

Planning and Zoning Commission
September 24, 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, September 24, 2024 at 7:00 p.m.

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

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Zack King, Senior 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**

Daniel Box, zoning attorney, Winstead PC, 2728 N Harwood Street, Dallas, Texas, announced the applicant has submitted detailed responses to staff comments for SUB-180-2024.

Mayor Billie Wallace thanked outgoing Commission Members, Bonney Ramsey, Erik Test, and Ron Ansell, for their dedication and service to Waxahachie.

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of September 10, 2024
- b. Consider a request by Ramona Baldwin for a Replat of Lots 6 and 7B Block 2 of the Tom Graham Addition, to create Lot 6A, Block 2 of the Tom Graham Addition, being 0.214 acres, located at 1500 Brackens Street (Property ID 173776)– Owner: Bristol Trail Properties (SUB-176-2024)
- c. Consider a request by Clint Weaver, Westwood PS, for a Replat of Lot 4, Block 2 of the 66 Crossing Addition, to create Lots 4R1 and 4R2, Block 2 of the 66 Crossing Addition, being 33.167 acres, located adjacent to 1499 F.M. 66 (Property ID 284600)– Owner(s): Waxahachie Residential Ventures, LLC and Storage Choice – Waxahachie, LTD (SUB-179-2024)
- d. Consider a request by Tommy Mann, Winstead PC, for a Plat of the Vista de Madera Addition, 75 residential lots, being 32.564 acres, located directly south of 140 Lavender Drive, situated in the W.C. Calder Survey, Abstract 235, and the B.B.

Davis Survey, Abstract 290, an addition to the City of Waxahachie (Property ID: 182275) – Owner: Vista De Madera Waxahachie (SUB-180-2024)

Action:

Marlene Norcross moved to approve all items on the Consent Agenda as presented. Motion was seconded by Bonney Ramsey and carried unanimously (7-0).

5. Recognize Bonney Ramsey, Erik Test, and Ron Ansell for their service on the Planning & Zoning Commission

Chairman Keeler recognized the following outgoing Planning and Zoning Commission members and presented them with a plaque:

- Bonney Ramsey: 18 years of service
- Erik Test: 6 years of service
- Ron Ansell: 2 years of service

**6. Public Hearing on a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts, to address Event Center Uses (ZTA-126-2024)
Staff: Jennifer Pruitt**

Senior Director of Planning Jennifer Pruitt presented the Item. As a result of a number of Event Center uses Zoning District Change Requests, the City Council directed the Planning staff to evaluate the Event Center use process of comparable cities in the Dallas-Fort Worth Metroplex. The information gathered by staff clearly noted that a majority of the comparable cities allowed the Event Center use by right and with Specific Use Permit approval.

Currently, the City of Waxahachie does not have a definition of an Event Center. City Staff has been identifying the use as a Private Club, which requires an approved Specific Use Permit in the Mixed Use Residential, Mixed Use Non-Residential, Office, General Retail, Central Area, Commercial, Light Industrial-1, Light Industrial-2, Heavy Industrial, and Airport District zoning districts.

The purpose of this Zoning Text Amendment is to:

1. Create a definition for an Event Center use.
2. Add the allowed use and SUP requirement to the Use Charts for Event Center use.

The current practice of classifying event center use under the Private Club category should be reduced due to the deficiencies in the Zoning Ordinance pertaining to event center use. The new definitions are noted below:

Event Center – A building or part of a building, in which facilities are provided and used for such purposes as a meeting, gathering, or assembly of persons for civic, educational, political, religious, or social events, including weddings and receptions, and may include a banquet hall. Such facility

shall not host any activity that could be considered a sexually oriented business as defined by the City of Waxahachie's Code of Ordinances. Also, such a facility may include a kitchen and an on-site kitchen/catering facility.

- a) This definition shall not include a business whose primary use constitutes a Microbrewery, Restaurant, Retail Stores & Shops, Tavern, or Winery. An Event Center use shall be considered as an accessory use when the primary function of a business constitutes one of the aforementioned Land Uses.

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

There being no others to speak for or against ZTA-126-2024, Chairman Keeler closed the Public Hearing at approximately 7:10 p.m.

7. Consider recommendation of ZTA-126-2024

Action:

Ron Ansell moved to recommend approval of ZTA-126-2024, a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts, authorizing the Mayor to sign the associated documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (7-0).

8. Public Hearing on a request by Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

Ms. Pruitt presented the Item and Chris Snow requested approval. The applicant requests a SUP for short-term rental use at 103 University Avenue because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,968 square feet, built in 1930 with two (2) bedrooms, one (1) bathroom, one-half bathroom and enough improved surface to accommodate for the maximum parking spaces of two (2) vehicles. The subject property is situated on an approximately 0.276 acres (12,022 square feet) lot. The applicant has not been operating the subject property as a short-term rental; therefore, the applicant has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on August 14, 2024.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered one call was made regarding a stolen vehicle on December 14, 2023; however, staff confirmed this call was made for 103 E. University and not the subject property. The applicant's local emergency contact is located adjacent to the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 68 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 seven (7) letters of opposition and twenty-two (22) letters of support were received.

Commissioner David Hudgins asked the owner to add “no on-street parking” to the host rules and Mr. Snow agreed.

Chairman Keeler opened the Public Hearing at approximately 7:21 p.m.

Those who spoke in opposition:

Maria Ortega, 603 W. Marvin, Waxahachie, Texas

Tim Vandeventer, 1209 W. Marvin, Waxahachie, Texas

Mickie Hill, 607 W. Marvin, Waxahachie, Texas

Those who spoke, neither in support or opposition:

Robyn Hain, 1203 W. Marvin, Waxahachie, Texas

Mayor Pro Tem Chris Wright explained the SUP requests are assessed on a case by case basis and City Council reviews density.

There being no others to speak for or against ZDC-167-2024, Chairman Keeler closed the Public Hearing at approximately 7:50 p.m.

9. Consider recommendation of ZDC-167-2024

Action:

Bonney Ramsey moved to recommend approval of ZDC-167-2024, 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. Motion was seconded by Erik Test and carried unanimously (7-0).

10. Adjourn

Commissioners, City Staff, and Mayor Pro Tem Chris Wright, thanked outgoing members, Bonney Ramsey, Erik Test, and Ron Ansell, for their selfless service to Waxahachie.

There being no further business, the meeting adjourned at 7:58 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary