

Planning and Zoning Commission  
May 28, 2024

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 28, 2024 at 7:00 p.m.

Members Present: Rick Keeler, Chairman  
Bonney Ramsey  
David Hudgins  
Marlene Norcross

Members Absent: Erik Test, Vice Chairman  
Ron Ansell

Others Present: Shon Brooks, Executive Director of Development Services  
Jennifer Pruitt, Senior Director of Planning  
Zack King, Senior Planner  
Harper Lindamood, Planner  
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 of May 14, 2024**

**Action:**

*Bonney Ramsey moved to approve the minutes of the regular Planning & Zoning Commission meeting of May 14, 2024 as presented. Motion was seconded by David Hudgins and carried unanimously (4-0).*

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**

The Item was presented by Downtown Redevelopment & Historic Preservation Manager Eleana Tuley. She explained the expansion of the Historic Overlay District has been a continuous effort that started in July 2023. At the November 1, 2023 Heritage Preservation Commission (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 HPC 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 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 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, 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 seven letters of support and two letters of opposition. One additional letter of opposition was received after the posting of the agenda. Per section 3.24 (b)(iv) of the Zoning Ordinance, the Heritage Preservation Officer must submit the request for action to the Heritage Preservation Commission, 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.

Chairman Keeler continued the Public Hearing at approximately 7:10 p.m.

There being no others to speak for or against ZDC-69-2024, Chairman Keeler closed the Public Hearing at approximately 7:11 p.m.

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

### **Action:**

*Bonney Ramsey moved to recommend approval of 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. Motion was seconded by David Hudgins and carried by a 3-1 vote, with Marlene Norcross voting in opposition.*

## **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**

The Item was presented by Planner Harper Lindamood and owners Ralph and Renda Hewitt requested approval. The applicant requested 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 and has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance.

The City has received no complaints regarding any issues. 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 1.9 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, 59 notices were mailed to property owners within 200 feet of the request. The applicant has provided a support petition with over 20 signatures from properties in the immediate area.

Chairman Keeler opened the Public Hearing at approximately 7:23 p.m.

Those who spoke in opposition:

Shawn King, 404 Gardenia Lane, Waxahachie, Texas

Glenn Huskisson, 505 Tulane Drive, Waxahachie, Texas

There being no others to speak for or against ZDC-95-2024, Chairman Keeler closed the Public Hearing at approximately 7:27 p.m.

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

### **Action:**

*David Hudgins moved to recommend approval of ZDC-95-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (4-0).*

## **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**

The Item was presented by Senior Planner Zack King and applicant Andrew Weyand requested approval. 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 first floor is approximately 3,900 square feet in size and is accessible from S Rogers Street and W Main Street. The applicant has noted that the venue is intended to host 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 six and eight staff members for the venue.

Chairman Keeler opened the Public Hearing at approximately 7:41 p.m.

There being no others to speak for or against ZDC-67-2024, Chairman Keeler closed the Public Hearing at approximately 7:42 p.m.

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

**Action:**

*Bonney Ramsey moved 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. Motion was seconded by Marlene Norcross and carried unanimously (4-0).*

**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**

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

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.

Chairman Keeler opened the Public Hearing at approximately 7:49 p.m.

Those who spoke in support:

Mike Wheatley, 1707 Luke Street, Ennis, Texas

There being no others to speak for or against ZDC-88-2024, Chairman Keeler closed the Public Hearing at approximately 7:51 p.m.

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

**Action:**

*Marlene Norcross moved 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. Motion was seconded by David Hudgins and carried unanimously (4-0).*

**13. Adjourn**

Mayor Pro Tem Chris Wright announced Council Member Patrick Souter has been appointed to serve as the Council liaison beginning in June.

There being no further business, the meeting adjourned at 7:52 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary