

Planning and Zoning Commission
June 24, 2025

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, June 24, 2025 at 7:00 p.m.

Members Present: Rick Keeler, Chairman
Jenny Bridges
David Hudgins
Chad Hicks
Wendy Johnson
Terry Connor

Member Absent: Marlene Norcross, Vice Chair

Others Present: Shon Brooks, Executive Director of Development Services
Trenton Robertson, Senior Director of Planning
Zack King, Planning Manager
Amber Villarreal, City Secretary

1. **Call to Order**
2. **Invocation**

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

3. **Public Comments**

Ira Tenpenny, 109 Rosa, Waxahachie, Texas, expressed concerns with the increase of short-term rentals in Waxahachie.

4. **Consider approval of minutes of the regular Planning & Zoning Commission meeting of June 10, 2025**

Action:

Wendy Johnson moved to approve the Consent Agendas, subject to the recommendations of staff. Motion was seconded by Jenny Bridges and carried unanimously (6-0).

5. **Public Hearing on a request by Chad Tustison for a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet use within a Planned Development Single Family-1 (PD-SF-1) zoning district located at 116 Homestead Lane, (Property ID 269664) – Owner: Chad Tustison & Jennifer Tustison (ZDC-77-2025)**

Planner Caleb Ensley presented the Item. The applicant proposes a Specific Use Permit (SUP) to construct a 1,600-square-foot accessory structure. The primary structure on the subject property is approximately 3,102 square feet. There are no existing accessory structures onsite. The applicant has provided a Site Plan for the proposed accessory structure that verifies all setback requirements established by the Waxahachie Zoning Ordinance have been met. Notably, there have been eight (8) SUPs for similar accessory structures approved within the Homestead Estates subdivision over the last few years.

The applicant proposes to utilize the structure for a storage area, a workshop, and a personal workout area. The proposed accessory structure is comprised of tubular metal panels and a metal roof. The applicant proposes to extend a 12' wide cement driveway from the edge of the existing cement driveway to the proposed accessory structure. The applicant will extend electrical services to this accessory structure, while plumbing and water services are not proposed to be extended at this time. The applicant has provided an Operational Plan that confirms the accessory structure shall not be used for commercial purposes, shall not be used as a Short-Term Rental (STR), shall not be leased or sold separately from the primary home, and shall not be separately metered.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, thirteen (13) 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. Staff has received zero (0) letters of opposition and zero (0) letters of support for the SUP request.

Chairman Keeler opened the Public Hearing at approximately 7:06 p.m.

There being no others to speak for or against ZDC-77-2025, Chairman Keeler closed the Public Hearing at approximately 7:06 p.m.

6. Consider recommendation of ZDC-77-2025

Action:

David Hudgins moved to recommend approval of ZDC-77-2025, a Specific Use Permit (SUP) for an accessory structure exceeding seven hundred (700) square feet, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by Chad Hicks and carried unanimously (6-0).

7. Public Hearing on a request by Gilberto Escobedo, Jr., for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-3 (SF-3) zoning district located at 106 Ryburn Street (Property ID 278478) – Owner(s): LGE Investment Homes, LLC (ZDC-50-2025)

Senior Planner Oanh Vu presented the Item. The applicant requests a SUP for short-term rental use at 106 Ryburn Street because it is located within the SF-3 zoning district. The subject property consists of a primary structure of approximately 1,699 square feet, with four (4) bedrooms, two (2) bathrooms, one (1) one-half bathroom and enough improved surface to accommodate parking for a maximum of two (2) vehicles. The subject property is situated on an approximately 0.12 acres (5,227 square feet) lot. The applicant did advertise the subject property as a short-term rental, but did not operate as a short-term rental and has not been paying local hotel occupancy taxes. Staff identified the advertisement and contacted the applicant to let him know that he is in violation of Section 3.27 of the City's Zoning Ordinance. The applicant then removed the advertisement immediately. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on April 2, 2025.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered that there were no nuisance-related calls. The applicant's local emergency contact is located approximately nine (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, 78 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property.

At the time of the publishing of this staff report, a total of six (6) letters of support and no letters of opposition were received by staff. Two (2) of the letters of support received are within the 200' buffer.

Commissioner David Hudgins confirmed that there is a maximum of two vehicles allowed at the property due to space. Ms. Vu agreed noting one vehicle is allowed in the enclosed garage and one is allowed in the driveway.

Priscilla Santiago, applicant representative, confirmed the house rules and property listing state there is a maximum of two vehicles allowed at the property.

Chairman Keeler opened the Public Hearing at approximately 7:18 p.m.

Those who spoke in opposition:

Ira Tenpenny, 109 Rosa, Waxahachie, Texas

There being no others to speak for or against ZDC-50-2025, Chairman Keeler closed the Public Hearing at approximately 7:19 p.m.

8. Consider recommendation of ZDC-50-2025

Action:

David Hudgins moved to recommend approval of ZDC-50-2025, 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 Chad Hicks and carried unanimously (6-0).

9. Adjourn

There being no further business, the meeting adjourned at 7:22 p.m.

Respectfully submitted,

Amber Villarreal, City Secretary