

Planning and Zoning Commission
March 26, 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, March 26, 2024 at 7:00 p.m.

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

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Zack King, Senior Planner
Macey Martinez, City Engineer
Jami Bonner, Assistant 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. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of March 12, 2024
- b. Consider approving a request by Martin Holland, for a Replat of a portion of Lot 10, Block 3, of the Trinity Heights Addition, to create Lot 10R, Block 3, of the Trinity Heights Addition, 1 residential lot, being 0.4034 acres, located at 111 Virginia Avenue, (Property ID 176013) – Owner: Martin Holland & Katie Holland (SUB-47-2023)

Action:

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

5. **Public Hearing on a request by Brad Yates, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Dwelling-3 (SF-3) zoning district located at 804 Dunaway Street (Property ID 172305) - Owner: Graily Holdings, LLC (ZDC-30-2024) Staff: Oanh Vu**

The Item was presented by Senior Director of Planning Jennifer Pruitt and applicant Brad Yates requested approval of the Specific Use Permit.

Ms. Pruitt noted eight letters of support were received, with four letters being inside the 200' buffer.

Chairman Keeler opened the Public Hearing at approximately 7:12 p.m.

There being no others to speak for or against ZDC-30-2024, Chairman Keeler closed the Public Hearing at approximately 7:12 p.m.

6. Consider recommendation of Zoning Change No. ZDC-30-2024

Action:

Erik Test moved to recommend approval with conditions of ZDC-30-2024, 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 David Hudgins and carried unanimously (7-0).

7. Public Hearing on a request by Robin Bean, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Commercial (C) zoning district located at 404 West Jefferson Street (Property ID 170504) - Owner: Robin Bean (ZDC-34-2024) Staff: Oanh Vu

The Item was presented by Ms. Pruitt and applicant Robin Bean requested approval of the Specific Use Permit.

Ms. Pruitt noted thirteen letters of support were received, with five letters inside the 200' buffer.

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

There being no others to speak for or against ZDC-34-2024, Chairman Keeler closed the Public Hearing at approximately 7:21 p.m.

8. Consider recommendation of Zoning Change No. ZDC-34-2024

Action:

Bonney Ramsey moved to recommend approval with conditions of ZDC-34-2024, 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 Ron Ansell and carried unanimously (7-0).

9. Public Hearing on a request by Asher Oren, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-43 Single-Family Dwelling-3 (PD-43-SF-3) zoning district located at 215 Nottingham Drive (Property ID 220875) - Owner: Nottingham Estates, LLC (ZDC-15-2024) Staff: Oanh Vu

Ms. Pruitt presented the Item and applicant Asher Oren requested approval of the Specific Use Permit.

Ms. Pruitt noted nineteen letters of opposition were received by staff, with six letters being inside the 200' buffer.

Asher Oren, 1410 Midway Road, Dallas, Texas, addressed concerns including parking, renter screening processes, house rules, and rental agreements. Mr. Oren noted his business manages approximately 200 single family homes across Dallas Fort Worth and he specializes in corporate housing.

Clara Damti, Owner of 215 Nottingham Drive, shared the procedures and protocols for operating a safe short-term rental and noted the typical reasons renters utilize short term rentals.

Chairman Keeler opened the Public Hearing at approximately 7:43 p.m.

Those who spoke in favor:

Stacy Howell, 127 Jason Dr., Red Oak, Texas

Those who spoke in opposition:

Theresa Panza, 213 Santa Fe Trail, Waxahachie, Texas

There being no others to speak for or against ZDC-15-2024, Chairman Keeler closed the Public Hearing at approximately 7:53 p.m.

10. Consider recommendation of Zoning Change No. ZDC-15-2024

Action:

Erik Test moved to recommend approval with conditions of ZDC-15-2024, 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 Ron Ansell and carried 6-1 with Marlene Norcross voting in opposition.

11. Public Hearing on a request by Asher Oren, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development Single-Family Dwelling-1 (PD-SF-1) zoning district located at 213 Nocona Drive (Property ID 221855) - Owner: CTO Estates, LLC (ZDC-18-2024) Staff: Oanh Vu

Ms. Pruitt presented the Item and applicant Asher Oren requested approval of the Specific Use Permit.

Ms. Pruitt noted 23 letters of opposition were received by staff, with four letters being inside the 200' buffer.

Clara Damti, Owner of 213 Nocona Drive, recognized the citizens' concerns and reiterated the short-term rental at 213 Nocona Drive has not received complaints of nuisance.

Chairman Keeler opened the Public Hearing at approximately 7:58 p.m.

Those who spoke in opposition:

Belinda Douglas, 211 Nocona Drive, Waxahachie, Texas
Robert Franks, 217 Nocona Drive, Waxahachie, Texas
Dave Jacobs, 216 Sendero Drive, Waxahachie, Texas
Jonathan Moor, 205 Nocona Drive, Waxahachie, Texas
Mark Hunter, 325 Osage Drive, Waxahachie, Texas
Heather Cobb, 104 Brandy Lane, Waxahachie, Texas
Jiri Moor, 205 Nocona Drive, Waxahachie, Texas
Shawna McGrady, 227 Nocona Drive, Waxahachie, Texas
Bob De La Torre, 227 Nocona Drive, Waxahachie, Texas
Barbara Jacobs, 216 Sendero Drive, Waxahachie, Texas
Heather Venom, Givens Street, Waxahachie, Texas

Dean Sotomayor, 605 Brookside, Waxahachie, Texas, encouraged citizens to research the business side of short-term rentals and the extensive measures taken to provide an attractive short-term rental for the community and potential renters.

There being no others to speak for or against ZDC-18-2024, Chairman Keeler closed the Public Hearing at approximately 8:55 p.m.

12. Consider recommendation of Zoning Change No. ZDC-18-2024

Action:

Erik Test moved to recommend approval with conditions of ZDC-18-2024, 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 Rick Keeler and failed (3-4) with Adrian Cooper, Ron Ansell, David Hudgins, and Marlene Norcross voting in opposition.

13. Public Hearing on a request by Asher Oren, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Dwelling-2 (SF-2) zoning district located at 105 Brandy Lane (Property ID 175032) - Owner: Gavriel Taub (ZDC-19-2024) Staff: Oanh Vu

Ms. Pruitt presented the Item and applicant Asher Oren requested approval of the Specific Use Permit.

Ms. Pruitt noted 20 letters of opposition were received by staff, with five letters being inside the 200' buffer.

Chairman Keeler opened the Public Hearing at approximately 9:01 p.m.

Those who spoke in favor:

Stacy Howell, 127 Jason Dr., Red Oak, Texas

Those who spoke in opposition:

Cathy Morrill, 209 Johnston Boulevard, Waxahachie, Texas
Heather Cobb, 104 Brandy Lane, Waxahachie, Texas
Randy Dickson, 207 Johnston Boulevard, Waxahachie, Texas
Dee Clemens, 400 Johnston Boulevard, Waxahachie, Texas

There being no others to speak for or against ZDC-19-2024, Chairman Keeler closed the Public Hearing at approximately 9:37 p.m.

14. Consider recommendation of Zoning Change No. ZDC-19-2024

Action:

Marlene Norcross moved to recommend denial of ZDC-19-2024, a Specific Use Permit (SUP) for a Short-Term Rental use. Motion was seconded by Adrian Cooper and carried 4-3 with Rick Keeler, Erik Test, and David Hudgins voting in opposition.

15. 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 and applicant Chad Adams requested approval of the zoning change.

Chairman Keeler opened the Public Hearing at approximately 10:02 p.m.

Those who spoke in opposition:

Sidney Cochran, 203 Lakeshore Drive, Waxahachie, Texas
Jeff Frost, 137 Lakeshore Drive, Waxahachie, Texas
Mary Lou Shipley, 209 Lakeshore Drive, Waxahachie, Texas
Katy Warsing, 313 Lakeshore Drive, Waxahachie, Texas
Jim Lawton, 135 Lakeshore Drive, Waxahachie, Texas
Jeffrey Smith, 117 Lakeshore Drive, Waxahachie, Texas
Brian Burks, 135 Lakeshore Drive, Waxahachie, Texas
Jack Scott, 216 Lakeshore Drive, Waxahachie, Texas
Rob Drolet, 128 Lakeshore Drive, Waxahachie, Texas
Tommy Bowman, 207 Lakeshore Drive, Waxahachie, Texas
Charlie Sennes, 3240 Howard Road, Waxahachie, Texas

16. Consider recommendation of Zoning Change No. ZDC-128-2022

Action:

Erik Test moved to continue the public hearing for ZDC-128-2022 to the April 23, 2024 Planning & Zoning Commission meeting. Motion was seconded by Adrian Cooper and carried unanimously (7-0).

17. Adjourn

There being no further business, the meeting adjourned at 11:48 p.m.

Respectfully submitted,

Jami Bonner
Assistant City Secretary