

SHELLEY CLOWER

Chair, Place 2

TANITIA MARVELS

Place 3

ROBERT MCCURDY

Vice Chair, Place 4

SHANNA STODDARD

Place 1

THOMAS BOSQUEZ

Place 5

STACEY ROBAR

Place 6

KEVIN UNGER

Place 7



Planning & Zoning Commission

REGULAR MEETING

Thursday, July 25, 2024 at 6:00 pm.

Venus Civic Center

210 South Walnut Street

Venus, Texas 76084

Page

1. Call to Order, Roll Call, Invocation, Pledge of Allegiance:

2. Public Comment Period:

3. Consent Agenda:

- 3.1 Consider of approval of meeting minutes for Regular P&Z meeting on March 28, 2024.

5 - 9

[Planning & Zoning Commission - Mar 28 2024 - Minutes - Html](#)

I make a motion to approve/deny the consent agenda.

4. Public Hearings and Consideration items:

- 4.1 Conduct Public Hearing regarding amending the City of Venus Comprehensive Plan from C-2 (General Commercial) District to I-2 (Heavy Industrial) District. 124.1805 Acres out of the Radford Berry Survey, Abstract, 26, (Johnson County) & Abstract 42 (Ellis County) Texas; 1115 E C.R. 109, Venus Texas 76084.

10 - 15

Open Public Hearing:

Close Public Hearing:

Discuss and consider amending the City of Venus Comprehensive Plan from C-2 (General Commercial) District to I-2 (Heavy Industrial) District. 124.1805 Acres out of the Radford Berry Survey, Abstract, 26, (Johnson County) &

Abstract 42 (Ellis County) Texas; 1115 E C.R. 109, Venus Texas 76084.

[1.- A Comprehensive Land 1115 E C. R. 109 Staff Report.pdf](#) 

[1.- B Aerial Map 1115 E C. R. 109.pdf](#) 

[1.- C Comprehensive Land Use 1115 E C. R. 109 Ordinance.pdf](#) 

I make a motion to approve/deny amending the Comprehensive Plan from C-2 (General Commercial) District to I-2 (Heavy Industrial) District for 1115 E C.R. 109, Venus Texas 76084.

- 4.2 Conduct Public Hearing amending the City of Venus Comprehensive Plan from R-1 (Single-Family Residential) District to I-2 (Heavy Industrial) District. 216.971 Acres out of the Radford Berry Survey, Abstract, 26 (Johnson County) and Abstract 42 (Ellis County) Texas; 900 E C.R. 109, Venus Texas 76084. 16 - 21

Open Public Hearing:

Close Public Hearing:

Discuss and consider amending the City of Venus Comprehensive Plan from R-1 (Single-Family Residential) District to I-2 (Heavy Industrial) District. 216.971 Acres out of the Radford Berry Survey, Abstract, 26 (Johnson County) and Abstract 42 (Ellis County) Texas; 900 E C.R. 109, Venus Texas 76084.

[2.- A Comprehensive Plan 900 E C. R. 109 Staff Report.pdf](#) 

[2.- B Aerial Map 900 E C. R. 109.pdf](#) 

[2.- C Comprehensive Land 900 E C. R. 109 Ordinance.pdf](#) 

I make a motion to approve/deny amending the Comprehensive Plan from R-1 (Single-Family Residential) District to I-2 (Heavy Industrial) District for 900 E C.R. 109, Venus Texas 76084.

- 4.3 Conduct Public Hearing regarding amending the City of Venus Comprehensive Plan from MHS (Manufactured Home Division) District to R-1 (Single-Family Residential) District. Lots 7 & 8, Block 10, Venus Land & Improvement Addition, Johnson County, Texas; 701 S. Main St., Venus Texas 76084. 22 - 27

Open Public Hearing:

Close Public Hearing:

Discuss and consider amending the City of Venus Comprehensive Plan from MHS (Manufactured Home Division) District to R-1 (Single-Family Residential) District. Lots 7 & 8, Block 10, Venus Land & Improvement Addition, Johnson County, Texas; 701 S. Main St., Venus Texas 76084.

[3.- A Comprehensive Plan 701 S Main Staff Report.pdf](#) 

[3.- B Aerial Map 701 S Main St.pdf](#) 

[3.- C Comprehensive Land Use Plan Ordinance.pdf](#) 

I make a motion to approve/deny the recommendation of the amendment from MHS (Manufactured Home Division) District to R-1 (Single-Family Residential) District for 701 S. Main St., Venus Texas 76084.

- 4.4 Conduct Public Hearing regarding rezoning from AG (Agricultural) District to I-2 (Heavy Industrial) District. 216.971 Acres out of the Radford Berry Survey, Abstract 26, (Johnson County) & Abstract 42, (Ellis County), Texas; 900 E C.R. 109, Venus Texas 76084 (REZ2024-0003).

28 - 32

Open Public Hearing:

Close Public Hearing:

Discuss and consider regarding rezoning from AG (Agricultural) District to I-2 (Heavy Industrial) District. 216.971 Acres out of the Radford Berry Survey, Abstract 26, (Johnson County) & Abstract 42, (Ellis County), Texas; 900 E C.R. 109, Venus Texas 76084 (REZ2024-0003)

[1.- A Staff Report 900 E C. R. 109.pdf](#) 

[2.- B Aerial Map 900 E C. R. 109.pdf](#) 

[3.- C Zoning 900 E C. R. 109.pdf](#) 

[4.- D NeighborNotice 900 E C. R. 109.pdf](#) 

I make a motion to approve/deny the zoning change from AG (Agricultural) District to I-2 (Heavy Industrial) District for 900 E C.R. 109, Venus Texas 76084.

5. Adjournment:

In accordance with TEXAS GOVERNMENT CODE §551.001, et seq. the City of Venus Planning & Zoning Commission may recess into Executive Session (closed meeting) at any time during this meeting to discuss matters listed on the agenda or if any of the following matters should arise during the course of the meeting: §551.071 Consultation with Attorney; §551.072 Deliberation

regarding Real Property, §551.074 Personnel Matters, §551.076 Deliberation regarding Security Devices, §551.087 Deliberation regarding Economic Development Negotiations

This is to certify that a copy of this Notice of Meeting was posted on the bulletin board of City Hall, 700 W Hwy 67, Venus TX, at a place readily accessible to the general public at all times, and to the City's website, **www.cityofvenus.org**, not less than 72 hours prior to the meeting.

Callie Green, TRMC

City Secretary

If you plan to attend the public meeting and have a disability requiring accommodation, please make your request at least 48 hours in advance of the meeting, if possible. To make arrangements call (972) 366-3348 and leave a message if it is after hours.

Removed:_____

Time:_____



Planning & Zoning Commission - Minutes

Thursday, March 28, 2024 at 6:00 PM

Venus Civic Center

1. Call to Order, Roll Call, Invocation, Pledge of Allegiance:

Chair Clower called the meeting to order at 6:00pm, Mr. Russell gave the Invocation and all lead the Pledge of Allegiance.

Commissioners present: Shelley Clower, Tanitia Marvels, Robert McCurdy, Stacey Robar and Kevin Unger.

Commissioners absent: Shanna Stoddard and Thomas Bosquez

Staff present: James Groom, Oscar Ortiz, and Callie Green.

2. Public Comment Period:

1. Tony Bovinich- 404 Harvest Hill-

Thank you Chairwoman Clower and board members of the Planning & Zoning Commission, for the opportunity to speak to you tonight.

Ms. Clower, Congratulations on being voted to the Chair position of this board and congratulations on your first meeting as Chair.

My name is Tony Bovinich and I live at 404 Harvest Hill Ln, Venus, TX, and I am currently on the Venus City Council in Place 2.

First of all, I would like to say thank you to each and every one of you for your service as a board member of the Planning & Zoning Commission. Thank you for your volunteer service to our city and for taking on the important function and role that you play for this city as a board member.

Would you please now rise and be recognized for your volunteer service to our city and could the audience please join me in thanking these board members for their service.

Thank you.

Your role as a P&Z commissioner is to be the second line of defense for the city of Venus. The first line of defense starts at city hall, with our city staff. Over the last several years of previously being on this Planning & Zoning Commission and now being on the City Council, I have known Mr. Oscar Ortiz to be knowledgeable, well read, and to have an attention to detail that was lacking in the past. I value the recommendations of this board and I value his opinion on these P&Z matters and it is my opinion that he does the best job possible and makes an effort to get things right, which should be recognized.

Mr. Ortiz, thank you for you service to the city of Venus.

As to the matters before you tonight, I am not here to sway your opinion one way or the other. It is your job to go through the details and make a recommendation to Council on these matters and I will look forward to

reviewing your recommendation. It is my opinion that it would be out of turn for me to give an opinion on these matters tonight.

Again, thank you for your service to the city as a board member of the Planning & Zoning Commission.

3. **Consent Agenda:**

3.1 Consider approval of minutes for Regular P&Z meeting on February 22, 2024.

[Planning & Zoning Commission - Feb 22 2024 - Minutes - Html](#)



[Planning & Zoning Commission - Feb 22 2024 - Minutes - Html](#)



I make a motion to approve the consent agenda.

Moved by: Stacey Robar

Seconded by: Kevin Unger

For: Unanimous. Motion carried 5-0-0.

4. Public Hearing and Action Items related to Public Hearings:









- 4.1. Conduct Public Hearing to consider rezoning from AG (Agricultural) District to I-1 (Light Industrial) District; 140.16194 acres out of the Radford Berry Survey, Abstract 26, (Johnson County) and Abstract 42, (Ellis County), Texas; 1115 E. CR 109. (REZ2024-0001)

Open Public Hearing: At 6:19 pm.

Joe Russell- 10 Bulldog Dr.- Spoke in-favor.

Close Public Hearing: At 6:21 pm.

- 4.2. Discuss and consider rezoning from AG (Agricultural) District to I-1 (Light Industrial) District; 140.16194 acres out of the Radford Berry Survey, Abstract 26, (Johnson County) and Abstract 42, (Ellis County), Texas; 1115 E. CR 109.

[1. A Application.pdf](#)  [1. B Aerial Map.pdf](#)  [1. C Zoning Map.pdf](#)  [1. D Neighbor Notice.pdf](#)  [1. E Affidavit of Posting.pdf](#)  [1. F Staff Report.pdf](#)  [1. G Site Plan.pdf](#)  [1. H Picture.pdf](#) 

I make a motion to approve the recommendation to rezone from AG (Agricultural) District to I-1 (Light Industrial) District; 140.16194 acres out of the Radford Berry Survey, Abstract 26, (Johnson County) and Abstract 42, (Ellis County), Texas; 1115 E. CR 109.

Moved by: Kevin Unger

Seconded by: Robert McCurdy

For: Kevin Unger, Robert McCurdy, Stacey Robar, and Shelley Clower.

Against: Tanitia Marvels.

Motion carried 4-1-0.

- 4.3 Conduct Public Hearing to consider rezoning from R-1 (Single-Family Residential) District to R-2 (Two-Family Residential) District: Lots 7 & 8, Block 10, Venus Land and Improvement Addition. Johnson County, Texas; 701 S. Main Street. (REZ2024-0002).

Open Public Hearing: At 6:36 pm.

Alejandro Galaviz- 125 Yorktown Ct.- Spoke in-favor.

Close Public Hearing: At 6:41 pm.

- 4.4 Discuss and consider rezoning from R-1 (Single-Family Residential) District to R-2 (Two-Family Residential) District: Lots 7 & 8, Block 10, Venus Land and Improvement Addition. Johnson County, Texas; 701 S. Main Street. (REZ2024-0002).

[2. A Application.pdf](#)  [2. B Aerial Map.pdf](#)  [2. C Zoning](#)

[Map.pdf](#)  [2. D Neighbor Notice.pdf](#)  [2. E Affidavit of](#)

[Posting.pdf](#)  [2. F Staff Report.pdf](#)  [2. G Elevation 1.pdf](#) 

[2. H Elevation 2.pdf](#)  [2. I Picture.pdf](#) 

I make a motion to approve/deny recommendation of rezoning from R-1 (Single-Family Residential) District to R-2 (Two-Family Residential) District: Lots 7 & 8, Block 10, Venus Land and Improvement Addition. Johnson County, Texas; 701 S. Main Street.

Moved by: Robert McCurdy

Seconded by: Stacey Robar

For: Robert McCurdy, Stacey Robar, Tanitia Marvels, and Shelley Clower.

Against: Kevin Unger.

Motion carried 4-1-0.

5. **Adjournment:**

Chair Clower adjourned the meeting at 6:44pm.

Chair

Draft

STAFF REPORT

TO: Planning & Zoning Commission

FROM: Planning Staff

DATE: July 25, 2024

SUBJECT: AN ORDINANCE OF THE CITY OF VENUS, JOHNSON AND ELLIS COUNTIES, TEXAS AMENDING THE CITY OF VENUS COMPREHENSIVE PLAN FROM C-2 (GENERAL COMMERCIAL) DISTRICT TO I-2 (HEAVY INDUSTRIAL) DISTRICT. 124.1805 ACRES OUT OF THE RADFORD BERRY SURVEY, ABSTRACT, 26, (JOHNSON COUNTY) & ABSTRACT 42 (ELLIS COUNTY) TEXAS; 1115 E C. R. 109, VENUS, TEXAS 76084.

COMPREHENSIVE PLAN: a) The governing body of a municipality may adopt a comprehensive plan for the long-range development of the municipality. A municipality may define the content and design of a comprehensive plan; b) A comprehensive plan may: 1) include but is not limited to provisions on land use, transportation, and public facilities; 2) consist of a single plan or coordinated set of plans organized by subject and geographic area; and 3) be used to coordinate and guide the establishment of development regulations; c) A municipality may define, in its charter or by ordinance, the relationship between a comprehensive plan and development regulations and may provide standards for determining the consistency required between a plan and development regulations; d) Land use assumptions adopted in a manner that complies with Subchapter C, Chapter 395, may be incorporated in a comprehensive plan. L.G.C. Section 213.002.

ADOPTION OF AMENDMENT OF COMPREHENSIVE PLAN: a) A comprehensive plan may be adopted or amended by ordinance following: 1) a hearing at which the public is given opportunity to give testimony and present written evidence; and 2) review by the municipality’s planning commission or department if one exists. b) A municipality may establish, in its charter or by ordinance, procedures for adopting and amending a comprehensive plan.

LOCATION: The tract is located on the north side of E. C. R. 109, approximately 0.44 miles east of S FM 157. The tract has approximately 2,251 ft. of frontage along E. C. R. 109 with a depth of approximately 2,073 ft. for a tract size of 140.16194 acres.

LAND USE: The property is vacant. Surrounding land uses are a concrete plant, Rival Redi-Mix, and vacant land.

ANALYSIS: Planning staff considers the current comprehensive land use plan for the subject property does not align with commercial uses due to the railroad track.

RECOMMENDATION: Staff recommends approval of the amendment from C-2 (General Commercial) District to I-2 (Heavy Industrial) District because the property is better suited for industrial uses.



Aerial Map

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VENUS, JOHNSON AND ELLIS COUNTIES, TEXAS, AMENDING THE CITY OF VENUS COMPREHENSIVE PLAN FROM C-2 (GENERAL COMMERCIAL) DISTRICT TO I-2 (HEAVY INDUSTRIAL) DISTRICT. 124.1805 ACRES OUT OF THE RADFORD BERRY SURVEY, ABSTRACT 26, (JOHNSON COUNTY) & ABSTRACT 42, (ELLIS COUNTY), TEXAS; 1115 E C. R. 109, VENUS, TEXAS 76084. PROVIDING FOR THE REPEAL OF ALL OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; PROVIDING FOR PUNISHMENT; PROVIDING FOR NO VESTED RIGHTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Venus, Texas (“City”), is a Type A General Law Municipality located in both Johnson County, and Ellis County Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City, as a Type A general law municipality, is empowered under the Texas Local Government Code, Section 51.001, to adopt an ordinance or rule that is for the good government of the City; and

WHEREAS, pursuant to Chapter 213 of the Texas Local Government Code, a municipality may adopt or amend a comprehensive plan for the long-range development of the community in order to promote sound development; and

WHEREAS, the City Council of the City of Venus, Texas (“City Council”), directed the Planning and Zoning Commission of the City of Venus to provide guidance and forward a recommendation to the City for a revised comprehensive plan; and

WHEREAS, the Planning and Zoning Commission has reviewed and revised the City’s previous Comprehensive Plan, and has amended the City’s Comprehensive Plan; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing, and after all persons were given an opportunity to present testimony, did consider and make recommendations to the City Council to revise the comprehensive plan; and

WHEREAS, the City Council, has carefully reviewed and considered the merits of the Comprehensive Plan after having received input and recommendations from the Planning and Zoning Commission, and after holding a public hearing; and

WHEREAS, the City Council has found and determined that all meetings were duly noticed and held in accordance with law; and

WHEREAS, the City Council has determined that amending the comprehensive plan is necessary for the government, interest, welfare, or good order of the City of Venus.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS, THAT:

SECTION 1. INCORPORATION OF PREMISES. The above and foregoing premises are true and correct legislative determinations and are incorporated herein and made a part hereof for all purposes.

SECTION 2. AMENDMENT OF THE CITY OF VENUS COMPREHENSIVE PLAN. The Venus Comprehensive Plan, including the Future Land Use Plan, attached hereto and incorporated herein as if set forth in full as Exhibit “A,” is hereby adopted by the City Council of the City of Venus as a long-range planning guide for the City, and it shall supersede any previously existing comprehensive plan.

SECTION 3. PURPOSE OF THE COMPREHENSIVE PLAN. The City of Venus Comprehensive Plan is intended to constitute the Comprehensive, or Master Plan of the City of Venus, Texas, for all matters related to long-range guidance relative to zoning decisions, land subdivision, thoroughfare construction, and growth management.

SECTION 4. REVIEW BY PLANNING AND ZONING COMMISSION. The Planning and Zoning Commission shall conduct a comprehensive review of this Comprehensive Plan. The Planning and Zoning Commission may review the comprehensive plan should a need arise and make recommendations to the City Council concerning any proposed amendments.

SECTION 5. MAYOR’S SIGNATURE. The Mayor of the City of Venus shall affix his signature on an appropriate page of the Comprehensive Plan, that page to be determined by him, below the words “Official Plan” below which will be placed the seal of the City.

SECTION 6. REPEAL OF CONFLICTING ORDINANCES. This Ordinance shall be cumulative of all provisions of Ordinances of the City except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

SECTION 7. SEVERABILITY. It is hereby declared to be the intention of the City Council of the City of Venus, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of such unconstitutional phrases, clause, sentence, paragraph, or section.

SECTION 8. SAVINGS. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the City of Venus Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 9. ENGROSS AND ENROLL. The City Secretary of the City of Venus hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Venus and by filing this Ordinance in the Ordinance records of the City.

SECTION 10. PUBLICATION. The City Secretary of the City of Venus is hereby directed to publish in the Official Newspaper of the City of Venus the Caption and the Effective Date of this Ordinance for two (2) days.

SECTION 11. PUNISHMENT. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Venus Zoning Ordinance as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 12. NO VESTED RIGHTS. No person or entity shall acquire any vested right in this Ordinance, or any specific regulations contained herein. This Ordinance and any regulations may be amended or repealed by the City Council of the City of Venus, Texas in the manner provided by law.

SECTION 13. This Ordinance shall become effective from and after the date of its final passage and publication as provided by law, and it is accordingly so ordained.

DULY PASSED and approved by the City Council of the City of Venus, Texas, on this the ____ day of _____, 2024.

ATTEST:

APPROVED:

CALLIE GREEN, CITY SECRETARY

ALEJANDRO GALAVIZ, MAYOR

EXHIBIT "A"

1115 E C. R. 109



I-2 (Heavy Industrial) District

STAFF REPORT

TO: Planning & Zoning Commission

FROM: Planning Staff

DATE: July 25, 2024

SUBJECT: AN ORDINANCE OF THE CITY OF VENUS, JOHNSON AND ELLIS COUNTIES, TEXAS AMENDING THE CITY OF VENUS COMPREHENSIVE PLAN FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO I-2 (HEAVY INDUSTRIAL) DISTRICT. 216.971 ACRES OUT OF THE RADFORD BERRY SURVEY, ABSTRACT, 26, (JOHNSON COUNTY) & ABSTRACT 42 (ELLIS COUNTY) TEXAS; 900 E C. R. 109, VENUS, TEXAS 76084.

COMPREHENSIVE PLAN: a) The governing body of a municipality may adopt a comprehensive plan for the long-range development of the municipality. A municipality may define the content and design of a comprehensive plan; b) A comprehensive plan may: 1) include but is not limited to provisions on land use, transportation, and public facilities; 2) consist of a single plan or coordinated set of plans organized by subject and geographic area; and 3) be used to coordinate and guide the establishment of development regulations; c) A municipality may define, in its charter or by ordinance, the relationship between a comprehensive plan and development regulations and may provide standards for determining the consistency required between a plan and development regulations; d) Land use assumptions adopted in a manner that complies with Subchapter C, Chapter 395, may be incorporated in a comprehensive plan. L.G.C. Section 213.002.

ADOPTION OF AMENDMENT OF COMPREHENSIVE PLAN: a) A comprehensive plan may be adopted or amended by ordinance following: 1) a hearing at which the public is given opportunity to give testimony and present written evidence; and 2) review by the municipality’s planning commission or department if one exists. b) A municipality may establish, in its charter or by ordinance, procedures for adopting and amending a comprehensive plan.

LOCATION: The tract is located on the south side of E. C. R. 109, approximately 0.45 miles east of S FM 157. The tract has approximately 3,147.83 ft. of frontage along E. C. R. 109 with a depth of approximately 2,505.47 ft. for a tract size of 216.971 acres.

LAND USE: The property is vacant. Surrounding land uses are to the north vacant land, to the east residential uses, to the south vacant land and to the west the residential Stallion Ranch Planned Development.

ANALYSIS: Planning staff considers the current comprehensive land use plan for the subject property does not align with commercial uses due to the railroad track.

RECOMMENDATION: Staff recommends approval of the amendment from R-1 (Single-Family Residential) District to I-2 (Heavy Industrial) District because the property is better suited for industrial uses.



Aerial Map

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VENUS, JOHNSON AND ELLIS COUNTIES, TEXAS, AMENDING THE CITY OF VENUS COMPREHENSIVE PLAN FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO I-2 (HEAVY INDUSTRIAL) DISTRICT. 216.971 ACRES OUT OF THE RADFORD BERRY SURVEY, ABSTRACT 26, (JOHNSON COUNTY) & ABSTRACT 42, (ELLIS COUNTY), TEXAS; 900 E C. R. 109, VENUS, TEXAS 76084. PROVIDING FOR THE REPEAL OF ALL OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; PROVIDING FOR PUNISHMENT; PROVIDING FOR NO VESTED RIGHTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Venus, Texas (“City”), is a Type A General Law Municipality located in both Johnson County, and Ellis County Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City, as a Type A general law municipality, is empowered under the Texas Local Government Code, Section 51.001, to adopt an ordinance or rule that is for the good government of the City; and

WHEREAS, pursuant to Chapter 213 of the Texas Local Government Code, a municipality may adopt or amend a comprehensive plan for the long-range development of the community in order to promote sound development; and

WHEREAS, the City Council of the City of Venus, Texas (“City Council”), directed the Planning and Zoning Commission of the City of Venus to provide guidance and forward a recommendation to the City for a revised comprehensive plan; and

WHEREAS, the Planning and Zoning Commission has reviewed and revised the City’s previous Comprehensive Plan, and has amended the City’s Comprehensive Plan; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing, and after all persons were given an opportunity to present testimony, did consider and make recommendations to the City Council to revise the comprehensive plan; and

WHEREAS, the City Council, has carefully reviewed and considered the merits of the Comprehensive Plan after having received input and recommendations from the Planning and Zoning Commission, and after holding a public hearing; and

WHEREAS, the City Council has found and determined that all meetings were duly noticed and held in accordance with law; and

WHEREAS, the City Council has determined that amending the comprehensive plan is necessary for the government, interest, welfare, or good order of the City of Venus.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS, THAT:

SECTION 1. INCORPORATION OF PREMISES The above and foregoing premises are true and correct legislative determinations and are incorporated herein and made a part hereof for all purposes.

SECTION 2. AMENDMENT OF THE CITY OF VENUS COMPREHENSIVE PLAN. The Venus Comprehensive Plan, including the Future Land Use Plan, attached hereto and incorporated herein as if set forth in full as Exhibit “A,” is hereby adopted by the City Council of the City of Venus as a long-range planning guide for the City, and it shall supersede any previously existing comprehensive plan.

SECTION 3. PURPOSE OF THE COMPREHENSIVE PLAN. The City of Venus Comprehensive Plan is intended to constitute the Comprehensive, or Master Plan of the City of Venus, Texas, for all matters related to long-range guidance relative to zoning decisions, land subdivision, thoroughfare construction, and growth management.

SECTION 4. REVIEW BY PLANNING AND ZONING COMMISSION. The Planning and Zoning Commission shall conduct a comprehensive review of this Comprehensive Plan. The Planning and Zoning Commission may review the comprehensive plan should a need arise and make recommendations to the City Council concerning any proposed amendments.

SECTION 5. MAYOR’S SIGNATURE. The Mayor of the City of Venus shall affix his signature on an appropriate page of the Comprehensive Plan, that page to be determined by him, below the words “Official Plan” below which will be placed the seal of the City.

SECTION 6. REPEAL OF CONFLICTING ORDINANCES. This Ordinance shall be cumulative of all provisions of Ordinances of the City except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

SECTION 7. SEVERABILITY. It is hereby declared to be the intention of the City Council of the City of Venus, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of such unconstitutional phrases, clause, sentence, paragraph, or section.

SECTION 8. SAVINGS. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the City of Venus Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 9. ENGROSS AND ENROLL. The City Secretary of the City of Venus hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Venus and by filing this Ordinance in the Ordinance records of the City.

SECTION 10. PUBLICATION. The City Secretary of the City of Venus is hereby directed to publish in the Official Newspaper of the City of Venus the Caption and the Effective Date of this Ordinance for two (2) days.

SECTION 11. PUNISHMENT. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Venus Zoning Ordinance as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 12. NO VESTED RIGHTS. No person or entity shall acquire any vested right in this Ordinance, or any specific regulations contained herein. This Ordinance and any regulations may be amended or repealed by the City Council of the City of Venus, Texas in the manner provided by law.

SECTION 13. This Ordinance shall become effective from and after the date of its final passage and publication as provided by law, and it is accordingly so ordained.

DULY PASSED and approved by the City Council of the City of Venus, Texas, on this the ____ day of _____, 2024.

ATTEST:

APPROVED:

CALLIE GREEN, CITY SECRETARY

ALEJANDRO GALAVIZ, MAYOR

EXHIBIT "A"

900 E C. R. 109



I-2 (Heavy Industrial) District

STAFF REPORT

TO: Planning & Zoning Commission

FROM: Planning Staff

DATE: July 25, 2024

SUBJECT: AN ORDINANCE OF THE CITY OF VENUS, JOHNSON AND ELLIS COUNTIES, TEXAS AMENDING THE CITY OF VENUS COMPREHENSIVE PLAN FROM MHS (MANUFACTURED HOME SUBDIVISION) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT. LOTS 7 & 8, BLOCK 10, VENUS LAND & IMPROVEMENT ADDITION, JOHNSON COUNTY, TEXAS; 701 S MAIN ST, VENUS, TEXAS 76084.

COMPREHENSIVE PLAN: a) The governing body of a municipality may adopt a comprehensive plan for the long-range development of the municipality. A municipality may define the content and design of a comprehensive plan; b) A comprehensive plan may: 1) include but is not limited to provisions on land use, transportation, and public facilities; 2) consist of a single plan or coordinated set of plans organized by subject and geographic area; and 3) be used to coordinate and guide the establishment of development regulations; c) A municipality may define, in its charter or by ordinance, the relationship between a comprehensive plan and development regulations and may provide standards for determining the consistency required between a plan and development regulations; d) Land use assumptions adopted in a manner that complies with Subchapter C, Chapter 395, may be incorporated in a comprehensive plan. L.G.C. Section 213.002.

ADOPTION OF AMENDMENT OF COMPREHENSIVE PLAN: a) A comprehensive plan may be adopted or amended by ordinance following: 1) a hearing at which the public is given opportunity to give testimony and present written evidence; and 2) review by the municipality’s planning commission or department if one exists. b) A municipality may establish, in its charter or by ordinance, procedures for adopting and amending a comprehensive plan.

LOCATION: The tract is located on the southwest corner of the intersection of S Main St. and W 7th St. The tract has approximately 100 ft. of frontage along S Main St. with a depth of approximately 140 ft. for a lot size of 0.321 acres (14,000 sq. ft.)

LAND USE: The property has a manufactured home that is inhabitable. Surrounding land uses are residential in all directions.

ANALYSIS: Planning staff found out the current comprehensive land use plan for the subject property does not align with the adjacent zoning use.

RECOMMENDATION: Staff recommends approval of the amendment from MHS (Manufactured Home Subdivision) District to R-1 (Single-Family Residential) District because the current comprehensive plan is inaccurate.



Aerial Map

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VENUS, JOHNSON AND ELLIS COUNTIES, TEXAS, AMENDING THE CITY OF VENUS COMPREHENSIVE PLAN FROM MHS (MANUFACTURED HOME SUBDIVISION) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT. LOTS 7 & 8, BLOCK 10, VENUS LAND & IMPROVEMENT ADDITION, JOHNSON COUNTY, TEXAS; 701 S MAIN ST, VENUS, TEXAS 76084. PROVIDING FOR THE REPEAL OF ALL OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; PROVIDING FOR PUNISHMENT; PROVIDING FOR NO VESTED RIGHTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Venus, Texas (“City”), is a Type A General Law Municipality located in both Johnson County, and Ellis County Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City, as a Type A general law municipality, is empowered under the Texas Local Government Code, Section 51.001, to adopt an ordinance or rule that is for the good government of the City; and

WHEREAS, pursuant to Chapter 213 of the Texas Local Government Code, a municipality may adopt or amend a comprehensive plan for the long-range development of the community in order to promote sound development; and

WHEREAS, the City Council of the City of Venus, Texas (“City Council”), directed the Planning and Zoning Commission of the City of Venus to provide guidance and forward a recommendation to the City for a revised comprehensive plan; and

WHEREAS, the Planning and Zoning Commission has reviewed and revised the City’s previous Comprehensive Plan, and has amended the City’s Comprehensive Plan; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing, and after all persons were given an opportunity to present testimony, did consider and make recommendations to the City Council to revise the comprehensive plan; and

WHEREAS, the City Council, has carefully reviewed and considered the merits of the Comprehensive Plan after having received input and recommendations from the Planning and Zoning Commission, and after holding a public hearing; and

WHEREAS, the City Council has found and determined that all meetings were duly noticed and held in accordance with law; and

WHEREAS, the City Council has determined that amending the comprehensive plan is necessary for the government, interest, welfare, or good order of the City of Venus.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS, THAT:

SECTION 1. INCORPORATION OF PREMISES The above and foregoing premises are true and correct legislative determinations and are incorporated herein and made a part hereof for all purposes.

SECTION 2. AMENDMENT OF THE CITY OF VENUS COMPREHENSIVE PLAN. The Venus Comprehensive Plan, including the Future Land Use Plan, attached hereto and incorporated herein as if set forth in full as Exhibit “A,” is hereby adopted by the City Council of the City of Venus as a long-range planning guide for the City, and it shall supersede any previously existing comprehensive plan.

SECTION 3. PURPOSE OF THE COMPREHENSIVE PLAN. The City of Venus Comprehensive Plan is intended to constitute the Comprehensive, or Master Plan of the City of Venus, Texas, for all matters related to long-range guidance relative to zoning decisions, land subdivision, thoroughfare construction, and growth management.

SECTION 4. REVIEW BY PLANNING AND ZONING COMMISSION. The Planning and Zoning Commission shall conduct a comprehensive review of this Comprehensive Plan. The Planning and Zoning Commission may review the comprehensive plan should a need arise and make recommendations to the City Council concerning any proposed amendments.

SECTION 5. MAYOR’S SIGNATURE. The Mayor of the City of Venus shall affix his signature on an appropriate page of the Comprehensive Plan, that page to be determined by him, below the words “Official Plan” below which will be placed the seal of the City.

SECTION 6. REPEAL OF CONFLICTING ORDINANCES. This Ordinance shall be cumulative of all provisions of Ordinances of the City except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

SECTION 7. SEVERABILITY. It is hereby declared to be the intention of the City Council of the City of Venus, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of such unconstitutional phrases, clause, sentence, paragraph, or section.

SECTION 8. SAVINGS. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the City of Venus Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 9. ENGROSS AND ENROLL. The City Secretary of the City of Venus hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Venus and by filing this Ordinance in the Ordinance records of the City.

SECTION 10. PUBLICATION. The City Secretary of the City of Venus is hereby directed to publish in the Official Newspaper of the City of Venus the Caption and the Effective Date of this Ordinance for two (2) days.

SECTION 11. PUNISHMENT. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Venus Zoning Ordinance as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 12. NO VESTED RIGHTS. No person or entity shall acquire any vested right in this Ordinance, or any specific regulations contained herein. This Ordinance and any regulations may be amended or repealed by the City Council of the City of Venus, Texas in the manner provided by law.

SECTION 13. This Ordinance shall become effective from and after the date of its final passage and publication as provided by law, and it is accordingly so ordained.

DULY PASSED and approved by the City Council of the City of Venus, Texas, on this the ____ day of _____, 2024.

ATTEST:

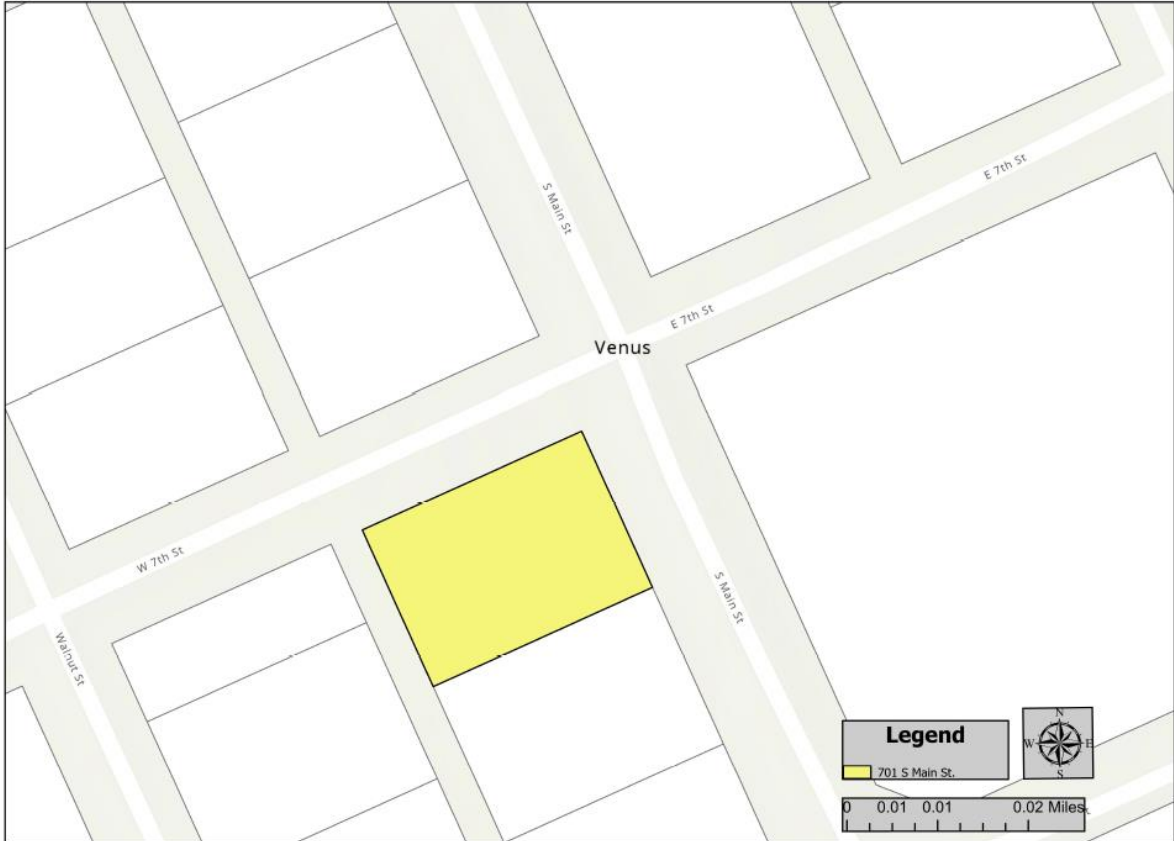
APPROVED:

CALLIE GREEN, CITY SECRETARY

ALEJANDRO GALAVIZ, MAYOR

EXHIBIT "A"

701 S Main St



R-1 (Single Family Residential) District

STAFF REPORT

TO: Planning & Zoning Commission

FROM: Planning Staff

DATE: July 25, 2024

SUBJECT: REZONE FROM AG (AGRICULTURAL) DISTRICT TO I-2 (HEAVY INDUSTRIAL) DISTRICT: 216.971 ACRES OUT OF THE RADFORD BERRY SURVEY, ABSTRACT 26, (JOHNSON COUNTY) & ABSTRACT 42, (ELLIS COUNTY), TEXAS; 900 E C. R. 109, VENUS, TEXAS 76084 (REZ2024-0003)

GOAL: Zoning regulations must be adopted in accordance with the *Comprehensive Plan* and designed to 1) lessen congestion in the streets; 2) secure safety from fire, panic, and other dangers; 3) promote health and general welfare; 4) provide adequate light and air; 5) prevent the overcrowding of land; 6) avoid undue concentration of population; 7) facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements. L.G.C. Section 211.004.

LOCATION: The tract is located on the south side of C. R. 109. The tract has approximately 3,147.83 ft. of frontage along E C. R. 109 with a depth of approximately 2,505.47 ft. for a tract size of 216.971 acres (9,451,256.76 sq. ft.)

PROPOSAL: The applicant is requesting I-2 (Heavy Industrial) zoning District in order to construct a data center consistent of four buildings approximately 1.4 million sq. ft., a parking lot, and estimated 80-120 jobs.

ADJACENT ZONING: Adjacent zoning to the east is unincorporated Ellis County, single-family homes, to the south unincorporated Ellis County, vacant land; and to the west, Stallion Ranch (Planned Development).

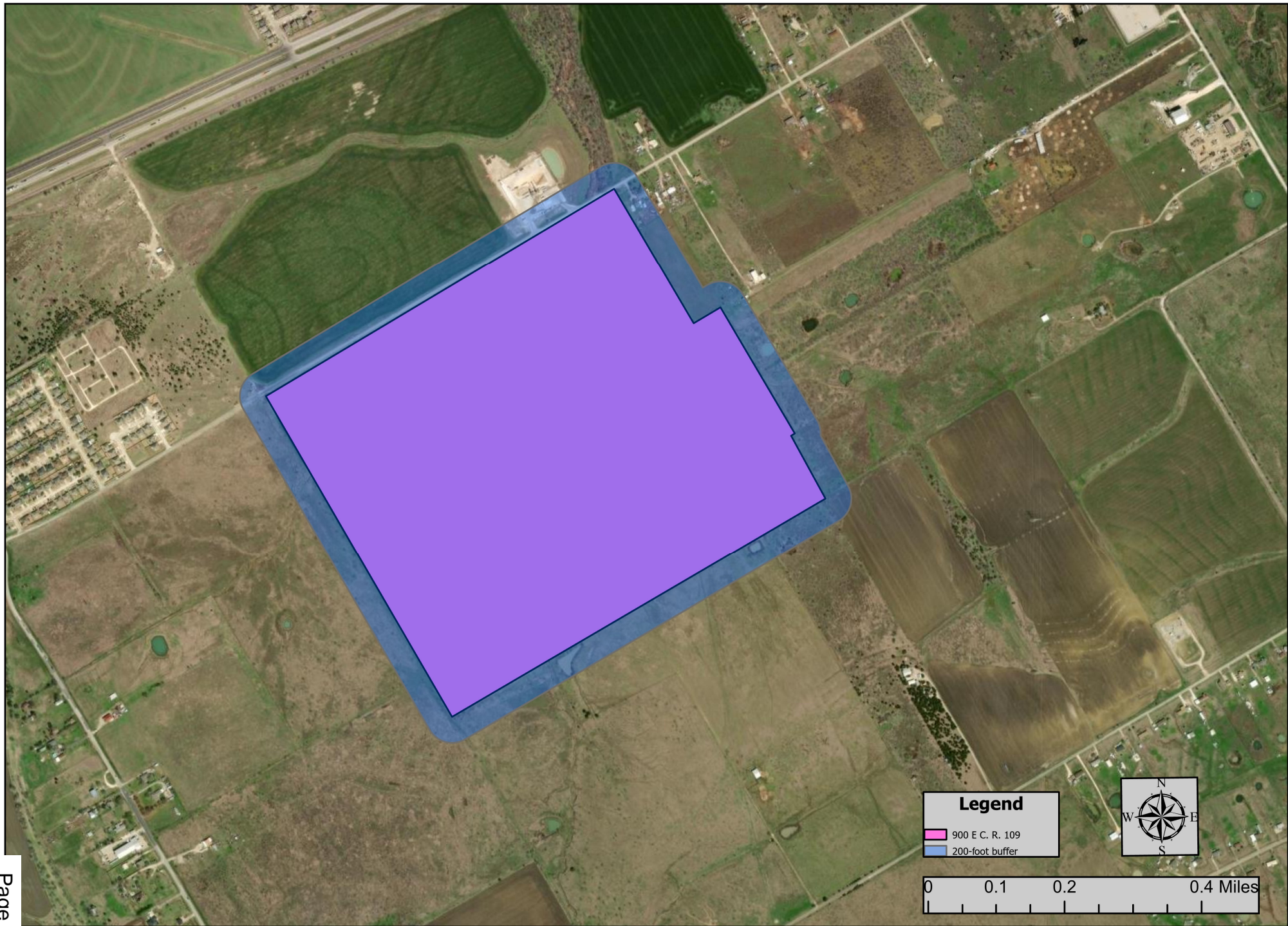
LAND USE: The property is vacant.

COMPREHENSIVE PLAN: The City of Venus Comprehensive Plan designates the future land use as I-2 (Heavy Industrial) District. E C. R. 109 is not included on the Master Thoroughfare Plan; currently E C. R. 109 has 60 ft. of ROW. It is currently a road with two lanes, no shoulders, no sidewalks and has a posted speed limit of 30 miles per hour.

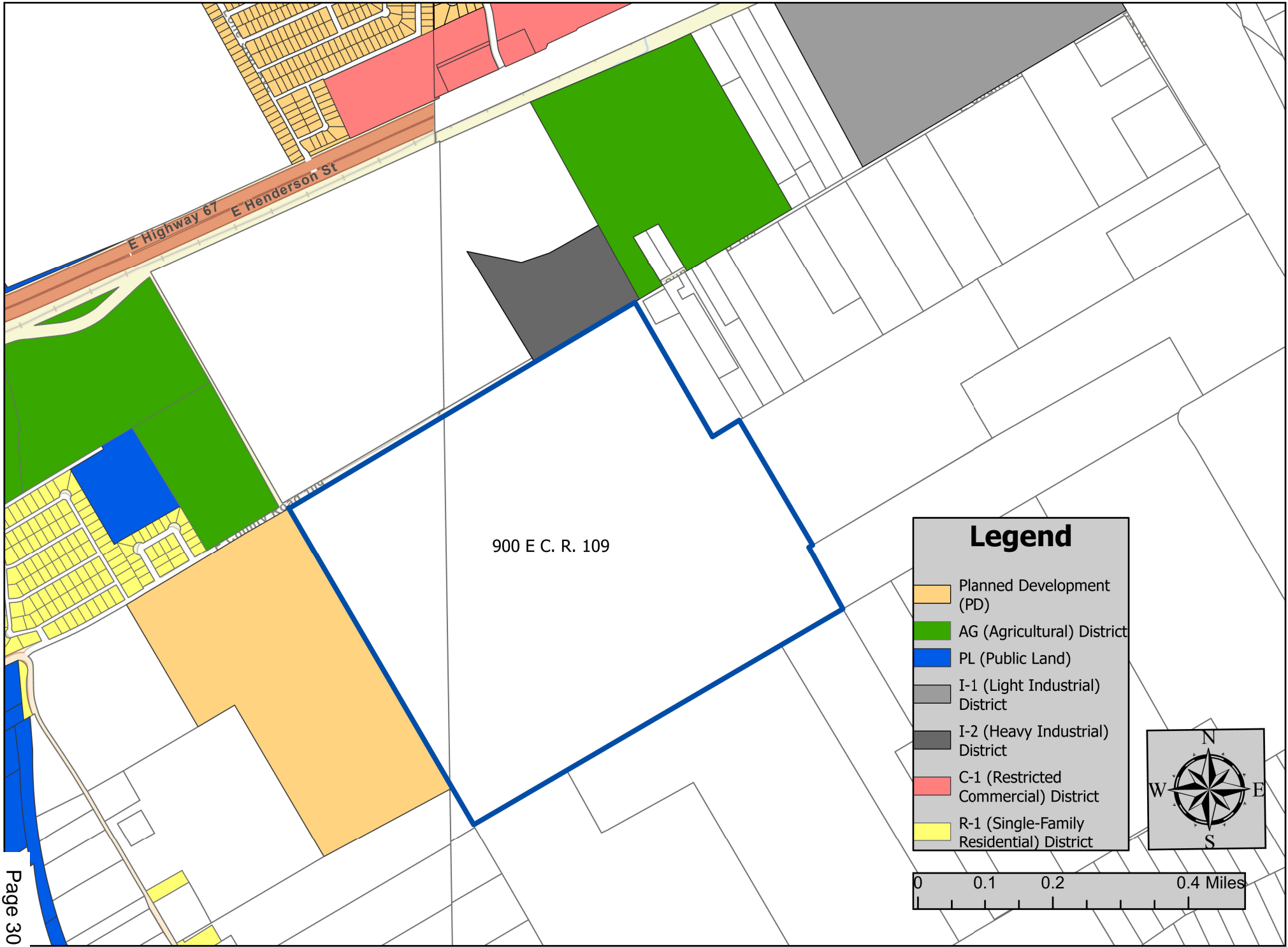
DEVELOPMENT TRENDS: The development trends for this area along E C. R. are industrial uses.

ANALYSIS: The requested zoning does conform to the Industrial land use designation as indicated on the City of Venus' Comprehensive Plan.

RECOMMENDATION: Staff recommends approval of the rezoning request because it aligns with the Comprehensive Plan.



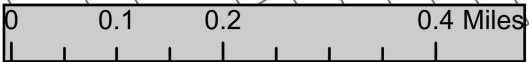
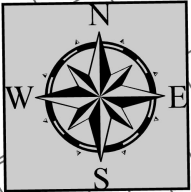
900 E C. R. 109



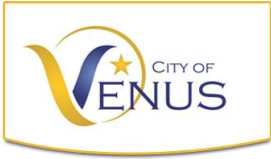
900 E C. R. 109

Legend

- Planned Development (PD)
- AG (Agricultural) District
- PL (Public Land)
- I-1 (Light Industrial) District
- I-2 (Heavy Industrial) District
- C-1 (Restricted Commercial) District
- R-1 (Single-Family Residential) District



Zoning Map



July 17, 2024

Dear Property Owner:

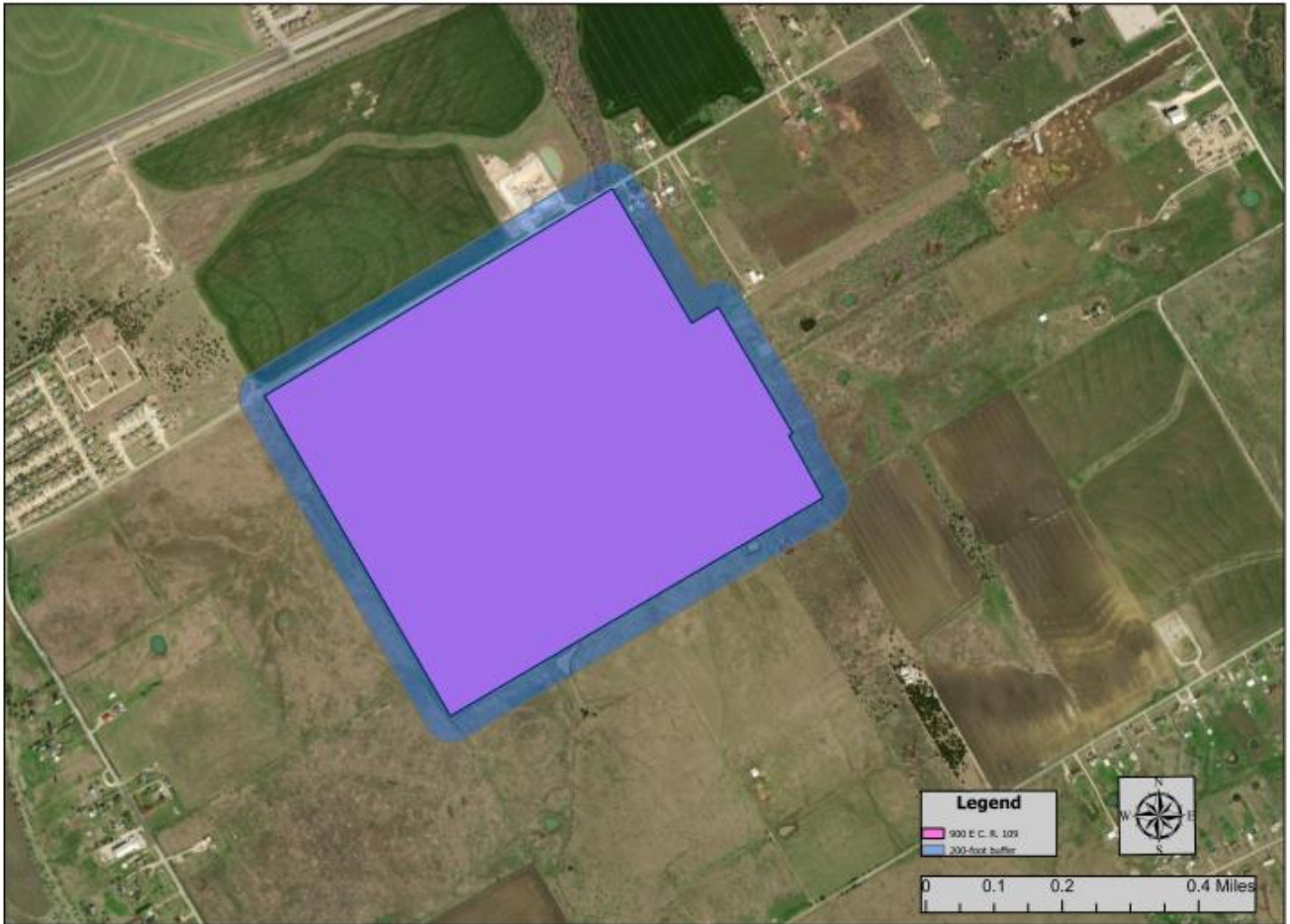
I am writing this letter to inform you of an upcoming public hearing, which you may be inclined to attend. The hearing provides residents specially neighboring landowners such as yourself, the opportunity to voice an opinion on the proposed project to the Planning & Zoning Commission. The input and opinions of residents and neighboring property owners provide valuable feedback to the Planning & Zoning Commission, City staff, and the applicant.

- Application Type:** **Zone Change:** A request to change the zoning designation pertaining to use for a property.
- Summary:** **Request:** Request for approval of a zone change for approximately 216.97- acre parcel of land, known as 900 E C. R. 109, from AG (Agriculture) District to I-2 (Heavy Industrial) District. The purpose of this request is to allow the construction of a data center.
- Location/Site Plan:** Generally located on the south side of E C. R. 109 – *See the reverse side for vicinity map.*
- Reviewing Body:** The Planning & Zoning Commission will make a recommendation to City Council on the zone change request.
- Public Hearing:** **July 25, 2024 at 6:00 pm**
The hearing will take place at the Venus Civic Center, 210 S Walnut St. Venus, TX 76084.
- Official Notice Publication:** July 15, 2024 on the Cleburne Times.
- City Staff:** Oscar Ortiz, *City Planner*
(972) 366-3348 extension 206
oortiz@cityofvenus.org
- Applicant:** Logistics Land Investment, LLC, a Delaware limited liability company
Attention: Nick Holbeck
1776 Peachtree St. NW, Suite 100
Atlanta, GA 30309
nholbeck@robriner.com
- Property Owner:** Same as above
- Additional Info:** This review process allows the Planning Commission to determine the completeness of the application, and its adherence to City Codes and policies. The request and application will go to the City Council after the Planning & Zoning Commission hearing at a later date for a final decision.

Please do not hesitate to contact me if you have any questions on this application. Comments can be submitted by email or in writing into the record. Thank you for your time.

Best regards,
Oscar Ortiz, City Planner

Vicinity Map



900 E C. R. 109