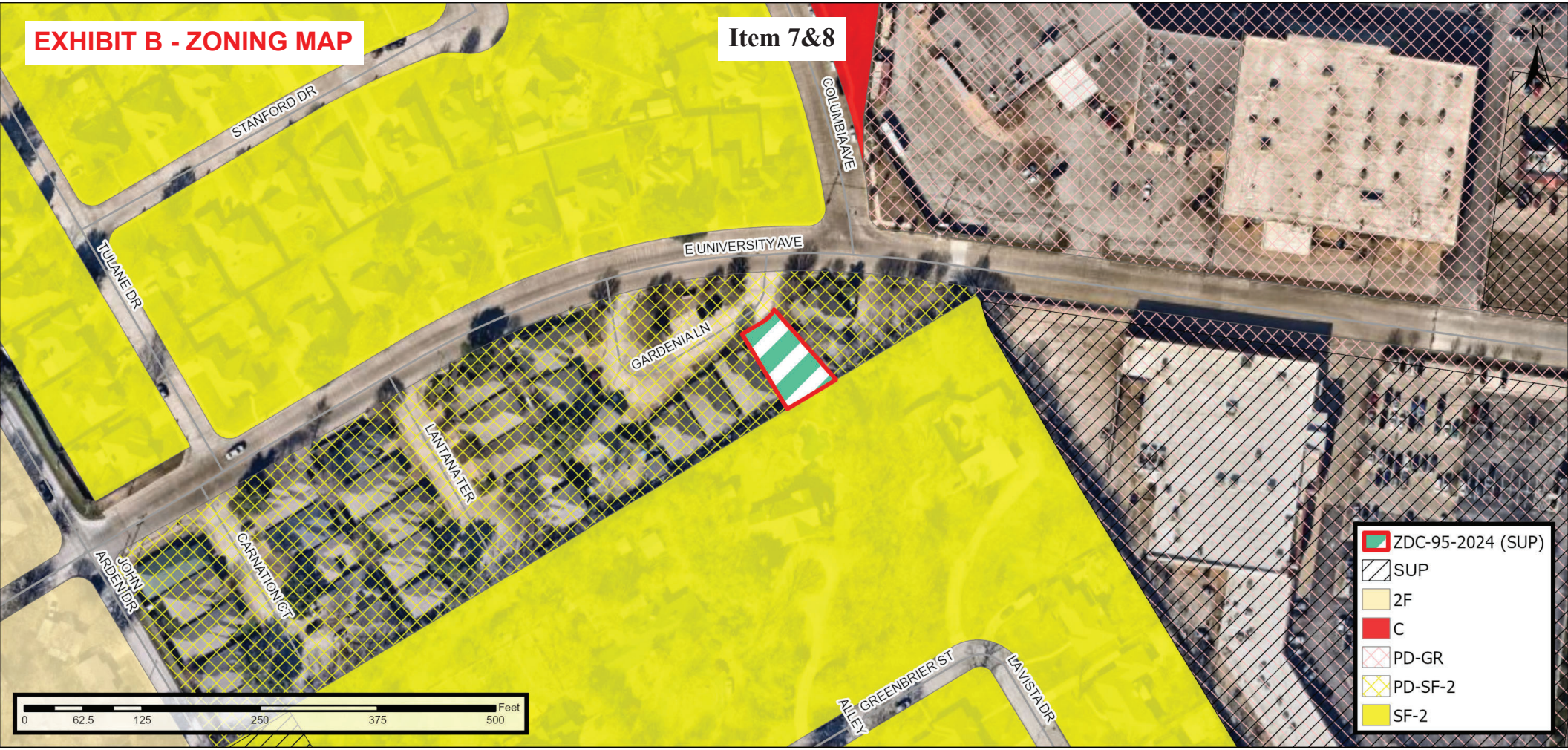
402 Carnation Ct
Address

Linda A Brown

EXHIBIT A - LOCATION MAP

Item 7&8




EXHIBIT B - ZONING MAP
Item 7&8
STANFORD DR
COLUMBIA AVE
E UNIVERSITY AVE
TULANE DR
GARDENIA LN
LANTANA TER
CARNATION CT
JOHN ARDEN DR
GREENBRIER ST
ALLEY
LA VISTA DR
N
Feet
0
62.5
125
250
375
500
ZDC-95-2024 (SUP)
SUP
2F
C
PD-GR
PD-SF-2
SF-2

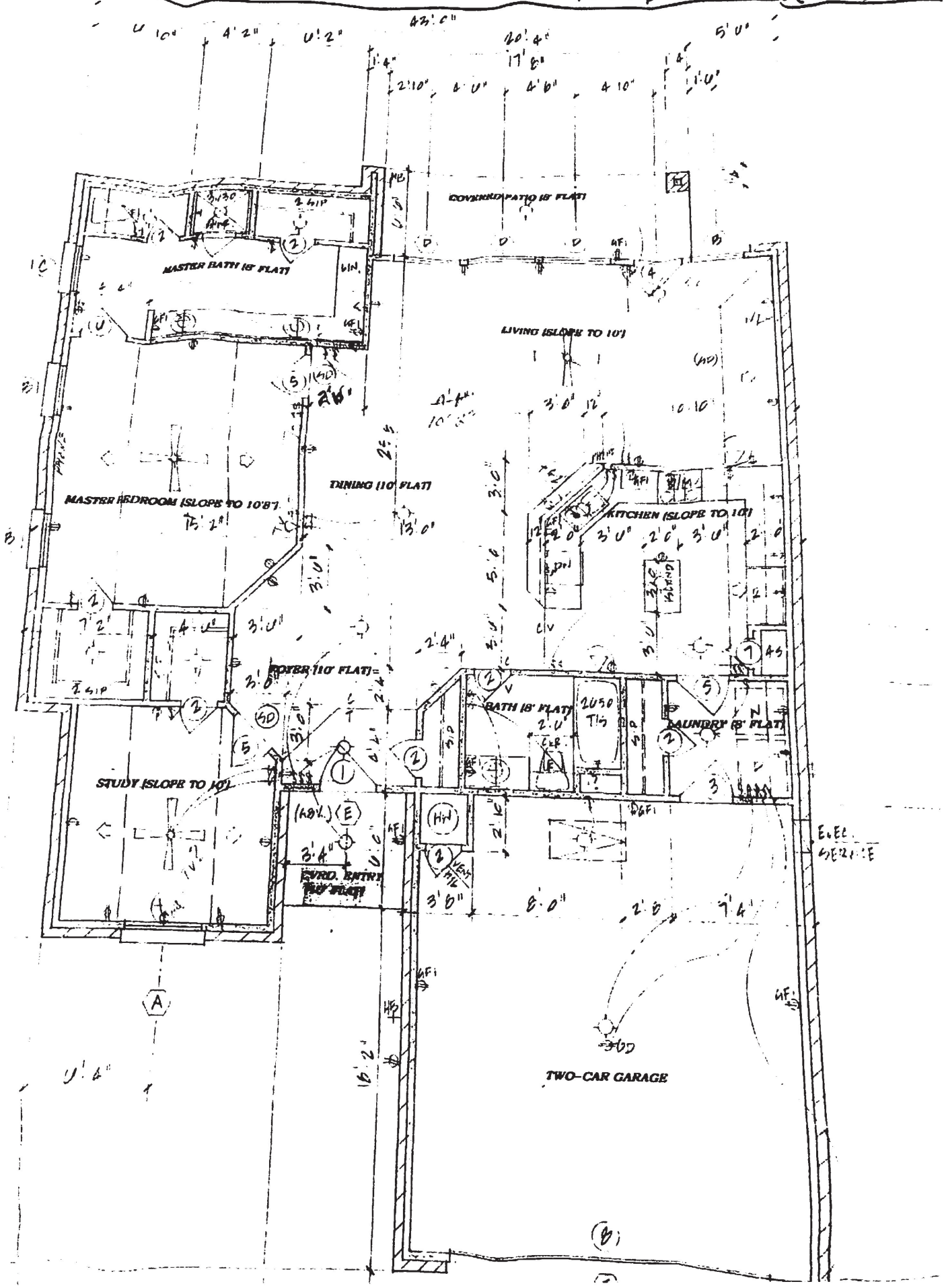

New Home
412 Gardena Ln.
COVERED PATIO (8' FLAT)
MASTER BATH (8' FLAT)
LIVING (SLOPE TO 10')
MASTER BEDROOM (SLOPE TO 10'8")
DINING (10' FLAT)
KITCHEN (SLOPE TO 10')
ENTRY (10' FLAT)
BATH (8' FLAT)
LAUNDRY (8' FLAT)
STUDY (SLOPE TO 10')
TWO-CAR GARAGE

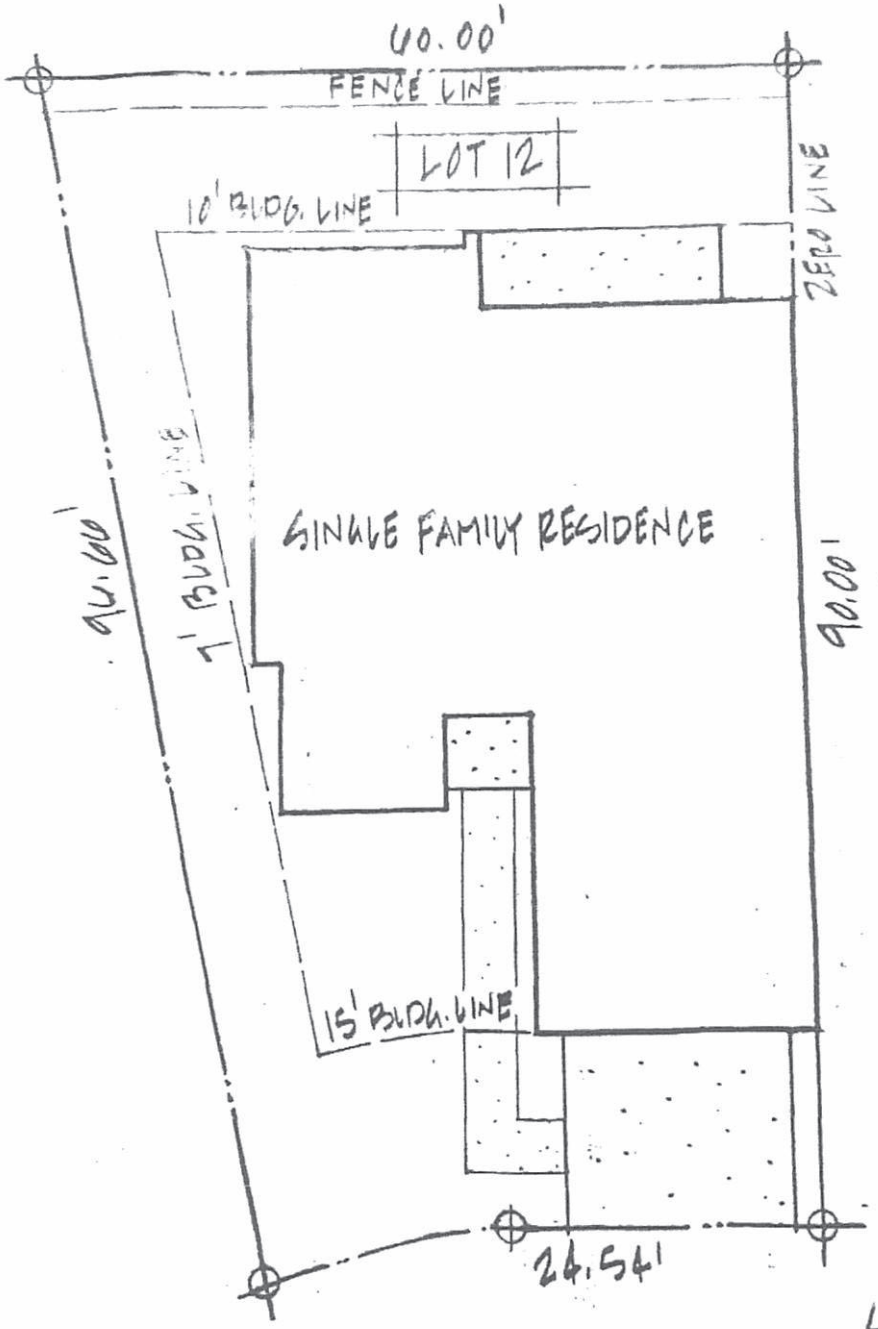
EXHIBIT D - SITE PLAN

ANTHONY W. MOTTLA
ARCHITECT

308 E. Marvin
Waxahachie , TX 75165
(214) 938-2463
Fax (214) 938-2463

LOT 12
ENCHANTED GARDENS
WAXAHACHIE
ELLIS COUNTY, TEXAS

PLOT PLAN



HEWITT
~~CUMMINGS~~ RESIDENCE

Helon's Haven

House Rules

Thanks for letting me host you through AIRBNB.

Some simple guidelines to follow that will make your stay better.

Park in cul-de-sac facing the street or in driveway.

Don't park in front of neighbors yard or driveway.

Your door code is —— enter and turn knob to open the door and repeat when leaving.

Please read booklet on the cabinet to the left as you enter under the picture.

It will give you a lot of information about the house and the Wi-Fi code too. TV is over the fireplace, to operate make sure that switch on strip & green light is on then use remote control and find volume of right side.

Use the appliances and kitchen as if at home (leave neat and tidy).

Do Not go out on back patio after 9:00pm for Respect of close neighbors.

Any questions ask away...

Please contact me or our property manager Joseph Huneke

972 880 4051

For any Emergency

Planning & Zoning Department

Zoning Staff Report

Case: SUB-67-2024

MEETING DATE(S)

Planning & Zoning Commission: May 28, 2024
City Council: June 3, 2024

CAPTION

Public Hearing on a request by Andrew Weyand, Bloom & Pour LLC, for a **Specific Use Permit (SUP)** for a **Private Club (Event Venue – Bloom & Pour)** use within a Central Area (CA) zoning district located at 100 S Rogers Street (Property ID 170469) - Owner: Dunn Street Equities LLC (ZDC-67-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend approval of ZDC-67-2024, a Specific Use Permit (SUP) for a Private Club (Event Venue – Bloom & Pour), subject to the conditions of the staff report."

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) to allow for a Private Club (Event Venue – Bloom & Pour) use at 100 S Rogers Street.

CASE INFORMATION

Applicant:	Andrew Weyand, Bloom & Pour LLC
Property Owner(s):	Dunn Street Equities LLC
Site Acreage:	0.101 acres
Current Zoning:	Central Area (CA)
Requested Zoning:	Central Area (CA) with SUP for a Private Club use

SUBJECT PROPERTY

General Location:	100 S Rogers
Parcel ID Number(s):	170469
Existing Use:	The existing building on site is currently being remodeled for Bloom & Pour.
Development History:	The subject property is platted as Lots 4A and 5, Block 8 of the Original Town Addition.

Adjoining Zoning & Uses:

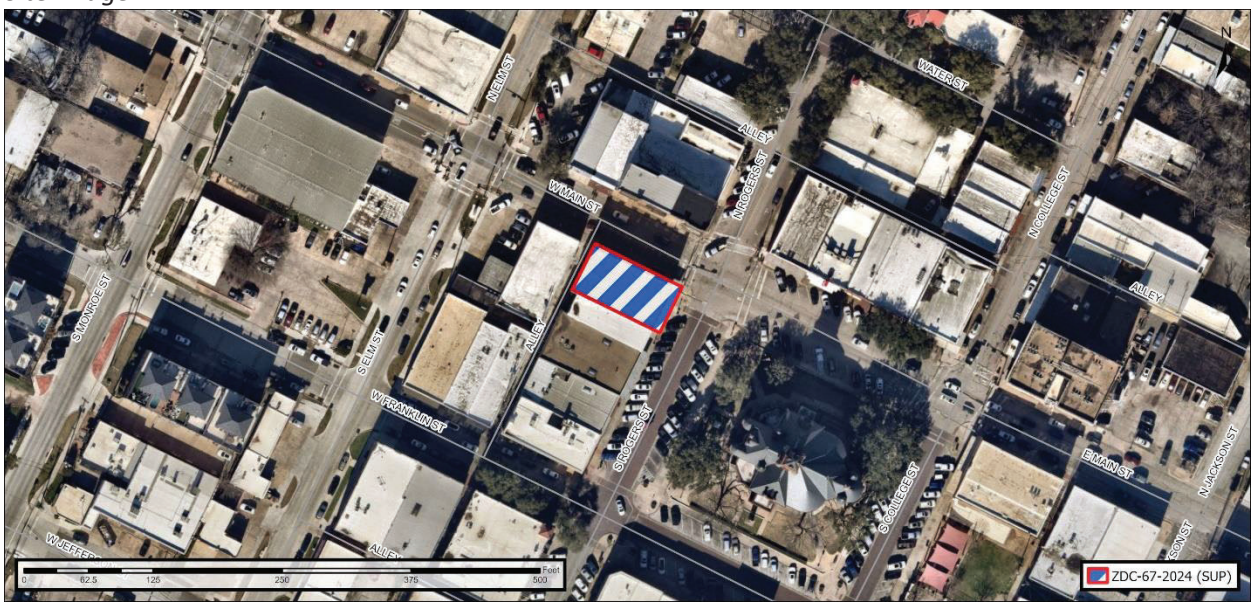
Direction	Zoning	Current Use
North	Central Area (CA)	Kick Rocks Cowboy Boutique
East	Central Area (CA)	Ellis County Courthouse
South	Central Area (CA)	Vaqueras Boutique
West	Central Area (CA)	The Southern Mercantile

Future Land Use Plan: Downtown

Comprehensive Plan: It is most appropriate to think of the Downtown placetype as a modification of the mixed-use neighborhood placetype. Waxahachie benefits from an attractive historic core and this placetype serves to preserve and allow for incremental improvement of that area. The core of Downtown is ripe for quality vertical mixed-use development. New single-family homes are generally discouraged here as denser housing types are desired in downtown to provide more patrons to support the abundance of local businesses downtown. Attached and stacked housing is appropriate, since the downtown core is predominantly developed, denser housing will most likely occur on the fringes or edges of downtown. Active rooftops, sidewalk cafes, and parklets are an opportunity to further activate the downtown core.

Thoroughfare Plan: The property is accessible via S Rogers Street.

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) to allow for a Private Club (Event Center - Bloom & Pour) use on the first floor of 100 S Rogers Street. The fist floor is approximately 3,900 square feet in size. The first floor is accessible from S Rogers Street and W Main Street. The applicant has noted that the venue is intended to host to private events such as birthdays, baby showers, business meetings, weddings, pop-up sales, and photography sessions. The venue will also be used as an event space for floral design and coffee tasting classes. Finally, the applicant has dedicated areas for shared workspaces that can be rented by the hour for remote work and business meetings. A full-service kitchen is not proposed to be a part of the Bloom & Pour business; but "ready to eat" and "ready to drink" products will be offered. The venue is anticipated to be open from 7:00 am to 7:00 pm Monday through Friday and 8:00 am to 8:00pm on Saturday, with events scheduled by appointment only. The applicant anticipates retaining between 6 and 8 staff members for the venue.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 28 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

Staff has received no letters of support or opposition for the proposed SUP.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request, subject to the conditions noted below.

Conditions:

1. Permission to operate a Private Club use on the first floor of 100 S Rogers Street is granted only to Andrew Weyand, owner of "Bloom & Pour". Approval to operate a Private Club use at this location will not transfer to another Private Club establishment or owner of Bloom & Pour.
2. An amendment to the SUP will be required in the event that the property owner wishes to expand the Private Club area beyond the approximately 3,900 square foot area on the first floor of 100 S Rogers Street.
3. A full-service kitchen is not permitted in the Private Club. An amendment to the SUP will be required to be approved by City Council to allow a full-service kitchen in the Private Club.
4. Alcohol Sales are not permitted in the Private Club. An amendment to the SUP will be required to be approved by City Council to allow alcohol sales in the Private Club. A TABC approval will also be required to allow alcohol sales in the Private Club.
5. Events are required to be scheduled by appointment only. Events are only permitted between the hours 7:00 am to 7:00 pm Monday through Friday and 8:00 am to 8:00pm on Saturday. Modifications to the hours of operation shall require an amendment to the SUP to be approved by City Council.
6. An updated Certificate of Occupancy (CO) documenting the Private Club Use shall be issued by the Building and Community Services Department for "Bloom & Pour" prior to use of the business as a Private Club
7. An official suite number is required to be assigned for the first floor of 100 S Rogers Street, prior to the issuance of a Certificate of Occupancy for the business.

Conditions (continued):

8. All exterior signage shall require a sign permit from the Building & Community Services Department and approval by the Heritage Preservation Commission.
9. If the premises covered by this Specific Use Permit is vacated and/or cease to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to re-establish the use.

ATTACHED EXHIBITS

1. Operational Plan
2. Floor Plan

APPLICANT REQUIREMENTS

1. If approved by City Council, the applicant can apply for an updated Certificate of Occupancy (CO) with the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

Operational Plan – Bloom & Pour LLC

Hours of Operation

Monday-Friday – 7am-10pm
Saturday & Sunday – 8am-11pm

Event Space Rental

Our space will be available to rent for business meetings, baby showers, birthday parties, anniversaries, special occasions, and weddings. Our current business primarily performs mobile coffee catering and floral design services at weddings, so the venue will not only be a great downtown venue space, but we will be able to provide essential services like floral, beverage, and decor rentals to the clients who rent our space. Additionally, our prep kitchen will be made available for approved caterers. We will allow licensed bartenders to serve beer and wine.

Loca
ted directly on the downtown square with an open floor plan on the first floor, our space will be easily accessible to our clients and their guests. Our mother's room, multi-use space, and conference room will each serve as an additional amenity to the space.

Staffing

Our on-site team will comprise an estimated 6-8 front of house staff. Our ownership team is a multi-member LLC who will oversee the executive duties and day-to-day operations. Staff will have food service training. Each shift will have a trained food service manager.

Building Signage

We are working with a company who has made approved signage for other local businesses in downtown Waxahachie and have submitted our quotes to our landlord of our building who will be submitting our signage plans to the city's facade grant program for approval. We will be submitting our signage plans to the HPC for final approval.

Goods & Services

B&P will not operate a full service kitchen. The B&P kitchen is a prep kitchen for preparing coffee and non-baked food items. The kitchen will contain a 3-compartment sink, a single compartment prep sink, refrigerator, prep tables, and a dishwasher.

Beverage Menu

We will offer made to order coffee, tea, and other non-alcoholic beverages available for purchase.

RTD/RTE

We will offer grab & go (Ready to Drink and Ready to Eat) offerings such as bottled water and sparkling water. Ready to Eat pre-packaged snack items by vendors who provide FDA approved goods will also be available for purchase.

We will offer prepackaged food items purchased through wholesalers such as snack bars and packaged chocolates.

Food Menu

B&P standard menu will offer pastries prepared by a local bakery in their own authorized kitchen. B&P may prepare yogurt parfaits, fruit mixes, no-bake oatmeal and other non-baked items out of our B&P prep kitchen. There will not be a stove in our B&P prep kitchen. B&P may offer hot breakfast items prepared by local businesses at their own authorized kitchens.

Retail Merchandise

We will offer branded merchandise such as t-shirts, mugs, and tote bags. We will also sell retail coffee beans from our roaster partner who runs production from an authorized roasting facility based in Dallas, Texas.

Floral Arrangements

We will offer pre-arranged and “build your own bundle” floral arrangements for pre-order and walk-in customers.

Additional Notes: We will not sell alcoholic drinks.

Shared Workspaces

Concept

We have two shared workspaces that will be available for rental in advance by the hour through our website portal. We will also offer walk-in customers the option to rent our workspaces as they are available. The multipurpose room (see floor plan) will primarily be available for photographers to conduct photoshoots with clients or for brand photography. Other creatives who do brand videography and podcast recordings will also be able to access the multipurpose room. We will supply the multi-purpose room with a decorative backdrop for photographers, a couch, stool, and plants for decorative use. Our second shared workspace will be a conference

room (see floor plan) with seating capacity for between 1-10 people to host meetings. Amenities in our conference room will include a conference table, dry erase marker board, chairs, and a television with wifi capability to video cast visual presentations. The conference room will be available to rent by the hour during our hours of operation. Both workspaces are separate spaces that can be rented separately or together at the same time.

B&P aims to support local businesses through the shop. In line with this aim, B&P may host vendor market events. During these events, B&P will charge a flat fee or sales percentage fee to the vendors and provide a space to promote and sell their products. While each event may be different to support a variety of local businesses, B&P anticipates some events may require special event permitting on a case by case basis. See below under the “Pop-up events & vendors section for more information on what services and items will be sold by the vendors at our pop-up and market events. Our market events will be hosted inside of our building. In the case we would consider having a vendor do a pop-up outside of our physical building, we will follow city guidelines for outdoor special events as noted in this link > City Guidelines for Special Events

Amenities

Our shared workspace (conference room) will be equipped with television access to connect directly to screen share and/or televise powerpoint presentations. Additionally, we will have a maker board and other essential office supplies to conduct office meetings such as stationary, pens, and dry erase markers. No special equipment will be required to utilize our workspace for our customers.

On-site Workshops & Classes

We will offer occasional free of charge and prepaid classes and workshops such as on-site floral workshops and coffee education classes made available for the public by registering through our website portal.

Pop-up Events & Vendors

We will collaborate with local businesses and individuals who are registered with the state to promote and sell goods and services at onsite pop-up events. The vendors we intend to collaborate with will include products and services such as apparel, home goods, potted plants, artisan crafts, skin & beauty products, ceramics, artwork, candles, photography sessions, and business mentorship classes.

FLOOR PLAN

NEW GROUND FLOOR PLAN

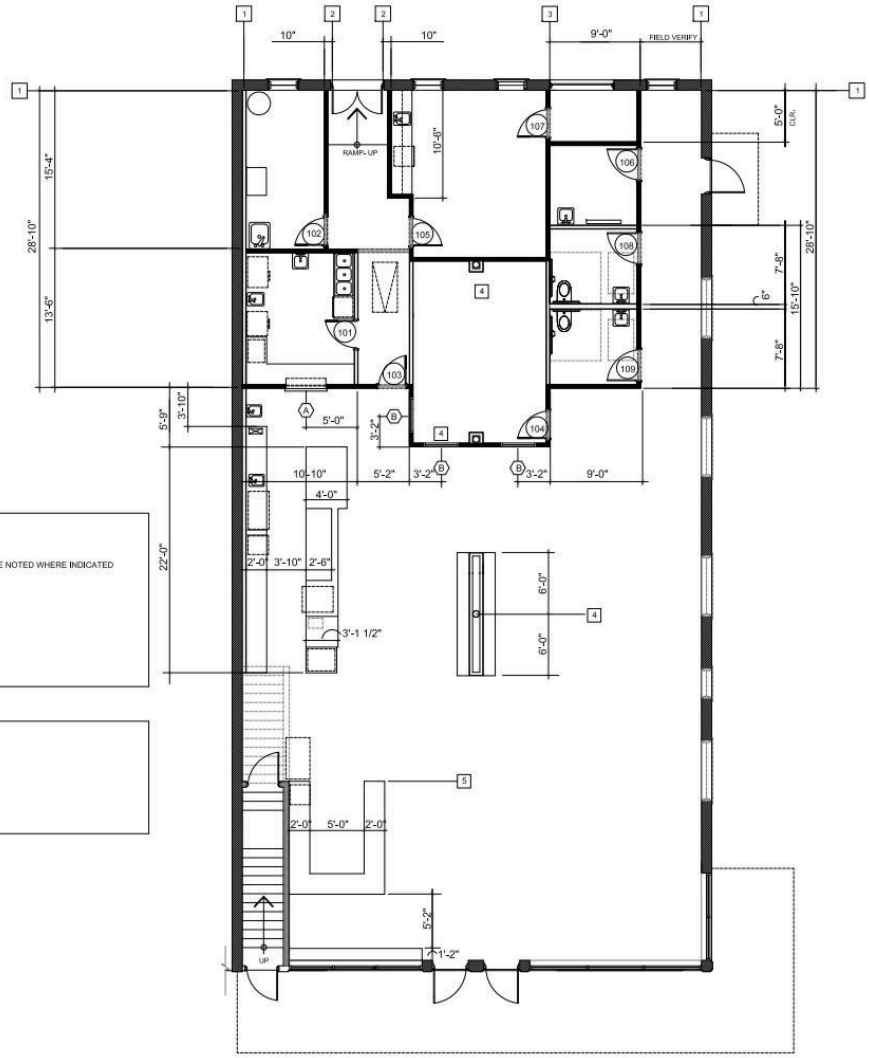
Item 9&10

AA
A2,6

New Ground Floor Plan

1/4" = 1'-0"

PROJ. No:2302023 | DRAWING NUMBER: A2.0
PHASE:ISSUED FOR PERMIT
DATE: 4.26.23



Building Dimension Plan Notes:

1. SEE SHEET A2.0 & A2.1 FOR GENERAL BUILDING FLOOR PLANS
2. UNLESS NOTED OTHERWISE, DIMENSIONS ARE FROM FACE OF MASONRY, STEEL OR STUD AS INDICATED ON THESE PLANS
3. CRITICAL DIMENSIONS ARE SHOWN AS "CLEAR"- THESE DIMENSIONS MUST BE MAINTAINED FROM THE FINISHED SURFACES AND ARE NOTED WHERE INDICATED
4. WINDOWS AND EXTERIOR DOORS ARE DIMENSIONED FROM THEIR CENTERLINES AS INDICATED-TYP.-U.N.O.
5. UNSCHEDULED DOORS AND WINDOWS ARE EXISTING AND ARE TO REMAIN- REPAIR/ RESTORE AS REQUIRED
6. FIELD VERIFY ALL CONTROL POINTS SHOWN PRIOR TO LAY-OUT
7. NEW FRAMING IS SHOWN AS 4" OR 6" NOMINAL
8. SEE DOOR AND WINDOW SCHEDULE FOR INDICATED DOORS AND/ OR WINDOWS ON THESE PLANS
9. SEE ENLARGED PLAN AND INTERIOR ELEVATION SHEETS FOR DIMENSIONS NOT SHOWN ON THIS PLAN

Dimension Plan Legend

1. FACE OF EXISTING MASONRY WALL
2. BRICK FACE AT EXISTING DOOR JAMB
3. FACE OF NEW GYP. BD. = FACE OF EXISTING BRICK DOOR JAMB
4. C.L. OF EXISTING STEEL COLUMN- FIELD VERIFY EXACT LOCATION
5. FACE OF STAIR CLOSET WALL = EDGE OF NEW MILLWORK

NEW GROUND FLOOR DIMENSION PLAN

New Ground Floor Dimension Plan

1/4" = 1'-0"

NO. | DATE | DESCRIPTION

Alterations to the Ground Floor of 100 S. Rogers Street for
Bloom & Pour
Waxahachie, Texas 75165

Bloom&Pour

MOTTLA ARCHITECTS

308 East Marvin Avenue
Waxahachie, TX 75165
O 972.203.2269

Designed by: A. Mottla Date:
Drawn by: MR Date:
Checked by: A. Mottla Date:
Q.A. by: A. Mottla Date:

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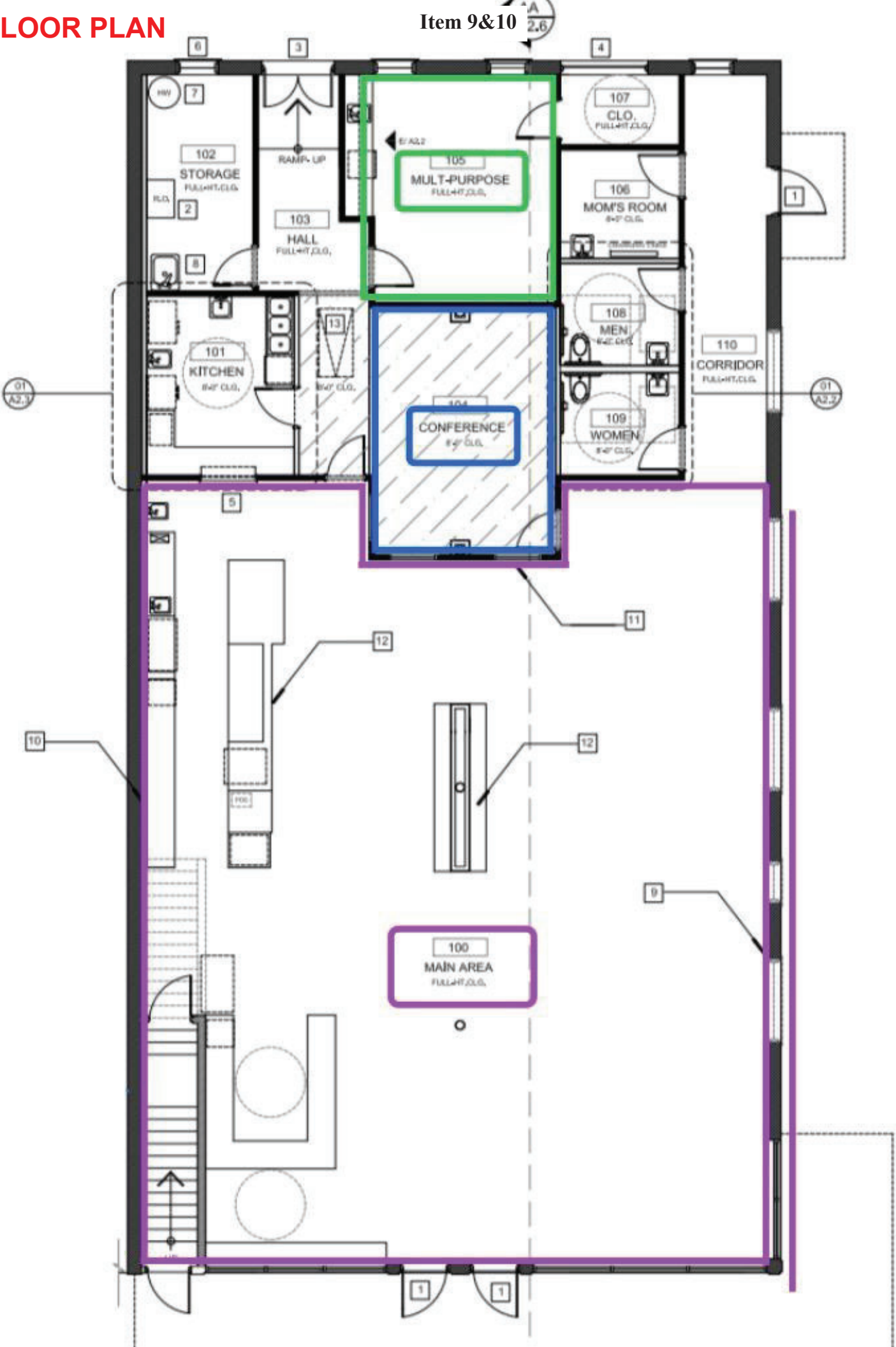
DRAWING TITLE:

www.mottlaarchitects.com

PROJ. No:2302024 | DRAWING NUMBER: A2.1
PHASE:ISSUED FOR PERMIT
DATE: 1.15.24

FLOOR PLAN

Item 9&10



Planning & Zoning Department

Zoning Staff Report

Case: ZDC-88-2024

MEETING DATE(S)

Planning & Zoning Commission: May 28, 2024
City Council: June 3, 2024

CAPTION

Public Hearing on a request by Cyle Corse, for a **Specific Use Permit (SUP)** for a **Tattoo or Body Piercing Shop** use within a Commercial (C) zoning district located at 217 E Main Street (Property ID 274682) - Owner: Big Blue Truck LLC (ZDC-88-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend approval of ZDC-88-2024, a Specific Use Permit (SUP) for a Tattoo or Body Piercing Shop use, subject to the conditions of the staff report."

APPLICANT REQUEST

The applicant requests approval of a SUP to allow for a Tattoo or Body Piercing Shop use at 217 E Main Street.

CASE INFORMATION

Applicant:	Cyle Corse
Property Owner(s):	Big Blue Truck LLC
Site Acreage:	0.0811 acres
Current Zoning:	Commercial (C)
Requested Zoning:	Commercial (C) with SUP for a Tattoo or Body Piercing Shop

SUBJECT PROPERTY

General Location:	217 E Main Street
Parcel ID Number(s):	274682
Existing Use:	Shelby Symmetry Fitness Studio previously occupied the building.
Development History:	The subject property is currently platted as portion of Lot 6, Block 40 of the Original Town addition.

Adjoining Zoning & Uses:

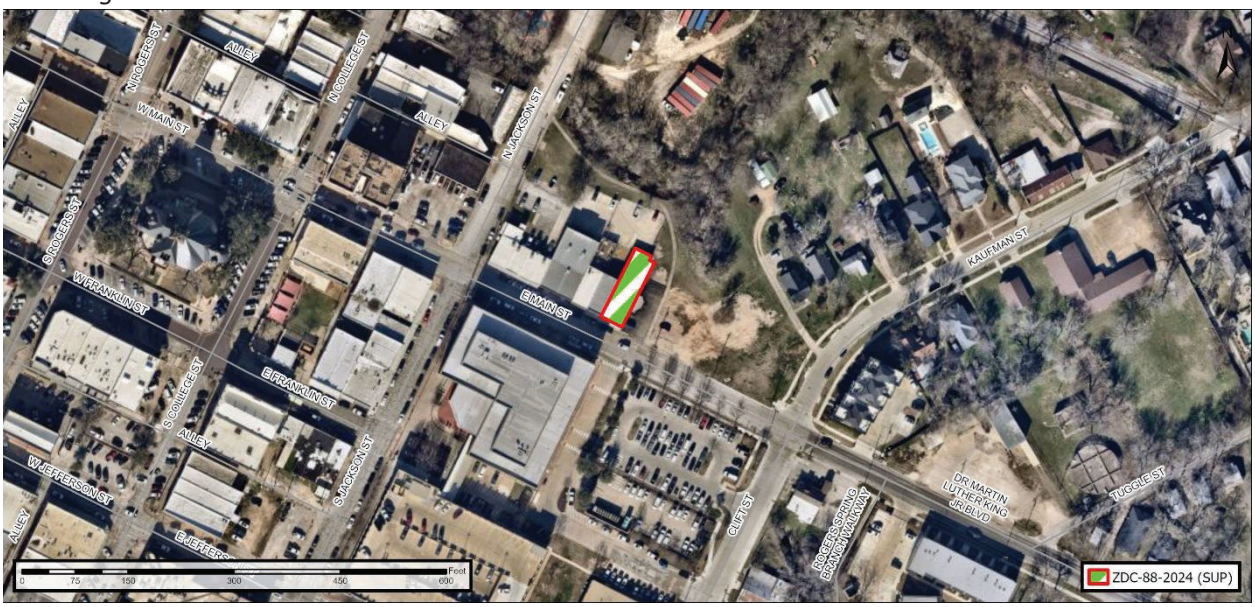
Direction	Zoning	Current Use
North	C	Parking Lot
East	PD-MUR – Ordinance 3069	Undeveloped
South	PD-CA – Ordinance 2481	Ellis County Building
West	C	Office

Future Land Use Plan: Downtown

Comprehensive Plan: It is most appropriate to think of the Downtown placetype as a modification of the mixed-use neighborhood placetype. Waxahachie benefits from an attractive historic core and this placetype serves to preserve and allow for incremental improvement of that area. The core of Downtown is ripe for quality vertical mixed-use development. New single-family homes are generally discouraged here as denser housing types are desired downtown to provide more patrons to support the abundance of local businesses downtown. Attached and stacked housing is appropriate since the downtown core is predominantly developed; denser housing will most likely occur on the fringes or edges of downtown. Active rooftops, sidewalk cafes, and parklets are an opportunity to further activate the downtown core.

Thoroughfare Plan: The subject is accessible via E Main Street.

Site Image:



PLANNING ANALYSIS

Background:

On May 1, 2023, City Council adopted Ordinance 3374 for the purpose of further defining and distinguishing "Tattoo or Body Piercing Shop" uses and "Cosmetic Studio Restorative" uses. This ordinance established the requirement for "Tattoo or Body Piercing Shop" uses to receive approval of a Specific Use Permit (SUP) to operate in the General Retail (GR), Central Area (CA), and Commercial (C) zoning districts. Notably, prior to the adoption of this ordinance, "Tattoo or Body Piercing Shop" uses were allowed by right in the Commercial zoning district; but were prohibited in all other zoning districts.

In 2023, the applicant inquired about the process needed to relocate the tattoo studio to 217 E Main Street. At that time, the applicant was informed that an application for a Certificate of Occupancy (CO) was all that was needed to move to this location. This information did not correctly account for the ordinance adopted by the City Council in May of 2023, requiring approval of a SUP for all Tattoo or Body Piercing Shop uses in Commercial (C) zoning districts. In April of 2024, the applicant submitted a CO application to the Building & Community Services Department and was subsequently informed that approval of a SUP would be needed prior to issuance of the CO.

Proposed Use:

The applicant proposes a SUP to allow for a Tattoo or Body Piercing Shop use (Tattoo Guild) at 217 E Main Street. The owner of Tattoo Guild, Cyle Corse, has operated the Ink Masters tattoo studio at 201 E Main Street since 2015. With this SUP, the applicant is seeking approval to move to a larger space at 217 E Main Street for the purpose of consolidating three of his local tattoo studios into one space. The studio at 217 E Main Street is approximately 2,500 square feet in size and will accommodate chairs for eight (8) tattoo artists. The proposed hours of operation for the studio are 1:00pm to 10:00pm Tuesday through Saturday.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 12 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

Staff has received five (5) letters of support for the proposed SUP.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request, subject to the conditions noted below.

Conditions:

1. Permission to operate a Tattoo or Body Piercing Shop use at 217 E Main Street is granted only to Cyle Corse, owner of "Tattoo Guild". Approval to operate a Tattoo or Body Piercing Shop use at this location will not transfer to another Tattoo or Body Piercing Shop establishment or owner of Tattoo Guild.
2. An amendment to the SUP will be required in the event that the property owner wishes to expand the Cosmetic and Restorative Studio area beyond the building at 217 E Main Street.
3. All exterior signage shall require a sign permit from the Building & Community Services Department and approval by the Heritage Preservation Commission.
4. If the premises covered by this Specific Use Permit is vacated and/or cease to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to re-establish the use.

ATTACHED EXHIBITS

1. Letters of Support
2. Operational Plan
3. Floor Plan
4. Tattoo Shop and Cosmetic Restorative Studio Uses Exhibit

APPLICANT REQUIREMENTS

1. If approved by City Council, the applicant can complete the Certificate of Occupancy (CO) process with the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-88-2024

<>

BIG BLUE TRUCK LLC
1023 W MAIN ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 28, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 3, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Cyle Corse, for a **Specific Use Permit (SUP)** for a Tattoo or Body Piercing Shop use within a Commercial (C) zoning district located at 217 E Main Street (Property ID 274682) - Owner: Big Blue Truck LLC (ZDC-88-2024) Staff: Zack King

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: ZDC-88-2024 **City Reference: 279746**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 22, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☑ SUPPORT ☐ OPPOSE

Comments:

Signature

5-14-24
Date

Greg Nichols, partner
Printed Name and Title

1023 W Main
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-88-2024

<>

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Case Number: ZDC-88-2024 **City Reference: 274682**

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☑ SUPPORT ☐ OPPOSE

Comments:

Signature

5-14-24
Date

Greg Nehib, partner
Printed Name and Title

1023 W Main
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-88-2024

<>

BIG BLUE TRUCK LLC
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WAXAHACHIE, TX 75165

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Case Number: ZDC-88-2024 **City Reference: 170696**

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☑ SUPPORT ☐ OPPOSE

Comments:

Signature

5-14-24
Date

Greg Nehib, partner
Printed Name and Title

1023 W Main
Address

Item 11&12

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-88-2024

<><><>

BIG BLUE TRUCK LLC
1023 W MAIN ST
WAXAHACHIE, TX 75165

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Case Number: ZDC-88-2024 **City Reference: 170539**

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☑ SUPPORT ☐ OPPOSE

Comments:

Signature

5-14-24
Date

Greg Vehib, partner
Printed Name and Title

1023 W Main St.
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-88-2024

CORK HOUSE WINERY LLC
213 E MAIN ST
WAXAHACHIE, TX 75165

RECEIVED MAY 15 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 28, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 3, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-88-2024 **City Reference: 170542**

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☑ SUPPORT ☐ OPPOSE

Comments:

Cork House Winery

Karla Gibson
Signature

5/13/24
Date

Karla Gibson - owner
Printed Name and Title

213 E Main St.
Address

OPERATIONAL PLAN **Item 11&12**

Cyle Corse
DBA Tattoo Guild
217 E. Main Street
Waxahachie Texas 75165

April 25th, 2024

I am submitting an application for a SUP at 217 E. Main Street, Waxahachie, Texas 75165. I have been in business at my current location since 2015. I would like to consolidate three of our local tattoo studios into one.

We will have 8 artists and our hours of operation will be Tuesday-Saturday 1PM-10PM. We will only tattoo during operating hours.

Signage will comply with the City's sign requirements and I understand the approval process.

Business Plan for the Tattoo Guild

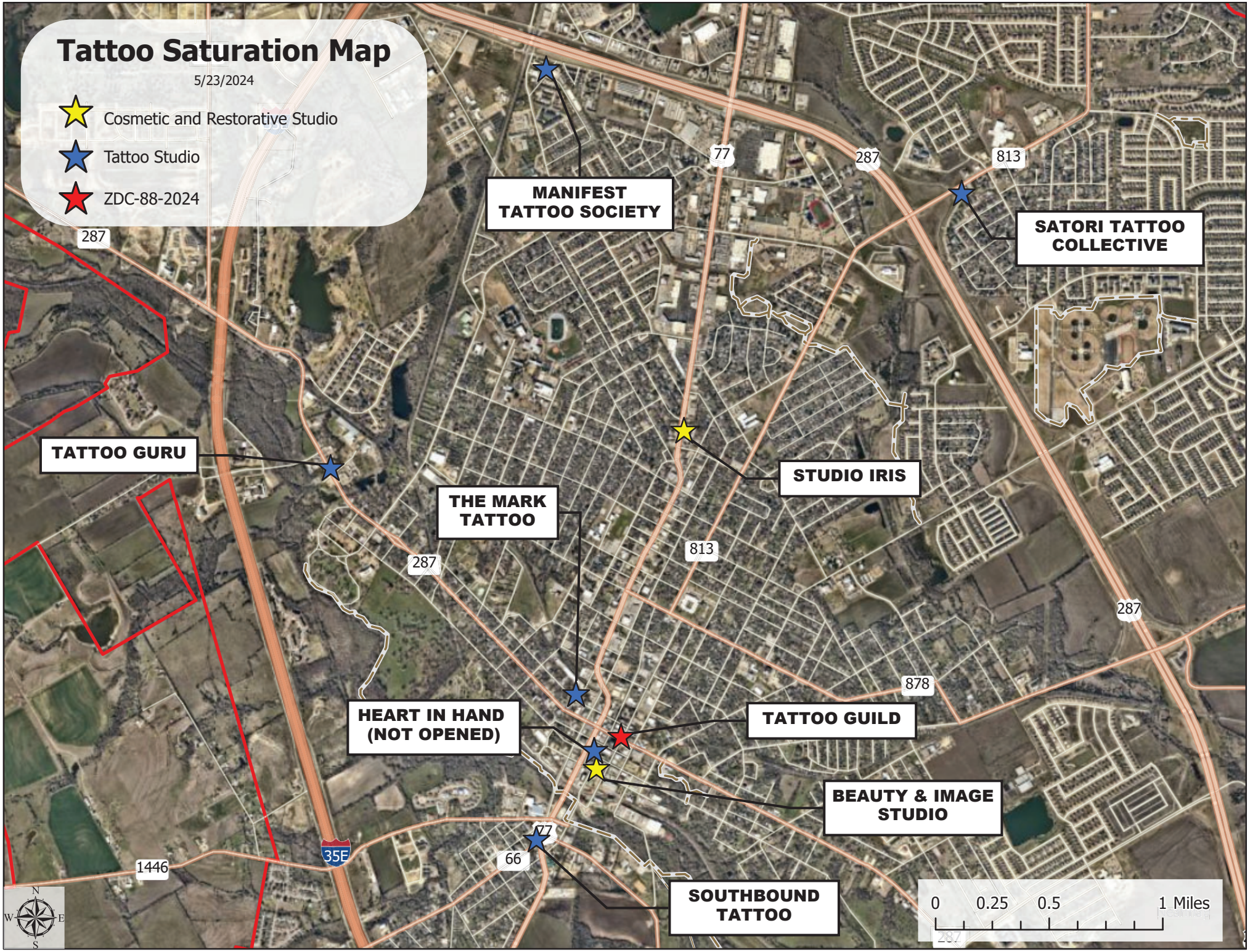
The Tattoo Guild is a professional tattoo studio committed to providing high-quality tattoo services to clients. Our mission is to create unique and meaningful tattoo art while maintaining a safe and comfortable environment for both artists and customers. This business plan outlines the key strategies and objectives for the Tattoo Guild to achieve success and we are confident in our ability to thrive in Waxahachie's beautiful community!

Sincerely,

Cyle Corse

FLOOR PLAN

station
station
station
station
station
Bath
Bath
station
seating
station
station
OFFICE
Foyer
OFFICE
N
217 E. main st.


Tattoo Saturation Map
5/23/2024
Cosmetic and Restorative Studio
Tattoo Studio
ZDC-88-2024
MANIFEST TATTOO SOCIETY
SATORI TATTOO COLLECTIVE
TATTOO GURU
STUDIO IRIS
THE MARK TATTOO
HEART IN HAND (NOT OPENED)
TATTOO GUILD
BEAUTY & IMAGE STUDIO
SOUTHBOUND TATTOO
77
287
813
878
66
1446
35E
N
S
W
E
0
0.25
0.5
1 Miles