

A G E N D A

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Tuesday, June 25, 2024 at 7:00 p.m.***

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

1. Call to Order
2. Invocation
3. ***Public Comments:*** Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. ***Speakers are requested to observe five (5) minute time limit.***
4. ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered to be routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Planning & Zoning Commissioner to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.
 - a. Minutes of the regular Planning & Zoning Commission meeting of June 11, 2024
 - b. Consider a request by Marshall Patton, for a Plat of Brookside Rd. Lot 1 Block A of the United Presbyterian Addition being 1.5 acres, located approximately NWC of S I-35 E and Brookside Road City of Waxahachie (Property ID: 193823) – Owner: David Thompson, (SUB-119-2024)
5. ***Public Hearing*** on a request by Shannon Almon & Jerry L Almon, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-1 (SF-1) zoning district located at 1017 W Main Street (Property ID 171879) - Owner: Shannon Almon & Jerry L Almon (ZDC-100-2024) Staff: Harper Lindamood
6. ***Consider*** recommendation of ZDC-100-2024
7. Adjourn

The Planning and Zoning Commission reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein. This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX

Notice of Potential Quorum

One or more members of the Waxahachie City Council may be present at this meeting.

No action will be taken by the City Council at this meeting.

Planning and Zoning Commission
June 11, 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, June 11, 2024 at 7:00 p.m.

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

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Zack King, Senior Planner
Amber Villarreal, City Secretary
Patrick Souter, Council Representative

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

Chairman Rick Keeler called the meeting to order, gave the invocation, and welcomed Commissioner Jeff Reed and Council Member Patrick Souter.

3. **Public Comments**

None.

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of May 28, 2024
- b. Consider a request by Stephen Dial, STV Inc., for a Replat of Block 1 of the Cathedral Addition and a portion of Block 22 & 34 of the Official Map of Waxahachie, 1 commercial lot, being 2.995 acres, located at 302 N Monroe Street, (Property ID 289705) – Owner: Ellis County Texas (SUB-104-2024)

Action:

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

5. **Public Hearing on a request by David Griffin, Griffin Land Surveying, for a Replat of a portion of Block 30 of the Bullards Addition, and abandonment of a portion of Rogers Street, 3 commercial lots, being 1.596 acres, located at 401 Cantrell Street (Property ID: 172424, 172425, & 196137) – Owner: Francisco Cuevas, Esparza Properties LTD Co., and John Jordan & Susan Jordan (SUB-93-2023) Staff: Zack King**

The Item was presented by Senior Planner Zack King. The applicant proposes to abandon approximately 0.417 acres of Old Rogers Street right-of-way (ROW) and incorporate the abandoned area into the three adjacent properties via a Replat. Specifically, the existing ROW is proposed to be split down the centerline of Old Rogers Street and incorporated into each adjacent property. To account for existing City utility infrastructure in the Old Rogers Street ROW, the Utilities Department has required the applicant to dedicate a 60' Utility Easement in the place of the abandoned ROW. The resulting lots meet all requirements of the Waxahachie Subdivision Ordinance.

The Old Rogers Street ROW proposed to be abandoned with this replat has not been maintained or utilized by the City for decades. The ROW currently dead-ends into the intersection of Howard Road and US Highway 77. The ROW has historically been used by the neighboring property owners to access and maneuver on their respective sites. Abandonment of the ROW will formally transfer ownership and maintenance responsibility to the adjacent property owners. The abandonment will also afford adjacent property owners an opportunity to install parking in the former ROW area. However, new structures will not be permitted in the area due to the utility easement dedication over the former ROW.

As part of the proposed Replat, the applicant is providing a 20' right-of-way (ROW) dedication for Howard Road, as required by the 2023 Waxahachie Thoroughfare Plan.

Section 1.11 of the Waxahachie Subdivision Ordinance allows Plat and Replat applicants to submit a Petition for Hardship Waiver in the event that a requirement of the Subdivision Ordinance imposes a condition resulting in an unreasonable hardship if it is strictly enforced. In this instance, the applicant has requested a Petition for Hardship Waiver due to conflicts between the location of existing buildings on the subject property and the requirements of the Subdivision Ordinance.

The Waxahachie Subdivision Ordinance requires a 15' Utility Easement to be dedicated adjacent to all public ROW at the time the property is platted or replatted. The building located at 401 Cantrell Street is currently situated on the north and west property line. The applicant has requested to not provide ROW dedication along FM 1446 (Cantrell Street) and Highway 77, due to the fact that the utility easement would encroach on the existing building and require the removal of the building.

Similarly, the existing building at 528 S Rogers Street is situated just 3' from the southern property line, after considering the proposed ROW dedication for Howard Road. Due to this, the applicant has requested to only provide a 3' Utility Easement along the southern property line.

The applicant has provided Letters of No Objection for the easement elimination and reduction requests from franchise utility providers Atmos, Oncor, and Spectrum. These letters confirm that neither Atmos, Oncor, or Spectrum object to the reduced or eliminated utility easements. Due to the provision of these letters, and the presence of City utility infrastructure in existing ROW, staff is supportive of the Petition for Hardship Waiver.

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

There being no others to speak for or against SUB-93-2023, Chairman Keeler closed the Public Hearing at approximately 7:06 p.m.

6. Consider recommendation of SUB-93-2023

Action:

David Hudgins moved to recommend approval of SUB-93-2023, a Replat of a portion of Block 30 of the Bullards Addition, the associated Petition for Hardship Waiver, and the associated right-of-way abandonment request, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Motion was seconded by Ron Ansell and carried unanimously (7-0).

7. Public Hearing on a request by Katy Dockery, HKS Inc., for an Amended Site Plan for the Baylor Scott & White Hospital Tower Expansion II, located at 2400 N Interstate 35E (Property ID: 180334) – Owner: Baylor Health Care System (SP-106-2024) Staff: Zack King

The Item was presented by Mr. King and applicant Katy Dockery requested approval. The applicant proposes an Amended Site Plan to allow for a revision to the elevation/façade plan for the Baylor Scott & White Hospital Tower Expansion II project. In November of 2023, the City Council approved the Site Plan (SP-141-2023) and Development Agreement for the hospital tower expansion. Following this approval, the applicant submitted a building permit for the expansion that included an elevation/façade plan that did not match the approved Development Agreement. Due to the conflict with the development agreement, the applicant was informed that approval of an Amended Site Plan application and revised Development Agreement would be needed.

This Amended Site Plan application only revises the Elevation/Façade Plan approved with SP-141-2023. The Site Plan, Landscape Plan, Signage Plan, and Phasing Plan sheets from SP-141-2023 are not proposed to be altered in any way with this application.

The applicant has proposed multiple revisions to the elevation/façade plan with this application. Specifically, the east façade of the new bed tower and portions of the ICU addition were updated. The applicant has noted that these alterations are proposed to simplify the design of the building and reduce the amount of steel needed for structural support. The new design for the bed tower increases the amount of brick and decreases the amount of glazing used for the east façade. Similarly, the revised façade for the ICU addition features a greater amount of brick and a decreased amount of glazing. The revised elevation/façade plan also corrects a technical error in the summary table for exterior construction materials that were found in the original design.

Chairman Keeler opened the Public Hearing at approximately 7:11 p.m.

There being no others to speak for or against SP-106-2024, Chairman Keeler closed the Public Hearing at approximately 7:11 p.m.

8. Consider recommendation of SP-106-2024

Action:

Bonney Ramsey moved to recommend approval of SP-106-2024, an Amended Site Plan Application for Baylor Scott & White Hospital Tower Expansion II, subject to the conditions of the staff report. Motion was seconded by Erik Test and carried unanimously (7-0).

9. Public Hearing on a request by Dorothea Russell, Russell Living Trust, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-3 (SF-3) zoning district located at 902 E Marvin Avenue (Property ID 282999) - Owner: Russell Living Trust (ZDC-55-2024) Staff: Zack King

The Item was presented by Mr. King and applicant Dorothea Russell requested approval. The applicant is requesting a SUP for a short-term rental use located at 902 E Marvin Avenue because it is located within the SF-3 zoning district. The subject property consists of a primary structure of approximately 1,505 square feet with three (3) bedrooms, situated on an approximately 0.2288-acre (9,966 square feet) lot. Notably, only a single bedroom in the home is available for a short-term rental lease. The property owner resides full-time in the remainder of the home. There is sufficient improved surface to accommodate for the maximum parking requirement of one (1) vehicle for short-term rental use. The existing driveway also provides sufficient space for the homeowner to park on-site while the STR is in use. The applicant has operated a short-term rental at this location since May of 2022 and has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance.

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 resides on the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 75 notices were mailed to property owners within 500 feet of the property as required in Section 3.27 of the City's Zoning Ordinance. At the time of the publishing of the staff report, a total of three (3) letters of support and two (2) letters of opposition were received by staff, with two (2) letters of support and two (2) letters of opposition being inside the 200' buffer and the remainder outside of the 200' buffer.

Chairman Keeler opened the Public Hearing at approximately 7:17 p.m.

There being no others to speak for or against ZDC-55-2024, Chairman Keeler closed the Public Hearing at approximately 7:17 p.m.

10. Consider recommendation of ZDC-55-2024

Action:

David Hudgins moved to recommend approval of ZDC-55-2024, 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 Erik Test and carried unanimously (7-0).

11. Public Hearing on a request by Katherine Lagomarsino, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 304 Oldham Avenue (Property ID 170863) - Owner: Katherine Lagomarsino (ZDC-98-2024) Staff: Harper Lindamood

The Item was presented by Planner Harper Lindamood and applicant Katherine Lagomarsino requested approval. The applicant requests a SUP for short-term rental use at 304 Oldham St. because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 2,501 square feet, built in 1895 with three (3) bedrooms, (2.5) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles, situated on an approximately 0.29-acre (10,018 square feet) 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. At the time of publishing this staff report, the City has received no complaints regarding any issues that are considered a nuisance.

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 11.4 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, 85 notices were mailed to property owners within 500 feet of the property as required in Section 3.27 of the City's Zoning Ordinance. At the time of the publishing of the staff report, a total of one (1) letter of opposition and seven (7) support letters were received by staff, with three (3) letters of support and zero (0) letters of opposition being inside the 200' buffer and the remainder outside of the 200' buffer.

Council Member Patrick Souter inquired about the homestead exemption on the property and Ms. Lagomarsino stated she would have it removed.

Commissioner Marlene Norcross expressed concern regarding street parking due to the narrowness of the street and Ms. Lagomarsino stated she will add "no street parking" to the house rules.

Chairman Keeler opened the Public Hearing at approximately 7:22 p.m.

There being no others to speak for or against ZDC-98-2024, Chairman Keeler closed the Public Hearing at approximately 7:22 p.m.

12. Consider recommendation of ZDC-98-2024

Action:

Bonney Ramsey moved to recommend approval of ZDC-98-2024, 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).

13. Public Hearing on a request by Katherine Lagomarsino, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 1500 Ferris Avenue (Property ID 173413) - Owner: Katherine Lagomarsino (ZDC-99-2024) Staff: Harper Lindamood

The Item was presented by Ms. Lindamood. The applicant requests a SUP for short-term rental use at 1500 Ferris Avenue because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,730 square feet, built in 1950 with two (2) bedrooms, (1) bathroom and enough improved surface to accommodate for the maximum parking spaces of two (2) vehicles, situated on an approximately 0.22-acre (9,539 square feet) 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. At the time of publishing the staff report, the City has received no complaints regarding any issues that are considered a nuisance.

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 12.2 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, 77 notices were mailed to property owners within 500 feet of the property as required in Section 3.27 of the City's Zoning Ordinance. At the time of the publishing of the staff report, a total of four (4) letters of opposition and four (4) letters of support were received by staff, with three (3) letters of opposition and two (2) letters of support being inside the 200' buffer and the remainder outside of the 200' buffer.

Chairman Keeler opened the Public Hearing at approximately 7:27 p.m.

Those who spoke in opposition:

Catherine Smoker, 1410 Ferris Avenue, Waxahachie, Texas

Those who spoke in support:

Jeff Calvery, 5241 Judy Drive, Midlothian, Texas

Council Member Souter explained he raised the same concern as Ms. Smoker in regards to allowing too many STR's in a residential area. He explained the current ordinance allows for review and consideration on a case by case basis.

There being no others to speak for or against ZDC-99-2024, Chairman Keeler closed the Public Hearing at approximately 7:39 p.m.

Senior Director of Planning Jennifer Pruitt announced the GIS team maintains an interactive map of short-term rentals who have applied and been approved. She noted the City does not currently have an ordinance regulating long-term rentals.

14. Consider recommendation of ZDC-99-2024

Action:

David Hudgins moved to recommend approval of ZDC-99-2024, 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 (7-0).

15. Public Hearing on a request by Anthony Rieper, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 411 N Hawkins Street (Property ID 173335) - Owner: John Marlin (ZDC-101-2024) Staff: Harper Lindamood

The Item was presented by Ms. Lindamood and applicant Anthony Rieper requested approval. The applicant requests a SUP for short-term rental use at 411 N Hawkins Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 2,501 square feet, with three (3) bedrooms, (2.5) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles, situated on an approximately 0.26-acre (11,456 square feet) lot.

The applicant has been operating a short-term rental since July 2023 and has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of publishing this staff report, 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 0.8 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, 62 notices were mailed to property owners within 500 feet of the property as required in Section 3.27 of the City's Zoning Ordinance. At the time of the publishing of the staff report, a total of three (3) letters of opposition and four (4) letters of support were received by staff, with two (2) letters of opposition and three (3) letters of support being inside the 200' buffer and the remainder outside of the 200' buffer.

Council Member Souter inquired about the homestead exemption on the property and Mr. Rieper stated he will have the owner remove it.

Commissioner Erik Test inquired about regulations to subleasing and Ms. Pruitt confirmed that isn't addressed in the ordinance and the STR operator would be held responsible.

Chairman Keeler opened the Public Hearing at approximately 7:46 p.m.

Chris Wright, 808 W. Marvin, Waxahachie, Texas, asked if SUP's are granted to tenants or property owners. He asked the Commission to consider that this is the third STR within 500 feet of this area.

Ms. Pruitt explained applicants can apply for SUP's and this STR has been operating since February 2023.

There being no others to speak for or against ZDC-101-2024, Chairman Keeler closed the Public Hearing at approximately 7:47 p.m.

16. Consider recommendation of ZDC-101-2024

Action:

David Hudgins moved to recommend approval of ZDC-101-2024, 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 Marlene Norcross and carried unanimously (7-0).

17. Public Hearing on a request by Gabrielle Calvery Tranel, Virginia Holdings LLC, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 1105 W Main Street (Property ID 176628) - Owner: Virginia Holdings LLC (ZDC-102-2024) Staff: Harper Lindamood

The Item was presented by Ms. Lindamood and applicant Gabrielle Tranel requested approval. The applicant requests a SUP for short-term rental use at 1105 W Main St. because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 2,184 square feet, built in 1920 with three (3) bedrooms, (3) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles, situated on an approximately 0.23-acre (9,365 square feet) lot. The applicant has not been operating a short-term rental and has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of publishing this staff report, 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 1.0 mile from the property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 39 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. At the time of the publishing of the staff report, a total of five (5) letters of opposition and one (1) letter of support were received by staff, with five (5) letters of opposition and one (1) letter of support being inside the 200' buffer.

Ms. Tranel confirmed the property has been operating as a short-term rental since 2019.

Chairman Keeler opened the Public Hearing at approximately 7:53 p.m.

There being no others to speak for or against ZDC-102-2024, Chairman Keeler closed the Public Hearing at approximately 7:53 p.m.

18. Consider recommendation of ZDC-102-2024

Action:

Ron Ansell moved to recommend approval of ZDC-102-2024, 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 Erik Test and carried unanimously (7-0).

19. Public Hearing on a request by Ryan Kelly, EAN Holdings, LLC, for a Specific Use Permit (SUP) for an Auto Leasing and Rental use within a Commercial (C) zoning district located southeast of 141 Cardinal Road (Property ID 289375) - Owner: Connell Storage Partners #1 LLC (ZDC-48-2024) Staff: Zack King

The Item was presented by Mr. King and Josh Gardner requested approval. The applicant proposes a Specific Use Permit (SUP) for an Auto Leasing and Rental use (Enterprise-Rent-a-Car) on a 1.00-acre property southeast of 141 Cardinal Road. Enterprise is currently located at 1540 N US Highway 77 and will relocate to the subject property if this SUP request is approved. This Enterprise location will rent light-load vehicles only and will not rent heavy-load vehicles, heavy equipment, or trailers. The applicant has noted that the typical hours of operation of the business will be Monday through Friday from 7:30am to 6:00pm and Saturday from 9:00am to 1:00pm. The business will be closed on Sundays. A total of seven (7) to ten (10) employees are expected at this location.

The applicant proposes to construct an office building on the subject property totaling 1,600 square feet in size. Additionally, the applicant proposes to construct a bay and canopy totaling approximately 1,800 square feet in size. The car wash is proposed as an accessory use for Enterprise. The car wash will be used by employees only to clean returned vehicles. The applicant has provided sixty-one (61) parking spaces on the site; which exceeds the minimum parking space requirement by seventeen (17) spaces. The additional spaces are proposed to provide parking for the Enterprises' rental car inventory.

The applicant proposes to access the subject property via a driveway connection to North Town Boulevard. A direct connection to Highway 77 is not proposed due to an inability to meet TxDOT spacing requirements. The applicant proposes to file a mutual access easement for their primary drive to allow for future cross-access to the property to the north of the site.

The applicant has provided a drive aisle around each proposed building to ensure adequate on-site circulation. The applicant has also provided two dedicated "return" lanes adjacent to the proposed office building for customers to drop off vehicles. The return lanes are situated outside of the primary drive aisle and can stack three (3) vehicles each.

A portion of the proposed drive-aisle and parking spaces are located within a 100' electric easement owned by Oncor. Oncor has indicated they are amenable to allowing a drive aisle and parking within the easement. However, formal approval will not be provided by Oncor until the applicant has received SUP approval by the City. Due to this, staff has recommended a condition of approval for the SUP that requires the applicant to provide a letter from Oncor documenting permission to construct improvements within the 100' electric easement identified on the Site Plan. A letter from Oncor will be required to be provided prior to the approval of Civil Construction plans for the development.

The applicant has provided two elevation/façade options for consideration with this SUP. Both options utilize a combination of brick, stucco, and stone exterior construction materials with minor EIFS accents. The color palette is the primary difference between each elevation/façade option. Option 1 features a consistent earth tone color palette across the entire building; while Option 2 includes a combination of traditional color brick and sandstone color brick on a portion of the building. The renderings below can be referenced for a look at the difference in the front façade proposed with each elevation option.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, six (6) 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 two (2) letters of support and zero (0) letters of opposition for the proposed SUP.

Chairman Keeler opened the Public Hearing at approximately 8:03 p.m.

There being no others to speak for or against ZDC-48-2024, Chairman Keeler closed the Public Hearing at approximately 8:03 p.m.

20. Consider recommendation of ZDC-48-2024

Action:

Erik Test moved to recommend approval of ZDC-48-2024, a Specific Use Permit (SUP) for an Auto Leasing and Rental use (Enterprise-Rent-a-Car), subject to the conditions of the staff report, with elevation Option 1. Motion was seconded by Bonney Ramsey and carried unanimously (7-0).

21. Adjourn

Jennifer Pruitt, Senior Director of Planning, thanked Commissioners for their patience while processing short-term rental applications.

There being no further business, the meeting adjourned at 8:06 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

Planning & Zoning Department

Plat Staff Report

Case: SUB-119-2024



MEETING DATE(S)

Planning & Zoning Commission: June 25, 2024
City Council: July 1, 2024

CAPTION

Present a request by Marshall Patton, for a **Plat** of Brookside Rd. Lot 1 Block A of the United Presbyterian Addition being 1.5 acres, located approximately NWC of S I-35 E and Brookside Road. City of Waxahachie (Property ID: 193823) – Owner: David Thompson, (SUB-119-2024) Staff: Harper Lindamood

RECOMMENDED MOTION

"I move to approve SUB-119-2024, a Plat of Brookside Rd. Lot 1 Block A of the United Presbyterian Addition, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests to plat the subject property into a 1.5-acre residential lot that currently contains a single-family dwelling and other improvements.

(CASE INFORMATION

Applicant: Marshall Patton

Property Owner(s): David Thompson

Site Acreage: 1.5 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 unit

Park Land Dedication: The proposed plat provides park land in accordance to the Planned Development zoning on the property.

Adequate Public Facilities: Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location: Approximately NWC of S I-35 E and Brookside Road

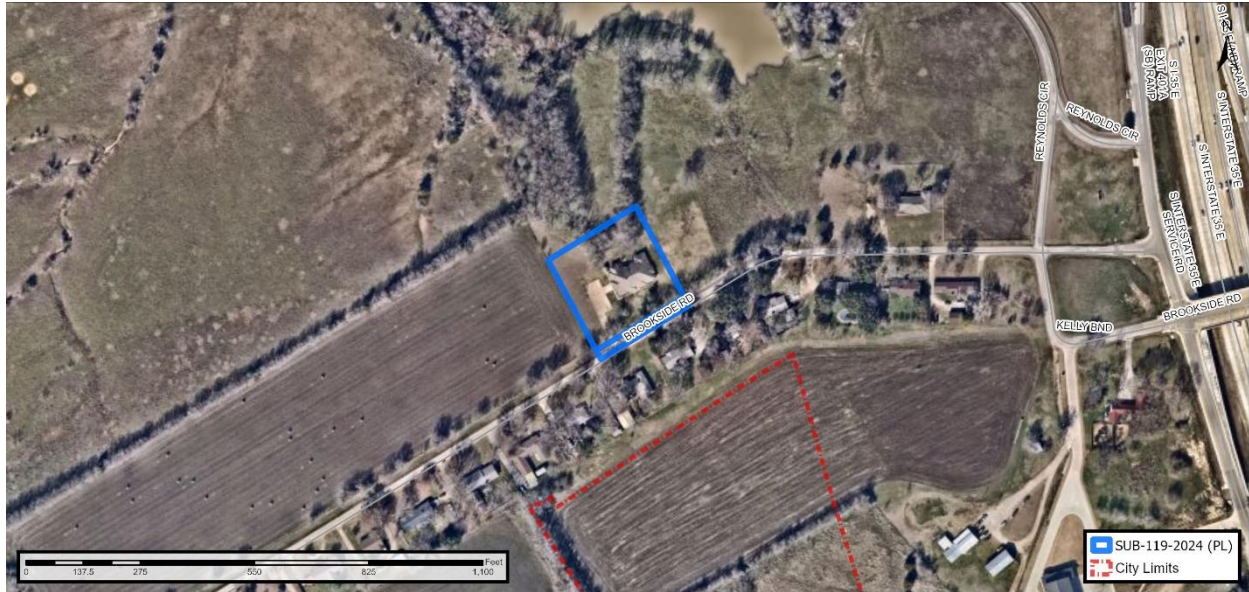
Parcel ID Number(s): 193823

Current Zoning: Single Family-1 (SF-1)

Existing Use: The subject property has a single-family dwelling.

Platting History: The subject property is not currently platted.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to plat the subject property into Brookside Rd. Lot 1 Block A of the United Presbyterian Addition. The subject property is currently zoned Single Family-1.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Plat request subject to the conditions listed below.

Conditions:

1. Per Appendix C, V, sections 5.6 and 5.7 of the City's subdivision ordinance: fences, retaining walls, and screening walls shall not be placed in utility easements.
2. Per Appendix C, V, Section 2.3 of the City's Subdivision ordinance: Perform a title search to locate all easements on the property.

ATTACHED EXHIBITS

1. Plat

APPLICANT REQUIREMENTS

1. If approved by Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then the applicant will be notified to make corrections.
 - b. If all comments were satisfied, then the applicant shall provide five signed, hard-copy plats.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:

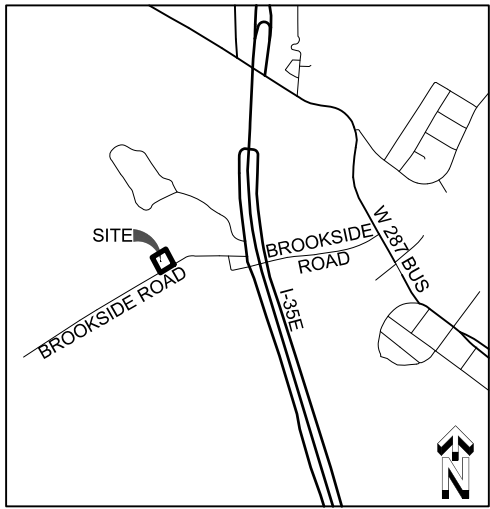
Harper Lindamood
Planner

Harper.lindamood@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning

jennifer.pruitt@waxahachie.com



CIRS = 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET
IRF = IRON ROD FOUND
OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
UE = UTILITY EASEMENT

THE SUBJECT PROPERTY DOES NOT LIE WITHIN A DESIGNATED FLOOD HAZARD AREA, ACCORDING TO THE THE FLOOD INSURANCE RATE MAP NO. 48139C0170G, DATED OCTOBER 19, 2023, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

S 27°59'54" E, PASSING AT A DISTANCE OF 239.94 FEET A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR WITNESS, A TOTAL DISTANCE OF 270.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1.534 ACRES OF LAND MORE OR LESS.

THAT UNITED PRESBYTERIAN HOMES OF SYNOD OF TEXAS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOT 1, BLOCK A, UNITED PRESBYTERIAN ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE CITY OF WAXAHACHIE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON, THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT, NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WAXAHACHIE'S USE THEREOF. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

WITNESS, MY HAND, THIS THE _____ DAY OF _____, 2024.

STATE OF TEXAS :
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED DAVID THOMPSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2024.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

I, TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS
MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE
DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN
FOUND OR SET AS SHOWN.

"PRELIMINARY, THIS DOCUMENT
SHALL NOT BE RECORDED FOR
ANY PURPOSE AND SHALL NOT
BE USED OR VIEWED OR RELIED
UPON AS A FINAL SURVEY
DOCUMENT"

TIMOTHY L. JACKSON
REGISTRATION NUMBER 5644

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY: _____ DATE: _____
CHAIRPERSON

ATTEST _____ DATE _____

PLAT
LOT 1, BLOCK A
UNITED PRESBYTERIAN
ADDITION

J. PRINCE SURVEY, ABSTRACT NO. 845
OF CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
1.534 ACRES
1 RESIDENTIAL LOT
ZONED SF-1
CASE NO. SUB-000119-2024

OWNERS:
UNITED PRESBYTERIAN HOMES
OF SYNOD OF TEXAS
5920 W WILLIAM CANNON DR
AUSTIN, TX 78749
512.796.5252

SURVEYOR:
TEXAS REALITY CAPTURE &
SURVEYING, LLC.
P.O. BOX 252
WAXAHACHIE, TEXAS 75168
469.518.0338
TBPLS FIRM NO 10194359

JOB NO. 2020A1

MAY 2024

PAGE 1 OF 1

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-100-2024



MEETING DATE(S)

Planning & Zoning Commission:

June 25, 2024

City Council:

July 1, 2024

CAPTION

Public Hearing on a request by Shannon Almon & Jerry L Almon, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-1 (SF-1) zoning district located at 1017 W Main Street (Property ID 171879) - Owner: Shannon Almon & Jerry L Almon (ZDC-100-2024) Staff: Harper Lindamood

RECOMMENDED MOTIONS

- "I move to recommend denial of ZDC-100-2024, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to recommend approval with conditions of ZDC-100-2024, 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."

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 1017 W Main Street.

CASE INFORMATION

Applicant:

Shannon Almon & Jerry L Almon

Property Owner(s):

Shannon Almon & Jerry L Almon

Site Acreage:

0.67 acres

Current Zoning:

Single Family-1 (SF-1)

Requested Zoning:

SF-1 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location:

1017 W Main St.

Parcel ID Number(s):

171879

Existing Use:

A single-family residence occupies the subject property.

Development History:

The subject property is platted as LOT 1R BLK 344 of the Town Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-1	Single Family Residence
East	SF-1	Single Family Residence
South	SF-2	Single Family Residence
West	SF-1	Single Family Residence

Future Land Use Plan:

Mixed Use Neighborhood

Comprehensive Plan:

A mixed-use neighborhood harkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this place type, it is essential to make sure residential uses appropriately transition from one another based on the housing typology

Thoroughfare Plan:

The subject property is accessible via Main street.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP, with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The applicant requests a SUP for short-term rental use at 1017 W Main St. because it is located within the SF-1 zoning district. The subject property consists of a primary dwelling unit of approximately 2,687 square feet, built in 1961 with Three (3) bedrooms, (2) bathrooms and enough improved surface to accommodate for the required parking spaces of three (3) vehicles, situated on an approximately 0.67-acre (29,054 square feet) lot. The applicant has been operating a short-term rental since December 2020 and has paid the required local hotel occupancy taxes. The applicant has owned the property since 2021, but it is not their homestead. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance.

During the planning analysis, 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 Shannon & Jerry L Almon (469)-261-4772, 1015 W. Main St., Waxahachie, TX. 75165, almon1015@gmail.com, which is located 108 ft from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 43 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 two (2) letters of opposition were received by staff, with one (1) letter being inside the 200' buffer and the remainder outside of the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of Six (6) guests per stay.
4. The short-term rental operator shall provide a maximum of two (2) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Location Map (Exhibit A)
3. Zoning Map (Exhibit B)
4. Floorplan (Exhibit C)
5. Site Plan (Exhibit D)
6. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Harper Lindamood

Planner

Harper.lindamood@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL (STR) USE WITHIN A SINGLE FAMILY-1 (SF-1) ZONING DISTRICT, LOCATED AT 1017 W MAIN STREET, BEING PROPERTY ID 171879, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 150, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as SF-1; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-100-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-1to SF-1, with a SUP in order to permit a Short-Term Rental (STR)use on the following property: LOT 1R BLK 344 which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit D.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this _____ day of _____, 2024

MAYOR

ATTEST:

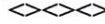
City Secretary



City of Waxahachie, Texas

REVISED

Notice of Public Hearing
Case Number: **ZDC-100-2024**



MANIGRASSO PAUL L & HEATHER M FRITZ
605 W MAIN ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 25, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Shannon Almon & Jerry L Almon, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-1 (SF-1) zoning district located at 1017 W Main Street (Property ID 171879) - Owner: Shannon Almon & Jerry L Almon (ZDC-100-2024)
Staff: Harper Lindamood

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: **ZDC-100-2024**

City Reference: 171830

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 19, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Re-send notice of opposition due to error

Paul Manigrasso

Signature

Paul Manigrasso

Printed Name and Title

18 Jun 2024

Date

605 W MAIN, WAXAHACHIE TX 75165

Address



City of Waxahachie, Texas

REVISED

Notice of Public Hearing
Case Number: **ZDC-100-2024**

SMITH DAVID G & PATRICIA M
905 W MAIN ST
WAXAHACHIE, TX 75165-3243

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Case Number: **ZDC-100-2024**

City Reference: 171888

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 19, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

DON'T WANT in/out of unknown and uninvested people in our residential neighborhood.

David Smith
Signature Pat Smith

6-19-24
Date

Printed Name and Title

DAVID SMITH
PAT SMITH

905 W. Main
Address

Galaxy S23 Ultra

June 20, 2024 9:01 AM



Jerry Almon <almon1015@gmail.com>

Recommendation Letter

James Bennett <jgbennett46@yahoo.com>

Tue, May 14 at 1:55 PM

Reply-To: James Bennett <jgbennett46@yahoo.com>

To: almon1015@gmail.com <almon1015@gmail.com>, James Bennett <jgbennett46@yahoo.com>

May 14, 2024

This email/letter is in re: to address 1017 W. Main Street, which is used for an Air BNB Rental.

We have live across the street from this property. So, we are very familiar and knowledgeable on how it is operated and the services that it provides.

1. We have never noticed or witness parties at the above address.
2. There has never been loud noises or cars parked in the street.
3. This address is well kept, maintained and taken care of.

Shannon Almon lives next door to this property making it easy accessible for her to correct any problems that might arise.

This property is an assess to the community and is not a threat to the neighborhood.

We highly recommend Shannon and the services she provides for the Community of Waxahachie.

Sincerely,

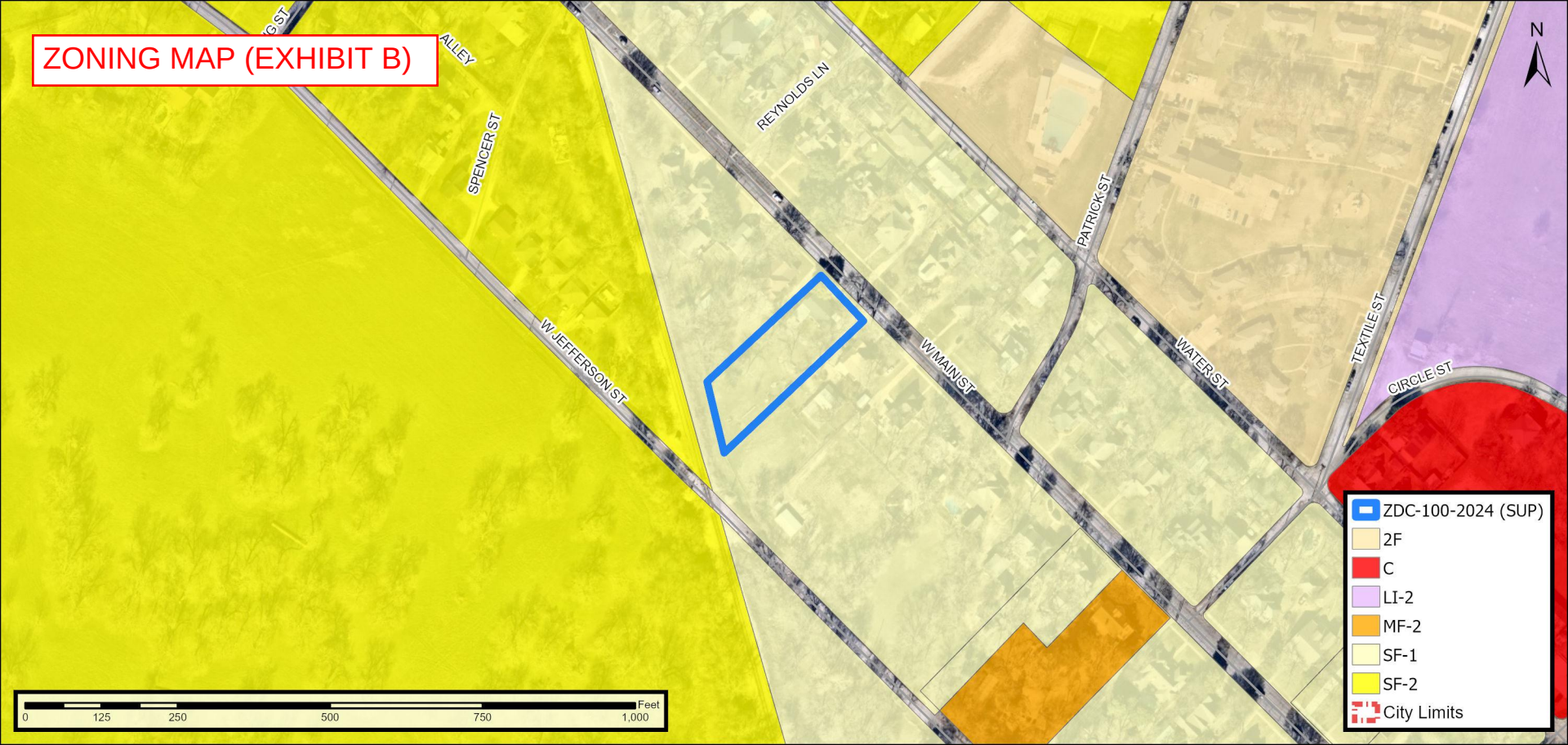
James & Ruth Bennett
469-442-5492

LOCATION MAP (EXHIBIT A)



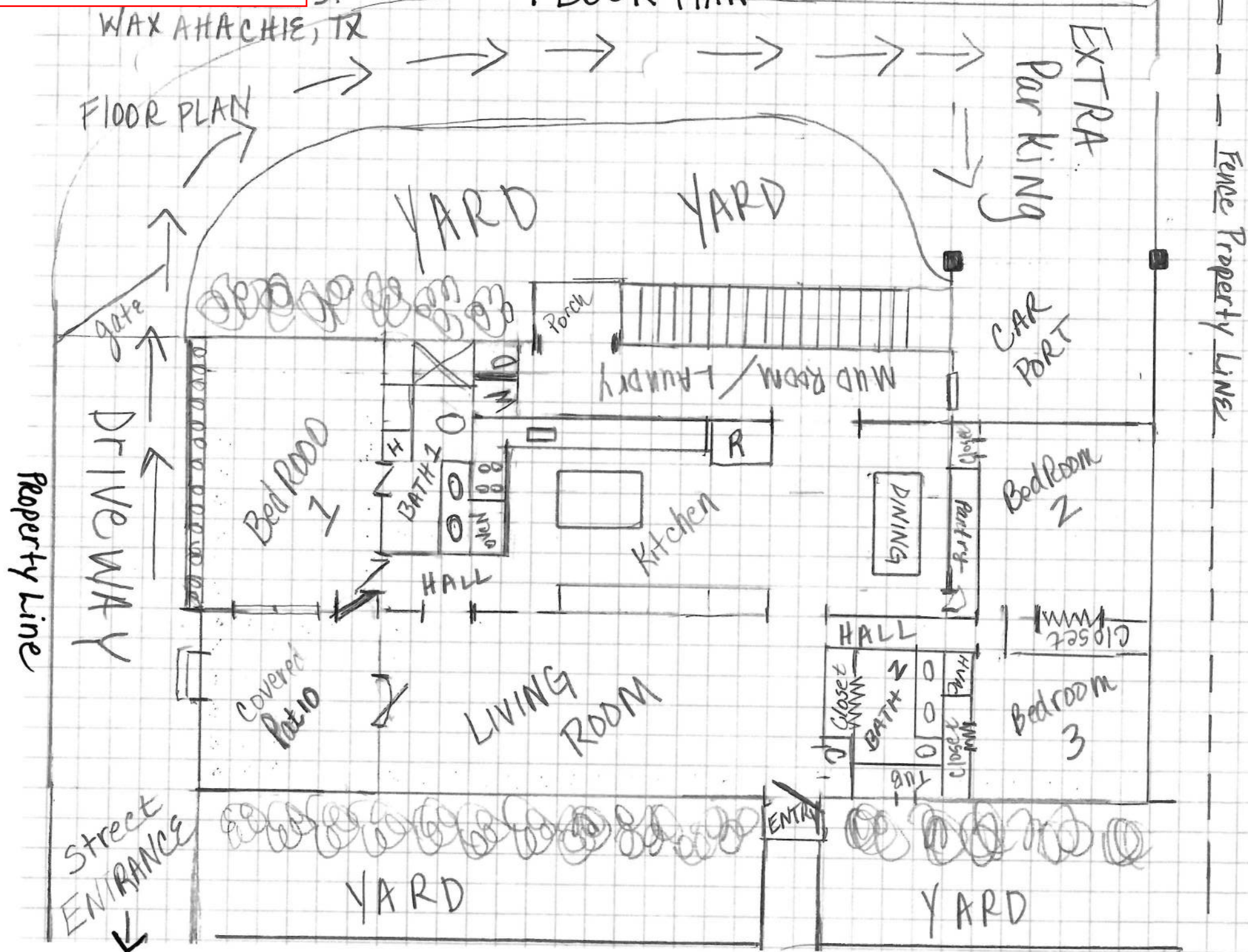
 ZDC-100-2024 (SUP)
 City Limits

ZONING MAP (EXHIBIT B)



54

54



SITE PLAN (EXHIBIT D)

SITE PLAN

1017 W Main St

Waxahachie, TX 75165

Parcel ID: 90.2002.344.001.00.112

Lot area: 0.67 Acres

Paper Size: 11"x17"



scale 1"=30'



HOUSE RULES

MABLE'S COTTAGE ON MAIN

CHECKING IN AND OUT

- Check in 3PM or after
- Check out before 11AM
- Self-check-in with Smart Lock at side entrance
(A code will be sent to you prior to check-in tie)

DETAILS

- 6 Guest Maximum
- No Pets
- Quiet Hours 10PM-7AM
- No parties or Events
- No commercial photography
- No Smoking

ADDITIONAL RULES, DETAILS AND FEES

- All guests will be charged an additional fee of 7% for Hotel and Occupancy taxes (HOT) for The City of Waxahachie. This will be billed thru the Resolution Center by me after booking your stay. I am unable to determine the tax prior to your reservation. Airbnb only collects and disburses State HOT taxes currently. However, The City of Waxahachie recently passed an ordinance requiring Short Term Rentals to also collect HOT taxes for the City.
- Guests are expected to maintain the house as found and clean as needed.
- All guests staying at the residence are required to be listed and identified prior to checking in with first and last name under the guest roster.
- We have a No Pet Policy. Due to allergies of future guests and potential liability we unfortunately are unable to accommodate your furry friends. If you have questions, please reach out before booking this property. Should this rule be broken. You will be asked to leave without refund and charged an additional cleaning fee between \$250-\$500 depending on the extent of the cleaning. Should any property be damaged you will be charged for repair or replacement.
- We have a STRICT NO PARTY POLICY which includes any type of large gathering. If this rule is violated, you will be asked to leave without refund. You will also be charged an inconvenience fee of \$500, extra cleaning fees, and any fines imposed on the Host by the City as well as any damages to the property. (Please note that breaking this rule is a directly violation of City of Waxahachie Short Term Rental Ordinance 3414)
- No Smoking or vaping is allowed inside the house. If you or anyone with you, invited by you, or additional guest smokes or vapes inside of the home you will be charged an

HOST RULES (EXHIBIT E)

additional cleaning fee of \$500, and cost of any damages done to the home or furnishings. There could be additional charges incurred if for some reason the home is not able to be rented due to the smoke damage. In addition, if smoking inside the residence is discovered while you are still within your reservation, you will be asked to leave without refund. Smoking is permitted outside away from entry doors so long as you safely dispose of butts and do not throw on ground.

- Absolutely NO Illegal substances are allowed anywhere on the premises.
- No parking on the street (This is a violation of the City's Short Term Rental Ordinance 3414) All guests must be parked in the driveway. There is additional parking available behind the gate that goes across the right side of driveway leading to the back of the house. Please stay on paved driveway and do not park on grass.
- NO Confetti or Glitter inside the home or on the property. If rule is not followed you will be charged an additional cleaning fee of \$350.
- Do not hang anything on the walls such as banners or signs using nails, push pins or tape that can cause damage paint.
- Do not use hair coloring products or Purple Shampoo on the property. It will stain all surfaces and the stains do not come out without professional removal. If this rule is not followed you will be responsible for all costs associated with the damage or stain removal.
- For guests staying over one month we have a cleaning service that comes in to do a deep cleaning and inspect property for any issues. This is an additional charge of \$125 per cleaning and can be arranged at the convenience of the guest.

By confirming and booking your stay, you and your guests agree to abide by all rules. You acknowledge and agree to all extra fees and fines. Furthermore, you also agree to pay for repairs of property and any damaged furnishing or décor while staying in the rental.

We truly hope you enjoy your stay. We have not had any issues with this type of behavior from past guests. However, we want you to have a clear understanding of the rules before you come. If you have any questions or concerns, please reach out to me through Air BNB.

Welcome to Waxahachie
"A Place In Your Heart"
The Gingerbread City
Crape Myrtle Capital of Texas

Shannon Almon/Property Owner/Host