

AGENDA

A regular meeting of the Mayor and City Council 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 **Monday, July 15, 2024 at 7:00 p.m.**

Council Members: Billie Wallace, Mayor, Council Member Place 4
Chris Wright, Mayor Pro Tem, Council Member Place 3
Tres Atkins, Council Member Place 1
Patrick Souter, Council Member Place 2
Travis Smith, Council Member Place 5

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

5. **Consent Agenda**

All matters listed under Item 5, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager 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 City Council.

- a. Minutes of the City Council meeting of July 1, 2024
- b. Event application for Back to School Bash – Let’s GLOW Back to School to be held August 10, 2024 at Railyard Park
- c. Event application for YMCA Santa Run to be held December 14, 2024 at Railyard Park
- d. Receive Fiscal Year 2024 3rd Quarter Financial Report
- e. Emergency Bottled Water Contract
- f. Supplemental Appropriation for the Water Utility Fund Budget
- g. Bid award and funding for additional interior fencing at the Sports Complex
- h. Funding request in the amount of \$750,000 from WCDC for the YMCA Cindy Hess Memorial Park
- i. Budget amendment to reimburse departmental funding from the Ammo Buy-Back initiative as well as from TML insurance claims for repaired police vehicles and an animal services vehicle

6. **Introduce** Honorary Councilmember

7. **Hear** presentation on Active Shooter Drill

8. **Public Hearing** on a request by Tim Jackson, for a Replat of Lot 13, Block 63 of the Town Addition, to create Lots 13A & 13B, Block 63 of the Town Addition, 2 single family lots, being 0.45-acres, located at 602 Dr. Martin Luther King Jr Blvd., (Property ID 170996) – Owner: Sergio Sanchez & Vanessa Severson (SUB-113-2024)
9. **Consider** approval of SUB-113-2024
10. **Public Hearing** on a request by Harlen & Cindy Roberts, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 714 Dunn St (Property ID 173368) - Owner: Harlen & Cindy Roberts (ZDC-118-2024)
11. **Consider** proposed Ordinance approving ZDC-118-2024
12. **Public Hearing** on a request by Stephanie Savins & Eric Savins, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 313 Monticello Dr. (Property ID 172127) - Owner: Stephanie Savins & Eric Savins (ZDC-123-2024)
13. **Consider** proposed Ordinance approving ZDC-123-2024
14. **Public Hearing** on a request by Melanie Brewer for a Specific Use Permit (SUP) for an Accessory Structure Dwelling Unit use within a Single Family-2 (SF-2) zoning district located at 1111 W Marvin Avenue (Property ID 176332) - Owner: Melanie Brewer & Mark Brewer (ZDC-111-2024)
15. **Consider** proposed Ordinance approving ZDC-111-2024
16. **Public Hearing** on a request by Gabrielle Calvery, 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 1107 W Main Street (Property ID 176627) - Owner: Virginia Holdings LLC (ZDC-108-2024)
17. **Consider** proposed Ordinance approving ZDC-108-2024
18. **Public Hearing** on a request by Gabrielle Calvery, 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 330 E University Avenue (Property ID 176172) - Owner: Virginia Holdings (ZDC-109-2024)
19. **Consider** proposed Ordinance approving ZDC-109-2024
20. **Public Hearing** on a request by Manuel Vera Jr., for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 306 Floyd Street (Property ID 174707) - Owner: Vera Construction LLC (ZDC-110-2024)
21. **Consider** proposed Ordinance approving ZDC-110-2024
22. **Public Hearing** on a request by Kassie Pierce, Odyssey Oasis LLC, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 207 Cumberland Road (Property ID 172283) - Owner: Clayton McBride & Carmen McBride (ZDC-121-2024)

23. *Consider* proposed Ordinance approving ZDC-121-2024
24. *Public Hearing* on a request by the City of Waxahachie to amend the adopted Waxahachie Comprehensive Plan, solely to amend the Thoroughfare Plan
25. *Public Hearing* on a request by the City of Waxahachie to update the 2020 Roadway Impact Fee Program Update Report accordingly
26. *Consider* proposed Ordinances to amend the adopted Waxahachie Comprehensive Plan, solely to amend the Thoroughfare Plan and to update the 2020 Roadway Impact Fee Program Update Report
27. *Consider* Engineering Professional Services Agreement for Old Italy Road Realignment Project
28. *Consider* Engineering Professional Services Agreement for MLK Sidewalk Project
29. *Consider* approval of a contract with Stripe A Zone for the Grand Avenue and Solon Road Striping
30. Comments by Mayor, City Council, City Attorney and City Manager
31. Adjourn

The City Council 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

City Council
July 1, 2024

(5a)

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, July 1, 2024 at 7:00 p.m.

Council Members Present: Billie Wallace, Mayor, Council Member Place 4
Chris Wright, Mayor Pro Tem, Council Member Place 3
Tres Atkins, Council Member Place 1
Patrick Souter, Council Member Place 2
Travis Smith, Council Member Place 5

Others Present: Albert Lawrence, Deputy City Manager
Terry Welch, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor Billie Wallace called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Mike Shaw gave the invocation. Mayor Wallace led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Ira Tenpenny, 109 Rosa, Waxahachie, Texas, expressed safety concerns with inadequate fencing for swimming pools and requested enforcement from the City.

Dr. Ben Boone, Boyce Road, Waxahachie, Texas, announced Dr. Haariss Illyas, Orthopedic Spine Surgeon, will be leaving Waxahachie soon due to a non-compete clause in his contract with Baylor Scott and White Medical Center. He encouraged community members to express their support to keep this valued surgeon in our community.

5. Consent Agenda

- a. Minutes of the City Council meeting of June 17, 2024
- b. Minutes of the City Council Work Session of June 18, 2024
- c. Minutes of the City Council Special meeting of June 24, 2024
- d. Event application for Youth Revival "A Night with the King" to be held July 13, 2024 at Railyard Park
- e. Event application for DFW Youth World Baseball Classic to be held August 9-12, 2024 at the Waxahachie Sports Complex
- f. Event application for Hispanic Heritage event to be held September 28, 2024 at Railyard Park
- g. Event application for Turkey Trot 5k/10k at Getzendaner Park to be held November 28, 2024

(5a)

- h. Proposed Ordinance approving a request by John Dineen Jr. & Jennifer Dineen, for a Petition for ETJ Release for approximately 10.00 acres, located at 1410 Broadhead Road (Property ID 201199 & 202437) – Owner: John Dineen Jr. & Jennifer Dineen (ETJ-PTN-155-2023)
- i. Proposed Ordinance approving a request by Josh Trees, for a Petition for ETJ Release for approximately 11.054 acres, located north of 3537 S US Highway 287 (Property ID 180959 & 223894) – Owner: JT Executive Properties LLC (ETJ-PTN-81-2024)
- j. Proposed Ordinance approving a request by Johnny Fussell & Sean Fussell, for a Petition for ETJ Release for approximately 10.385 acres, located at 611 Wilson Rd. (Property ID 289604) – Owner: SDJF Property Trust. (ETJ-PTN-112-2024)
- k. Proposed Ordinance approving a request by Johnny Fussell & Sean Fussell, for a Petition for ETJ Release for approximately 5.111 acres, located at 439 Wilson Rd. (Property ID 240435) – Owner: Fuquez Property Company No. 105 LLC. (ETJ-PTN-114-2024)
- l. Proposed Ordinance approving a request by Johnny Fussell & Sean Fussell, for a Petition for ETJ Release for approximately 5.1 acres, located at 515 Wilson Road. (Property ID 245413) – Owner: Fuquez Property Company No. 105 LLC. (ETJ-PTN-115-2024)
- m. Proposed Ordinance approving a request by Travis Baucom, for a Petition for ETJ Release for approximately 2.05 acres, located at 3740 S US Highway 287 (Property ID 220805) – Owner: HWY 287 Storage LLC (ETJ-PTN-116-2024)
- n. Proposed Ordinance approving a request by Carli Middleton, for a Petition for ETJ Release for approximately 4.22 acres, located at 421 Hoyt Road (Property ID 283852) – Owner: New Earthlok LLC (ETJ-PTN-117-2024)
- o. Downtown Building Improvement Program Grant Application for 217 E. Main Street
- p. Temporary road closure of the intersections of S College Street/W Madison Street and S Jackson Street/E Madison Street
- q. Request to consider acceptance of the Animal Care Advisory Board nomination of Assistant Chief Marcus Brown to that Board
- r. Consider project budget amendment for Northgate Drive at US-77 Intersection Improvements
- s. Consider budget amendment within the Facilities Capital Projects Fund

ORDINANCE NO. 3521

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF AN APPROXIMATELY 10.0 ACRE TRACT OF LAND, LOCATED AT 1410 BROADHEAD ROAD, KNOWN AS PROPERTY ID 201199 & 202437, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

(5a)

ORDINANCE NO. 3522

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 11.054 ACRE TRACT OF LAND, LOCATED SOUTH OF 3723 SOUTH PARKS SCHOOL HOUSE ROAD, KNOWN AS PROPERTY ID 180959 & 223894 AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3523

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 10.385 ACRE TRACT OF LAND, LOCATED AT 611 WILSON RD, KNOWN AS PROPERTY ID 289604, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3524

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 5.111 ACRE TRACT OF LAND, LOCATED AT 439 WILSON RD, KNOWN AS PROPERTY ID 240435, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3525

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 5.1 ACRE TRACT OF LAND, LOCATED AT 515 WILSON ROAD, KNOWN AS PROPERTY ID 245413, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3526

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 2.05 ACRE TRACT OF LAND, LOCATED AT 3740 S HIGHWAY 287, KNOWN AS PROPERTY ID 220805, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

(5a)

ORDINANCE NO. 3527

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 4.22 ACRE TRACT OF LAND, LOCATED AT 421 HOYT ROAD, KNOWN AS PROPERTY ID 283852, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve all items on the Consent Agenda as presented and authorize the City Manager and/or Mayor to execute all associated documents as necessary. Motion was seconded by Patrick Souter and carried unanimously (5-0).

6. Introduce Honorary Councilmember

Council Member Tres Atkins introduced Paul Elmore as the July Honorary Council Member. Paul Elmore and his wife, Kim, have resided on Sycamore Street since 2019. He is the proud father of four children and grandfather to six grandchildren. Mr. and Mrs. Elmore attend First United Methodist Church. He spent 25 years of his career in the athletic apparel business world and in later years combined venture of logistics, office furniture, and construction. Mr. and Mrs. Elmore appreciate the warm hospitality of Waxahachie and are grateful for the wonderful friendships they have acquired. Mr. Elmore describes Waxahachie as a special town and he is delighted to call Waxahachie home.

Mr. Elmore's neighbors, Rusty and Diann Marchman, have provided the following statement: Paul isn't a native of Waxahachie, but you would think he is. He knows the city and is engaged with all the local Civic activities. Paul is an incredible guy who knows everyone's name and never misses an opportunity to say hello. Paul is always ready to help his neighbors whether it's bringing in their trash cans or with a midnight emergency. He goes above and beyond. Everyone stops to talk to Paul and take an opportunity to sit in the red chairs for a visit in the shade. He is committed to Waxahachie and his local community.

Mr. Elmore is recognized by his neighbors for his selflessness and willingness to always help a neighbor in need.

7. Present proclamation recognizing July as "Parks and Recreation Month"

Mayor Wallace read a proclamation recognizing July as "Parks and Recreation Month."

8. 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

(5a)

Council Member Tres Atkins announced his recusal for this Item.

The Item was presented by Senior Director of Planning Jennifer Pruitt. 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, two (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 since October 1, 2023. 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.

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 108 ft from the subject property.

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 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 were received by staff, with nine (9) letters of support, zero (0) letters of opposition and four (4) letters of support being inside the 200' buffer and the remainder outside of the 200' buffer.

Mayor Wallace opened the Public Hearing at approximately 7:20 p.m.

There being no others to speak for or against ZDC-100-2024, Mayor Wallace closed the Public Hearing at approximately 7:20 p.m.

9. Consider proposed Ordinance approving ZDC-100-2024

ORDINANCE NO. 3528

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY-1 (SF-1) ZONING DISTRICT, LOCATED AT 1017 WEST MAIN STREET, BEING PROPERTY ID 171879, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1R, BLOCK 344 OF THE TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve ZDC-100-2024, a Specific Use Permit for a Short-Term Rental use, subject to the conditions of the staff report and authorize the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Patrick Souter and carried 4-0, with Tres Atkins abstaining.

10. Consider budget transfer and award of a construction contract for Water Street Water and Sewer Improvement Project

(5a)

The Item was presented by Senior Director of Utilities Kumar Gali.

Action:

Travis Smith moved to award a construction contract with Circle H Contractors, LP in the amount of \$994,350 and additional construction contingency in the amount of \$50,650 for the Water Street Water and Sewer Improvement Project, and a budget transfer of \$462,852 from the 2021 Water and Sanitary Sewer Replacement Project to the Water Street Water and Sewer Project, and authorize the City Manager to execute all the necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).

11. Consider construction contract for Lower Mustang Creek Lift Station Expansion Phase IV Project and Reimbursement Resolution

The Item was presented by Mr. Gali.

RESOLUTION NO. 1364

A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF THE LOWER MUSTANG CREEK LIFT STATION EXPANSION PHASE IV PROJECT

Action:

Travis Smith moved to award a construction contract with Rey-Mar Construction, LLC in the amount of \$5,450,777 and additional construction contingency in the amount of \$274,223 for the Lower Mustang Creek Lift Station Expansion Phase IV Project, and approve a reimbursement resolution in the amount of \$3,600,000 to Wastewater Fund from the proceeds of 2024 Water and Wastewater Bond issuance and authorize the City Manager to execute all the necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).

12. Comments by Mayor, City Council, City Attorney and City Manager

Council Member Travis Smith announced the Crape Myrtle Festival begins July 3rd at the Sports Complex and parade on July 4th downtown.

Council Member Tres Atkins noted he is ready to work on the budget.

Council Member Patrick Souter recognized the Parks and Recreation team and wished everyone a happy and safe 4th of July.

Mayor Pro Tem Chris Wright noted he will look into Ira Tenpenny's concerns regarding pool safety. He expressed his appreciation to Dr. Ben Boone for his public comments and welcomed Paul Elmore as Honorary Council Member. Mr. Wright announced the homestead exemption was increased at the June 24th meeting and announced the upcoming budget meetings of July 15th and August 1st.

(5a)

Mayor Billie Wallace thanked Paul Elmore for his participation as Honorary Council Member. She encouraged citizens to protect their pets from the upcoming fireworks and wished everyone a safe 4th of July holiday.

13. Adjourn

There being no further business, the meeting adjourned at 7:35 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(56)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 6/26/24

Applicant Information

Applicant name: Rebecca Lockridge

Are you representing the host organization? Yes No

Will you be the on-site point of contact during the event? Yes No

Phone: 972-923-4631 x10108 Cell:

Email: rlockridge@wisd.org

Mailing address: 411 N Gibson St, Waxahachie, TX 75165

Host organization name: Waxahachie Independent School District

Alternate contact that will be on-site during the event.

On-site contact name: Danielle Guinn Cell: 214-463-7815

About the Event

Event name: Back to School Bash (Let's GLOW Back to School)

Location: Railyard Park

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 2,000

Description of event: "Festival" to get kids excited to go back to school

Includes DJ, Vendor Booths, Student Groups, Food Vendors, Inflatables, & Glow Foam Party

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location:

Choose the best description of the event:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Festival | <input type="checkbox"/> Birthday Party / Picnic |
| <input type="checkbox"/> Movie Screening | <input type="checkbox"/> Charitable / Fundraising |
| <input type="checkbox"/> Parade | <input type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event | <input type="checkbox"/> Concert / Live Performance |
| <input type="checkbox"/> Run / Walk | <input type="checkbox"/> Other: |

(5b)



City of Waxahachie
City Secretary's Office

Special Event Application

Event activities include (check all that apply):

- Amusement rides / Inflatables
- Animals / Petting Zoo
- Announcement / Speeches
- Information / Literature Distribution
- DJ / Recorded Music
- Food – sampled, served, or sold
- Products / Services – given away, sampled, or sold
- Live music
- Street closure
- Other: Glow Foam Party in Hike & Bike Trail Lot

The event is:

- Private
- Entry by participation or registration fee
- Free & open to the general public
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	8/10/24	7:30pm	9:30pm
Event Set-up	8/10/24	4:00pm	-
Event Breakdown	8/10/24	-	11:00pm

Run / Walk:

Please provide the start time for each distance (if applicable)

_____ 1 mile _____ 5K _____ Other distance

Please indicate your expected attendance: _____

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.

(5b)



City of Waxahachie
City Secretary's Office

Special Event Application

Food / Beverage:

Will the event offer food/beverages? Yes No

Will event require any food preparation on-site? Yes No

Will alcohol be served/sold? Yes No

[Sample Downtown Event/Festival Boundary Map](#)

[Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events](#)

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff How many: (2) + (4 addtl) Date(s) & time(s): (2) 3pm - 12am, (4 addtl) 8pm - 12am

Volunteers How many: 15 Date(s) & time(s): 4:30pm - 11:00pm

Private security How many: 2 Date(s) & time(s): 7:00pm - 10:00pm

Company name: WISD

Contact name and number: Rebecca Lockridge

Off duty police How many: 1 (Rogers St. Crossguard) Date(s) & time(s): 6:30pm - 10:30pm

Have you made arrangements with the police? Yes No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: Phone number:

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes No

If yes, please list all streets, intersections, and parking lots that apply:

College Street in front of Railyard Park, Hike & Bike Trail Park & Parking Lot

Street closings to begin on date: 8/10/24 Start time: 5:00pm End time: 10:00pm

Will any businesses be impacted by the proposed road closure? Yes No

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: 4 Barricades How many: 9

Other: _____

Where should equipment be dropped off & picked up? Railyard Park

**Requesting (2) Additional Port-a-Potties at Railyard Park and (2) at Hike & Bike Trail Lot
Plus Hand Washing Station at Railyard Park**

(5b)



City of Waxahachie
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: 8/10/24

Time: 5:00pm

When will the traffic equipment be removed?

Date: 8/10/24

Time: 10:00pm

Are you requesting the use of City traffic equipment?

Yes

No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Lone Star Tents & Events

Explain services in detail:

DJ, Inflatables, Rentals, Electricity for Vendors

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

[Signature]
Signature

7-9-24
Date

Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

[Signature]
Signature

7-9-24
Date

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Glow Foam Party
WHS SOFTBALL & BASEBALL TEAMS

In MKT Parking Lot on asphalt or grass behind parking lot

Run by baseball & softball coaches

WHS GIRLS & BOYS BASKETBALL (ON COURTS)

Fresh Market Coffee

Boyce Feed & Grain
Animal Feed store

DROP OFF & PARKING

BUS PARKING

(TO BE COORDINATED DIRECTLY WITH BUSINESS OWNER)

1446

Veritas Mobile
Class Printers



WISD BACK TO SCHOOL BASH

AUGUST 10, 2024

7:30PM TO 9:30PM



← WHS SOFTBALL & BASEBALL TEAMS

← WHS GIRLS & BOYS BASKETBALL (ON COURTS)

RESTROOMS

BOUNCE HOUSE

BOUNCE HOUSE

WHS CHEER FACE PAINTING

WHS FOOTBALL TEAM

WHS QB CLUB

1
2

RYP CORNHOLE BOARDS

4
5

6
7

8
9

12
13

14
15

WHS SOCCER MINI-FIELD

WHS GOLF PUTTING GREEN

WHS TENNIS TEAM

WHS CHARMERS

WHS SWIM TEAM

WHS BAND & BOOSTERS

DROP-OFF & PARKING:
Downtown South Lot on corner of Rogers & Cantrell

UNDER CONSTRUCTION

DJ ALEXX

(50)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 6/5/24

Applicant Information

Applicant name: Jonathan McLaughlin

Are you representing the host organization? Yes No

Will you be the on-site point of contact during the event? Yes No

Phone: _____ Cell: _____

Email: jmclaughlin@ymcadallas.org

Mailing address: 100 YMCA Drive Waxahachie, TX 75165

Host organization name: Waxahachie Family YMCA

Alternate contact that will be on-site during the event.

On-site contact name: Same Cell: _____

About the Event

Event name: YMCA Santa Run

Location: Railyard Park

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 800

Description of event:

Saturday - 1 mile and 5k Fun Run. Live Music, Vendors & Free Kids Activities.

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location: _____

Choose the best description of the event:

- Festival
- Birthday Party / Picnic
- Movie Screening
- Charitable / Fundraising
- Parade
- Community / Neighborhood
- Private Event
- Concert / Live Performance
- Run / Walk
- Other: _____

(5c)



Event activities include (check all that apply):

- Amusement rides / Inflatables
- Animals / Petting Zoo
- Announcement / Speeches
- Information / Literature Distribution
- DJ / Recorded Music
- Food – sampled, served, or sold
- Products / Services – given away, sampled, or sold
- Live music
- Street closure
- Other:

The event is:

- Private
- Entry by participation or registration fee
- Free & open to the general public
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Cost is limited to the run participants.

No cost for spectators and guests to enjoy the race day activities or Friday night Candle walk.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	12/14/2024	8:30am	10am
Event Set-up	12/14/24	6am	8am
Event Breakdown	12/14/24	9:30am	11am

Run / Walk:

Please provide the start time for each distance (if applicable)

9:10am _____ 1 mile 9:00am 5K _____ Other distance

Please indicate your expected attendance: 800 _____

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.

(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

Food / Beverage:

Will the event offer food/beverages? Yes No

Will event require any food preparation on-site? Yes No

Will alcohol be served/sold? Yes No

Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff How many: 3 Date(s) & time(s): 6am - 11am

Volunteers How many: 55 Date(s) & time(s): 6am - 11am

Private security How many: _____ Date(s) & time(s): _____

Company name: _____

Contact name and number: _____

Off duty police How many: _____ Date(s) & time(s): _____

Have you made arrangements with the police? Yes No

If no, please contact Sgt. Brian Fuller at bfuller@waxahachiepd.org to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: _____ Phone number: _____

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes No

If yes, please list all streets, intersections, and parking lots that apply: College Street - in front of Railyard Park. Intersection of 77 & Franklin between 9:05 and 9:10 for 5k runners.

Street closings to begin on date: 12/14/24 Start time: 6am End time: 11am

Will any businesses be impacted by the proposed road closure? Yes No

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: 40 Barricades How many: 4

Other: We also need: 2 additional porta potties, 1 handwashing station, and water access for

Where should equipment be dropped off & picked up? Railyard or Parks and rec Building

(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: 12/14/24

Time: 6am

When will the traffic equipment be removed?

Date: 12/14/24

Time: 11am

Are you requesting the use of City traffic equipment?

Yes

No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes: 10-15

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Explain services in detail:

Insurance

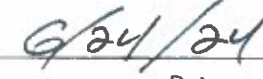
All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.


Signature


Date

Contract Agreement

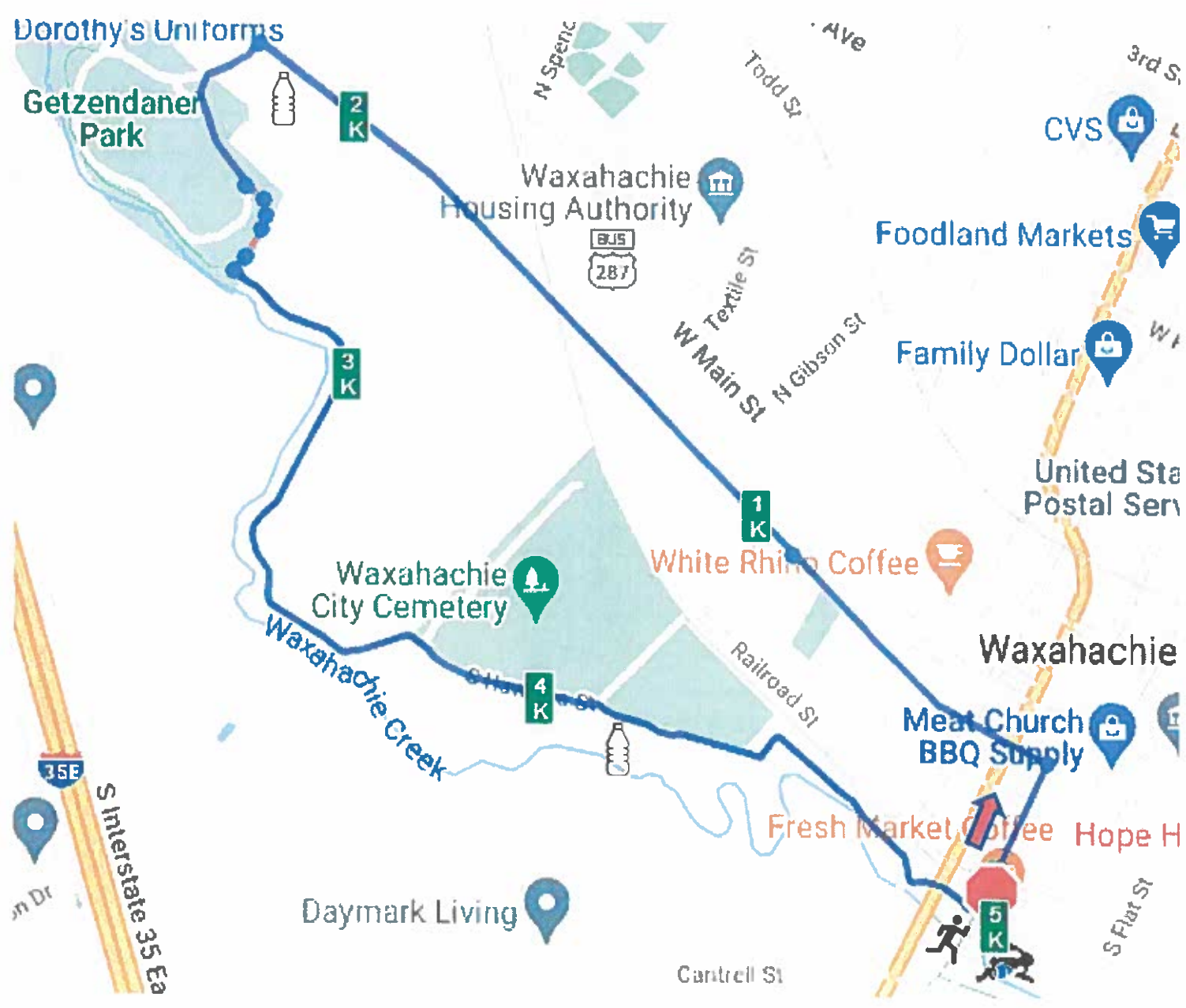
Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.


Signature


Date

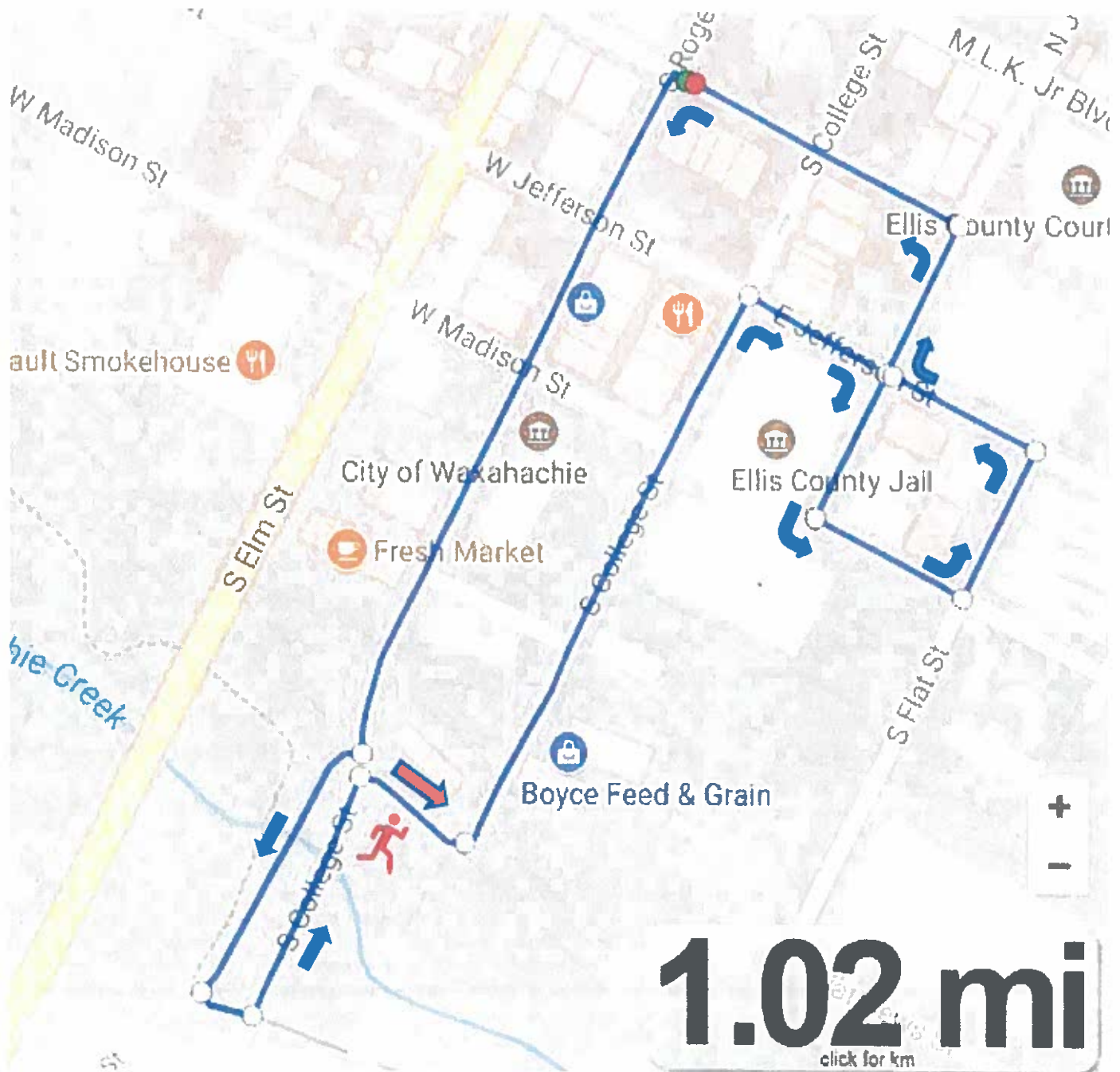
Email completed Special Event Application and site map to Jami Bonner at jami.bonner@waxahachie.com.

2022 YMCA Santa Run – 5K Route (5c) (Grinches Run Opposite)



1 MILE - ELF RUN

(50)



(5c)

2022 Santa Run

1. YMCA Santa Run Stage
2. Award / Trophy Table / 2nd speaker
3. Volunteer Check In / Refreshments
4. Registration & Packet Pick up
5. YMCA Kids Area
6. YMCA Video Game Truck
7. Milk & Cookies / Fruit, Water
2 Tables
8. Start Line—Chip 2 Chip
9. Frosty's Lane (Vendor tables—blue)
**4 Tables needed
10. KBEC
11. MyTeeSweet Snow Cones



Railyard Park -

455 S. College Street Waxahachie Texas 75165

1 Table Needed for Water
Station—Rogers St Bridge +
1 at Jefferson / Grand

(5d)



Memorandum

To: Honorable Mayor and City Council
From: Chad Tustison, Finance Director
Thru: Michael Scott, City Manager
Date: July 15, 2024
Re: Fiscal Year 2024 Third Quarter Financial Report

I am pleased to present the Third Quarter Financial Report for Fiscal Year 2024, covering the period of October 2023 through June 2024. This report highlights the General Fund, Water and Wastewater funds, Waxahachie Community Development Corporation (WCDC) Fund, Hotel/Motel Fund and the Tax Increment Refinance Zone (TIRZ) Fund. This report compares actual revenue collections and expenses incurred during the year to the approved budget.

General Fund

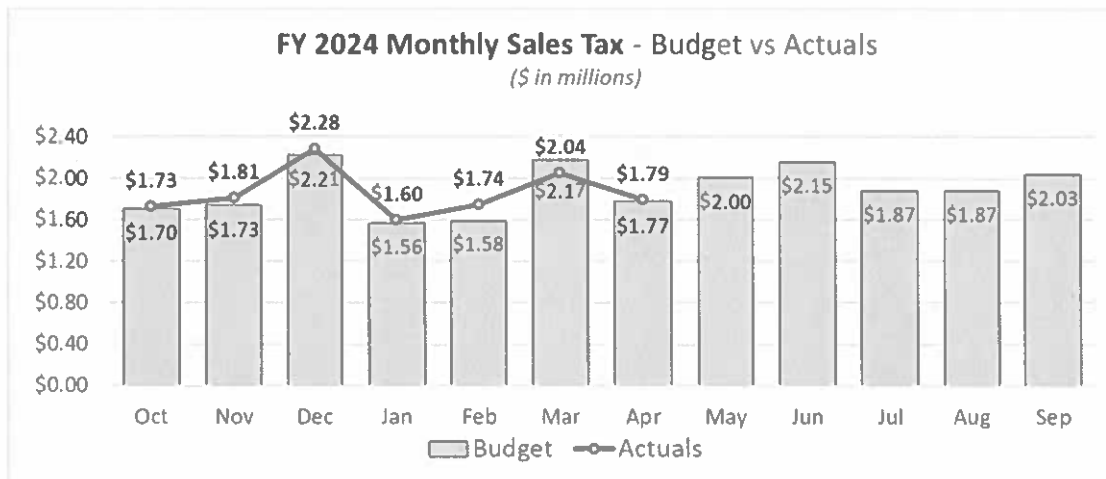
- The City's General Fund accounts for activities commonly associated with municipal government such as police and fire protection, parks and recreation, routine street maintenance, and library services. This fund is supported by property tax, sales tax, user fees, permits and other miscellaneous revenues. Overall, revenues have performed better than anticipated and expenses are within budget.
- **Property tax collections** account for approximately 39% of the City's revenue. Through the third quarter, property taxes in the City's General Fund amount to \$24.9 million, or 4% over budget. In addition to current-year collections, this revenue also includes delinquent payments from

(5d)

prior years and associated penalties and interest. The majority of collections occur from December through March as property tax payments become due and were reflected in the report for the second quarter.

- **Sales tax** is the second largest revenue source, accounting for 37% of the City's General Fund. Of the 8.25 cents for every dollar of taxable sales, the state of Texas collects 6.25 cents, while 1.5 cents are distributed to the City's General Fund, and 0.5 cents goes to the WCDC fund.

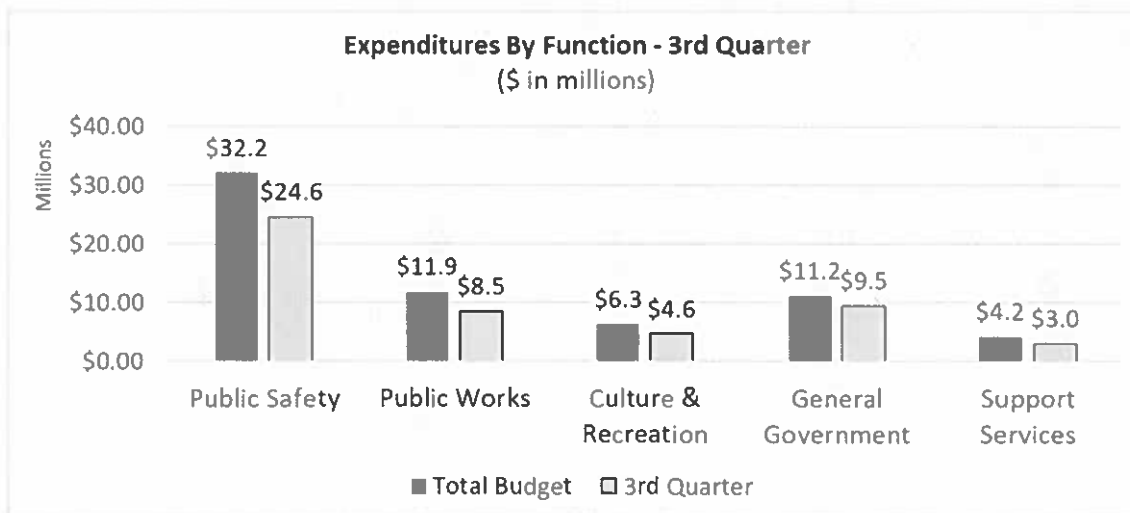
Through the third quarter, collections in the General Fund total \$13 million and represent an increase of 5.7% over the prior year at this time. Compared to the budget, sales tax collections are on track for this quarter. Due to the timing of release of sales tax data from the State Comptroller's Office, sales tax information for May and June are not available for this report.



- Other major revenue sources include Franchise Fees, Licenses and Permits, Charges for Service, Miscellaneous revenue and Transfers In. Franchise fees are collected from local utility companies to pay for the use of the City's right-of-way. Franchise fees are typically paid following the close of the prior quarter. Building permits for residential and commercial building activity continue to be stronger than anticipated. Miscellaneous revenue is trending higher mainly as a result of interest income from higher yields on the City's invested funds.

(5d)

- **Expenditures** in the General Fund for the 3rd Quarter total \$50.3 million, or 76% of the budget. The following chart compares the budget for each City function to the actual expenditures through the third quarter.



- In the area of Public Works, spending is on track as the City continues work on the street and sidewalk projects included in the budget. As the year progresses and contracts are authorized and executed, these funds are anticipated to be spent at the budgeted levels.
- In the area of General Government, the higher actual expenditures can be mainly attributed to the transfer of funds for the renovation of City Hall. The funds for this project were transferred to the Capital Projects Fund in the first quarter. However, more recently, the City plans to use the upcoming bond issuance to fund the new City Hall remodel and move the transferred funds back to the General Fund to use for smaller capital projects, capital-related equipment and vehicle replacements, and strengthening General Fund reserves.

Other Funds

- The Water and Wastewater Funds account for all revenues and expenditures associated with the operation and maintenance of the City's water distribution and wastewater treatment activities. For the Water and Wastewater Funds, revenue is in line with the budget.

Expenses are lower than budget for both funds due to the timing of the annual debt service payments due to Principal and interest payments occur in the second and fourth quarters of the fiscal year and will be

(5d)

reflected in those financial reports. Interest payments are scheduled to occur in the second and fourth quarters of the fiscal year and principal payments in the fourth quarter. Summer water usage will also impact chemical treatment usage and other associated costs of water production.

- The WCDC fund accounts for revenues and expenses associated with the Waxahachie Community Development Corporation in operating the Civic Center and Sports Complex, promoting economic development, and implementing quality of life improvements throughout the community. This fund is mainly funded by ½ cent sales tax and user fees. Overall, revenues and expenses are within budget. Similar to the General Fund, sales tax is up nearly 5.7% over last year.
- The Hotel/Motel Tax Fund receives the proceeds from a 7% hotel occupancy tax available to be used to promote tourism and the convention and hotel industry. The City uses the fund to operate the Convention and Visitor's Bureau and various smaller non-city organizations that promote the arts and historic tourism and preservation. Due to strong room occupancy rates and room rates, revenues from hotel/motel taxes are coming in above budget. Expenditures are lagging slightly due to the timing of the quarterly transfers to the Arts Council, which represents 25% of hotel revenue collections.

Investment Activity

- As part of the financial management of the City, cash balances in the City's various funds are invested and earn interest. This interest income can be used to fund operating costs, capital projects, and service debt. These funds are invested in accordance with the City's Investment Policy and are in full compliance with the Texas Public Funds Investment Act. The majority of City funds are invested in LOGIC, a AAA rated local government investment pool. In the third quarter of the fiscal year, the City's investments earned a total of \$2.97 million.
- Additional summary information related to the third quarter financial and investment activity can be found in the attachments to this report.

(5d)



CITY OF WAXAHACHIE
QUARTERLY FINANCIAL REPORT
FISCAL YEAR 2024 - 3RD QUARTER

(Oct, 2023 - June 30, 2024)

GENERAL FUND SUMMARY

	ACTUALS FY 2023	BUDGET FY 2024	3RD QUARTER FY 2024	QTR ACTUAL AS % OF BUDGET
REVENUES				
Property Tax	\$22,410,016	\$24,043,100	\$24,904,820	104%
Sales Tax	21,780,819	22,663,000	13,020,146	57%
Franchise Fees	5,021,257	5,176,200	3,007,414	58%
Licenses & Permits	1,521,643	1,385,592	2,193,635	158%
Charges for Service	2,888,263	2,629,658	1,708,445	65%
Miscellaneous	2,431,913	1,442,417	2,416,675	168%
Transfers In	3,884,756	4,069,524	2,665,495	65%
Total Revenues	\$59,938,666	\$61,409,491	\$49,916,630	81%
EXPENDITURES BY FUNCTION				
Public Safety	\$25,357,663	\$32,216,015	\$24,648,178	77%
Public Works	9,220,623	11,868,953	8,483,479	71%
Culture & Recreation	4,794,618	6,317,049	4,614,310	73%
General Government	16,335,244	11,236,508	9,536,880	85%
Support Services	3,513,169	4,240,058	3,029,089	71%
Total Expenditures	\$59,221,316	\$65,878,583	\$50,311,935	76%

* Quarterly actual figures are preliminary and unaudited

* Budget figures includes budget amendments since October 1, 2023 and prior-year encumbrances

CITY OF WAXAHACHIE
 Quarterly Investment Report
 as of June 30, 2024

Account Type	Purchase Date	Maturity Date	Interest (Yield)	Book Value	Market Value	Fund Distribution
LOGIC	N/A	On Demand	5.4105%	216,395,817	216,395,817	All Funds
First Financial Bank	N/A	On Demand	4.5856%	2,489,119	2,489,119	All Funds
Totals				218,884,936	218,884,936	

Total interest earned for this quarter: \$ 2,970,571
 Total interest earned fiscal year to date: \$ 8,692,896

This report complies with the requirements of the public investment law and covers all the funds of the City of Waxahachie that are subject to that law.



 Chad Tustison, Finance Director and Investment Officer

(PS)

(5e)



Memorandum

To: Honorable Mayor and City Council
From: Donna Insixiengmay, Assistant Emergency Management Coordinator
Thru: Michael Scott, City Manager
Date: July 15, 2024
Re: Consider Approving Emergency Bottled Water Contract

Recommended Motion: "I move to approve the use of Ellis County's Contract of Everyday Use and Emergency Bottled Water utilizing Bottled Water to Blue Triton Brands, Inc. DBA Ready Refresh Waters (Primary), Simba Logistics, LLC (secondary), and Essence Bottling, Inc. (Tertiary) in case a disaster occurs within City of Waxahachie as well as for on-going department bulk order purchases."

Item Description: Consider the approval of Ellis County's Contract with Bottled Water to Blue Triton Brands, Inc. DBA Ready Refresh Waters (Primary), Simba Logistics, LLC (secondary), and Essence Bottling, Inc. (Tertiary) in case of a disaster as well as for on-going department bulk order purchases.

Item Summary: Ellis County's Commissioners Court awarded the contract for RFB-2024-004 on 5-28-24. The City of Waxahachie has an existing purchasing interlocal agreement with Ellis County and is eligible to utilize approved purchasing contracts. Emergency Management recommends approving the use of the emergency water contract to assist in preparing for future incidents and disasters.

Fiscal Impact: There is no fiscal impact adopting the Ellis County contracted award. If an incident or disaster occurs, the use of bottled water may be reimbursed under funding from state.

(5f)



Memorandum

To: Honorable Mayor and City Council
From: Kumar Gali, Senior Director of Utilities
Thru: Michael Scott, City Manager
Date: July 15, 2024
Re: Consider Amending the Water Utility Fund Budget

Motion: "I move to increase the Fiscal Year 2024 Water Utility Fund Budget in the amount of \$18,540 for the repair of the City-owned dump truck and authorize the City Manager to execute all necessary documents."

Item Description: Consider amending the Fiscal Year (FY) 2024 Water Utility Fund Budget for the repair of the City-owned dump truck.

Item Summary: On March 2024, a City-owned dump truck was involved in an accident on US 287 Business and received damage. The City subsequently filed a claim with the Texas Municipal League Intergovernmental Risk Pool (TML) seeking reimbursement for the cost of the dump truck repair. The claim was approved by the TML and the City received \$18,608 to cover the cost of the repairs and it was deposited into the Water Utility Fund.

Fiscal Impact: This amendment would increase the FY 2024 Water Utility Fund budget by \$18,540 to account for the repair of the dump truck and insurance reimbursement that was deposited into the Water Utility Fund to pay for the repair.

(59)



Memorandum

To: Honorable Mayor and City Council
From: James Villarreal, Assistant Director - Sports Complex
Thru: Michael Scott, City Manager
Date: July 15, 2024
Re: Consider Bid Award and Funding for Additional Interior Fencing at the Sports Complex

Motion: "I move to approve the funding request for the additional fencing project as presented by staff, and award the bid to Fidencio Macedo in the amount of \$95,350, with an additional 5% contingency in the amount of \$4,700, and authorize the City Manager to execute all necessary documents."

Item Description: Consider approving funding for the additional interior fencing project and the bid award to Fidencio Macedo in the amount of \$95,350, with an additional contingency of \$4,700.

Item Summary: The fencing project addresses the requirement for tournament directors using the complex to facilitate the collection of gate fees during tournaments. Currently, staff has erected temporary fencing composed of t-posts and green plastic mesh to meet this need. The proposed fencing improvements would enhance crowd control in the plaza areas, enable the collection of gate fees during tournaments, and align more aesthetically with recent improvements to the complex. Attached is an exhibit showing the proposed fencing alignment, indicated by the yellow lines.

(5g)

Quotes received for the additional interior fencing at the Waxahachie Sports Complex were as follows:

- Fidencio Macedo - \$95,350
- Hammerhead Construction - \$123,750
- J C Concrete - \$132,050

It's important to note, that the contractor with the lowest bid is the same contractor that has constructed the latest phase of the exterior wrought iron fencing project.

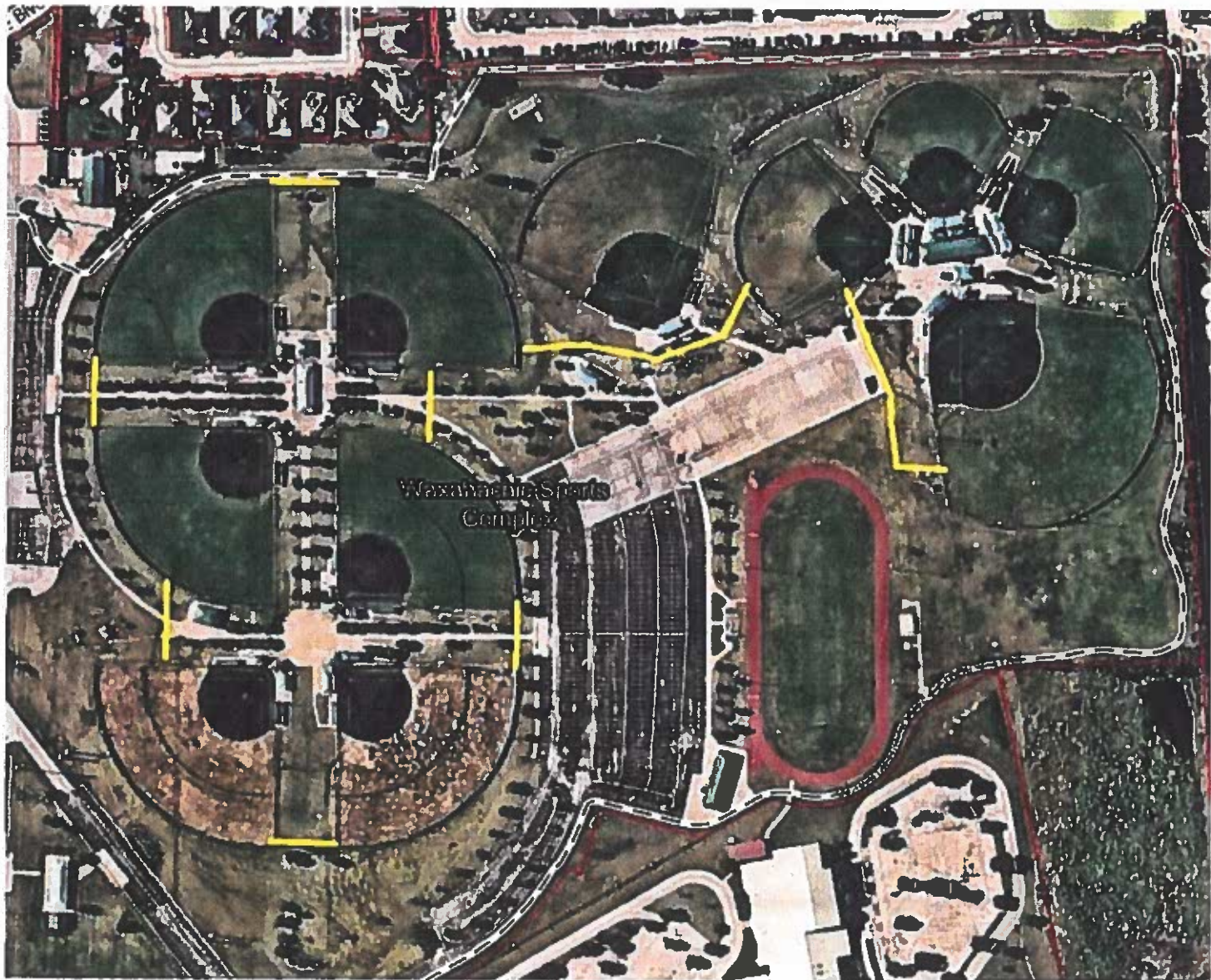
The funding for the additional interior fencing project will come from the cost savings generated by the turf and wrought iron fencing capital improvement projects approved within the FY2024 budget. Approximately \$231,000 in project cost savings resulted from the same contractor being awarded the previously mentioned capital projects, benefiting from their familiarity with the site and a stabilization in inflation, materials, and labor costs.

This project and funding request were presented and unanimously approved by the WCDC Board at the July 9, 2024 meeting.

Fiscal Impact: The proposed bid award and contingency will not impact the current budget because the available funding originates from cost savings from projects previously approved within the FY2024 budget. If the project and bid award are approved, the \$175,000 wrought iron fencing project included in the 5-Year CIP plan for FY2026 would be removed, as it encompasses the improvements proposed for that budget request.

(59)

Exhibit - Interior Fencing Alignment





Memorandum

To: Honorable Mayor and City Council

From: Gumaro Martinez, Executive Director of Parks & Leisure Services

Thru: Michael Scott, City Manager

Date: July 15, 2024

Re: Consider Funding Request for the YMCA Cindy Hess Memorial Park

Recommended Motion: "I move to approve the funding request of \$750,000 from the WCDC unreserved fund balance for public park amenities at the YMCA - Cindy Hess Memorial Park, which include a playground, walking trail, and outdoor restroom, and authorize the City Manager to execute all necessary documents."

Item Description: Consider approval of the funding request presented by Jon McLaughlin, Executive Director at Waxahachie YMCA, to the WCDC Board on July 9, 2024 for the YMCA Cindy Hess Memorial Park project.

Item Summary: The project started as an initiative by the YMCA board members to raise the land adjacent to the YMCA out of the floodplain. During the process, board member Brett Hess's wife passed away, and now the park project will help memorialize the volunteering efforts and contributions his wife gave back to the community, and will be known as the Cindy Hess Memorial Park.

The proposed project presented by Jon McLaughlin entails a private-public partnership aimed at creating a new park on undeveloped land adjacent to the YMCA. The park will feature a covered basketball and outdoor cross-training area, pickleball courts, sand volleyball courts, sports fields, a walking trail, an inclusive playground, and landscaped areas with park amenities. It

(5h)

will be classified as a public park, with only certain areas accessible exclusively to YMCA members during scheduled classes. However, the YMCA has agreed that the park will otherwise be open to the public for use, similar to any other city park, and will also be available for gatherings and events. The City and YMCA have agreed to develop a shared-use agreement that will allow the use of the park and related park amenities to the public.

It is important to note that currently, the YMCA has already raised approximately \$3 million, with \$1.5 million pledged by the County for the Cindy Hess Memorial Park. The efforts of the local YMCA have not gone unnoticed by the YMCA of Metropolitan Dallas. The momentum behind the proposed park project has accelerated the much-needed facility expansion for the Waxahachie YMCA to a priority status. With the commitment of the YMCA of Metropolitan Dallas, a comprehensive review of the entire property and its facilities is now underway.

The YMCA has begun efforts to engage community donors in sharing this vision. They have enlisted the services of Donor by Design (DBD) to guide them through the process and turn it into reality. Fundraising efforts will proceed simultaneously for both projects—the public park and facility expansion. Donors will have the option to contribute to either project.

The WCDC Board has discussed and considered the YMCA – Cindy Hess Memorial public park on multiple occasions during regular board meetings throughout the last 18 months, including a work session on February 14, 2023, and a special meeting on June, 11, 2024. The board's careful and thorough review of the project led to a recent decision on July 9, 2024. The board voted unanimously to provide \$750,000 to support and fund public park-related items of the project, which include park amenities such as the playground, walking trail, and outdoor restroom.

Fiscal Impact: The \$750,000 request would be funded by the WCDC unreserved fund balance and has adequate capacity to support the request.

(51)



Memorandum

To: Honorable Mayor and City Council

From: Joe Wiser, Chief of Police

Thru: Michael Scott, City Manager

Date: July 10, 2024

Re: Budget amendment to reimburse departmental funding from the Ammo Buy-Back initiative as well as from TML insurance claims for repaired police vehicles and an animal services vehicle

Recommended Motion: "I move to approve the request to transfer funds in the amount of \$4,600.00 to GL account 100-210-56100, an amount reimbursed to the City of Waxahachie, for the buy-back of unused 40 caliber ammunition, and \$18,740.41 to GL account 100-210-54340 for repairs made to four police vehicles, and \$9,837.15 to GL account 100-351-54340 for repairs made to one Animal Services vehicle, and authorize the City Manager to execute all necessary documents."

Item Description: Consider the approval of a budget transfer related to funds reimbursed to general fund for police ammunition due to ammunition buy-back due to handgun conversion, and for insurance funds reimbursed to the general fund for repairs to four police vehicles and one animal services vehicle.

Item Summary: This is a request for a budget amendment, (transfer), that will allow the police department to recuperate ammunition costs associated with the police department conversion of handguns and necessary ammunition. Expenses related to this conversion project are paid out of 100-210-56100. Additionally, this budget amendment, (transfer), will allow the police department to recuperate insurance reimbursement funds used to repair police vehicles and an animal services vehicle. Four Patrol units were damaged while being used to perform law

(51)

enforcement duties. Expenses related to these repairs are paid out of the vehicle maintenance account 100-210-54340. Finally, this budget amendment, (transfer), will allow Animal Services to recuperate insurance reimbursement funds used to repair one Animal Services vehicle damaged while being used to perform animal services duties. Expenses related to this repair were paid of the vehicle maintenance account 100-351-54340.

Fiscal Impact: Fiscal impact is limited to the redistribution of monies received by the City of Waxahachie related to insurance pay-outs on damaged vehicles, and to an agreement made with an outside vendor to purchase .40 caliber ammunition as part of an overall cost to purchase new handguns for the Police Department.

(8+9)



Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Senior Director of Planning

Thru: Michael Scott, City Manager

Date: July 15, 2024

Re: SUB-113-2024 – Town Addition, Lot 13A & 13B, Block 36

On June 28, 2024, the applicant requested to continue this application from the July 8, 2024 Planning and Zoning and the July 15, 2024 City Council meeting to the August 13, 2024 Planning and Zoning Commission meeting, and the August 19, 2024 City Council meeting.

Planning & Zoning Department Zoning Staff Report

Case: ZDC-118-2024



MEETING DATE(S)

Planning & Zoning Commission: July 8, 2024
City Council: July 15, 2024

CAPTION

Public Hearing on a request by Harlen Roberts & Cindy Roberts, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 714 Dunn Street (Property ID 173368) - Owner: Harlen Roberts & Cindy Roberts (ZDC-118-2024)

RECOMMENDED MOTIONS

- "I move to deny of ZDC-118-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."
- "I move to approve of ZDC-118-2024, 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."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on July 8, 2024, the Commission voted 5-0 to recommend approval of case number ZDC-118-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 714 Dunn Street.

CASE INFORMATION

Applicant: Harlen Roberts & Cindy Roberts

Property Owner(s): Harlen Roberts & Cindy Roberts

Site Acreage: 0.25 acres

Current Zoning: Single Family-2 (SF-2)

Requested Zoning: SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 714 Dunn Street

Parcel ID Number(s): 173368

Existing Use: Residential use

Development History:

The subject property is platted as Lot 73 of the Ferris Second Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	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 placetype, 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 Dunn 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 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.

Planning Analysis (continued):

The Applicant is requesting a SUP for a short-term rental use located at 714 Dunn Street because it is located within an SF-2 zoning district. The subject property consists of a primary structure of approximately 1,983 square feet with three (3) bedrooms and enough improved surface to accommodate the maximum parking spaces of three (3) vehicles situated on an approximately 0.25-acre (10,715 square feet) lot.

The applicant submitted this SUP Application on May 26, 2024. The applicant has not been operating a short-term rental, and has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant has satisfied all of 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 considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the property's current use in the past 12 months.

The local emergency contact provided by the applicant is Harlen & Cindy Roberts (214) 549-0804, 1036 Woodridge Rd., Waxahachie, TX 75165 Cindy.roberts1013@yahoo.com, located 8.5 miles 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, 68 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 four (4) letters of support and one (1) letter of opposition 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.

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 eight (8) guests per stay.
4. The short-term rental operator shall provide a maximum of four (4) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations in Section 3.27 of the City's Zoning Ordinance.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Owner Letter
3. Location Map (Exhibit A)
4. Zoning Map (Exhibit B)
5. Floorplan (Exhibit C)
6. Site Plan (Exhibit D)
7. 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

(10)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-118-2024

AUTREY & HOWARD REAL ESTATE HOLDINGS LLC
200 S ELM ST
WAXAHACHIE, TX 76063

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Harlen & Cindy Roberts, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 714 Dunn St (Property ID 173368) - Owner: Harlen & Cindy Roberts (ZDC-118-2024)

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-118-2024

City Reference: 239569

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Signature: *Dusty Autrey*
Printed Name and Title: *Dusty Autrey - Owner*

Date: *6-23-24*
Address: *200 S Elm Waxahachie TX 75165*



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-118-2024

LANGENHEDER STACIA L
214 LYNN STREET
WAXAHACHIE, TX 75167-8527

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Harlen & Cindy Roberts, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 714 Dunn St (Property ID 173368) - Owner: Harlen & Cindy Roberts (ZDC-118-2024)

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-118-2024

City Reference: 173412

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Neighborhood is already sketchy because of Ladd Ven
Clean up the local issues before initiating in new problems!

Stacia Langenheder Lopez

Signature

6/25/2024

Date

Stacia Langenheder-Lopez

Printed Name and Title

214 Lynn Street

Address

Waxahachie, TX.
75165

(10)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-118-2024**



RECEIVED JUL 01 2024

ROBERTS CINDY D & HARLEN F
1036 WOODRIDGE RD
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Harlen & Cindy Roberts, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 714 Dunn St (Property ID 173368) - Owner: Harlen & Cindy Roberts (ZDC-118-2024)

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-118-2024**

City Reference: 173368

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Cindy Roberts
Signature

6/27/24
Date

Cindy Roberts
Printed Name and Title

714 Dunn St
Address
Waxahachie, Tx

(10)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-118-2024

RECEIVED JUL 0 2 2024

ROBERTS HARLEN & CINDY
1036 WOODRIDGE RD
WAXAHACHIE, TX 75109

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Harlen & Cindy Roberts, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 714 Dunn St (Property ID 173368) - Owner: Harlen & Cindy Roberts (ZDC-118-2024)

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-118-2024

City Reference: 173444

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

SUP- 714 Dunn St.

Cindy Roberts
Signature

6/25/24
Date

Cindy Roberts
Printed Name and Title

203 Lynn, Waxahachie Tx
Address
75165



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-118-2024**



RECEIVED JUL 02 2024

ROBERTS HARLEN & CINDY
1036 WOODRIDGE RD
WAXAHACHIE, TX 75165-1801

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Harlen & Cindy Roberts, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 714 Dunn St (Property ID 173368) - Owner: Harlen & Cindy Roberts (ZDC-118-2024)

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-118-2024**

City Reference: 268632

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Harlen Roberts
Signature
Harlen Roberts
Printed Name and Title

6/28/24
Date
205 Lynn St.
Address
Waxahachie, Tx 75125

(11)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED 741 DUNN STREET BEING PROPERTY ID 173368, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 73 OF THE FERRIS SECOND REVISION ADDITION, 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-2; 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-118-2024. 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-2 to SF-2, with a SUP in order to permit a Short-Term Rental use on the following property: Lot 73 of the Ferris Second Revision Addition, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Site Plan attached as Exhibit D, and the Host Rules attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A SINGLE-FAMILY-2 (SF-2) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-118-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D – Site Plan, and Exhibit F – Host Rules.
3. The Applicant and/or STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The Applicant and/or STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits D and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City’s vendor.
6. The owner/short-term rental operator is subject to a maximum occupancy of eight (8)

(11)

- guests per stay.
7. The short-term rental operator is subject to provide a maximum of four (4) off-street parking spaces.
 8. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
 9. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
 10. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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 15th day of July, 2024.

MAYOR

ATTEST:

City Secretary

Location Map (EXHIBIT A)



Zoning Map (EXHIBIT B)



CentralCRE
SKETCH ADDENDUM

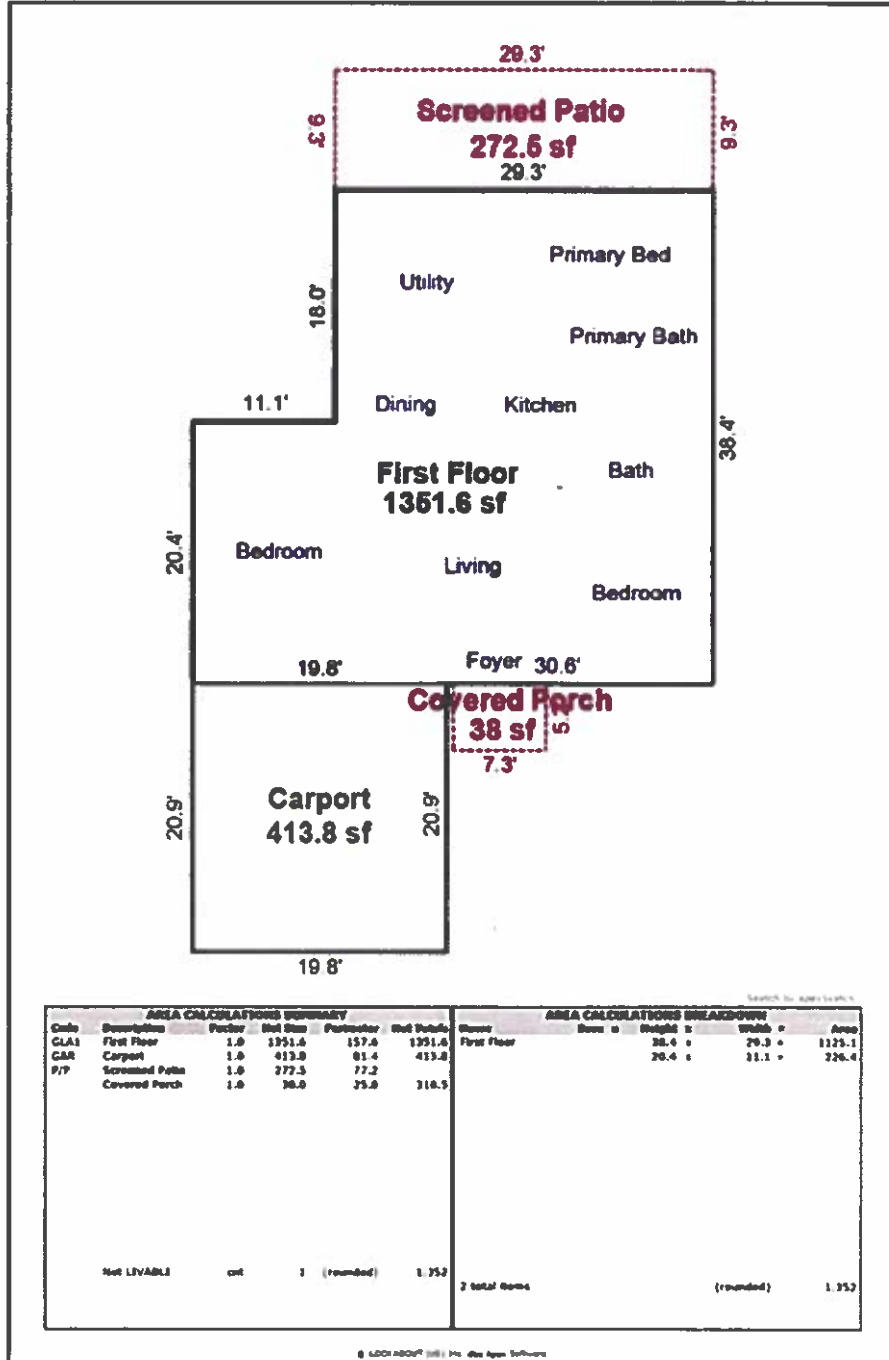
File No. 2024-01-0639
Loan No. 452401004

Borrower Cindy & Harlen Forrest Roberts

Property Address 714 Duran Street

City Wasmuth County Ellis State TX Zip Code 75164-1824

Lender/Client First United Bank Address 6804 Frankford Avenue, Lubbock, TX 79424

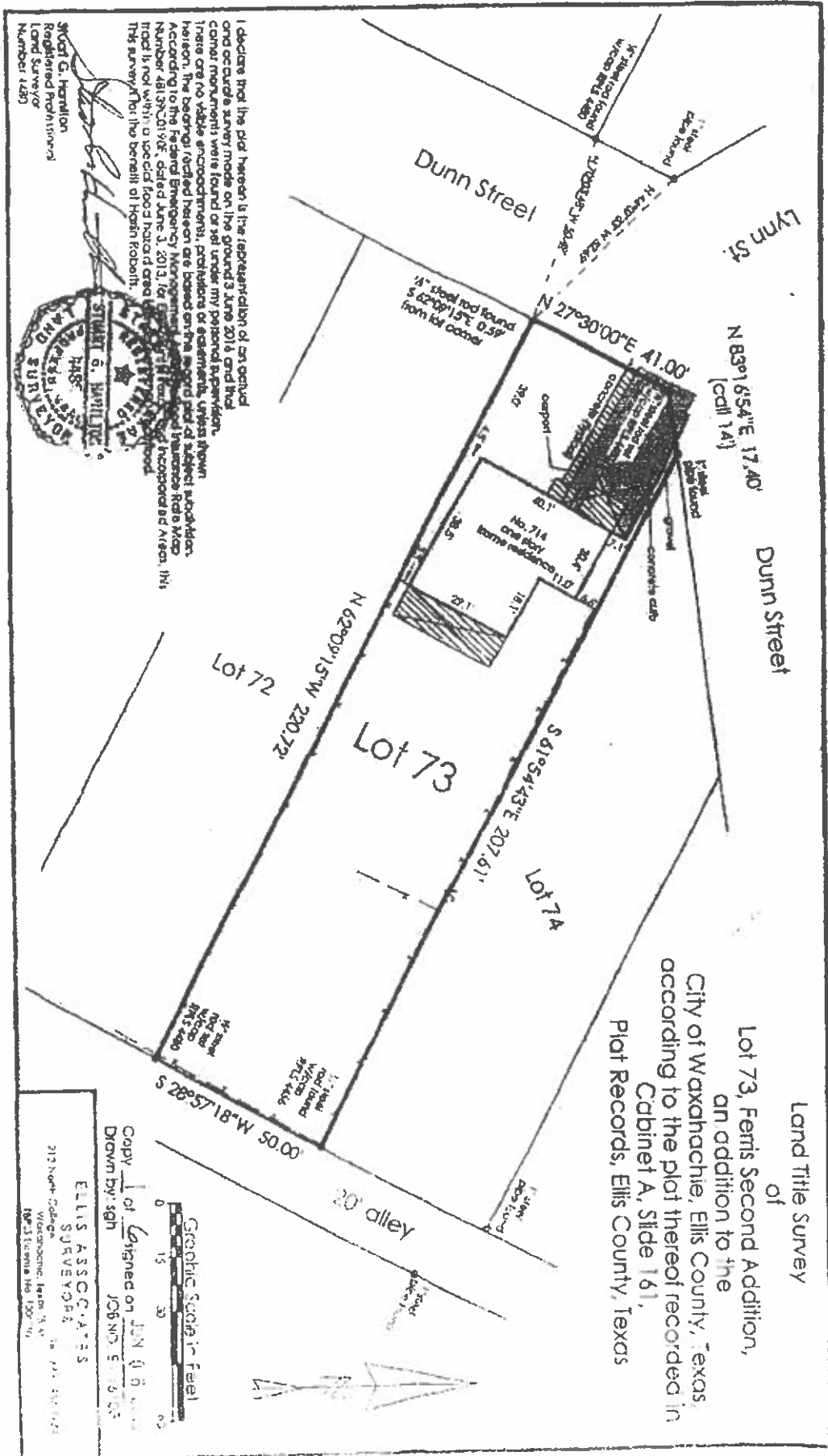


CentralCRE
APPRAISER LICENSE ADDENDUM

File No. 2024-01-0639
Loan No. 452401004

Borrower Cindy & Harlen Forrest Roberts

Property Address 714 Duran Street



Handwritten signatures and notes:
 [Signature]
 [Signature]
 [Signature]

HOUSE RULES 714 DUNN ST, WAXAHACHIE

- This is a non-smoking property.
- Quiet hours start at 11:00 PM and last until 7:00 AM.
- Check-in after 4:00.
- Check-out before 11:00.
- Self -check in with lock box.
- Number of guests – 6.
- Pre- approved pets allowed – limit 2. Deposit required. Pets must be kept in a kennel when unattended.
- Exterior cameras as required by the city.
- Commercial photography and filming not allowed.

(12)

Planning & Zoning Department Zoning Staff Report

Case: ZDC-123-2024



MEETING DATE(S)

Planning & Zoning Commission: July 8, 2024
City Council: July 15, 2024

CAPTION

Public Hearing on a request by Stephanie Savins, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 313 Monticello Drive (Property ID 172127) – Owner: Stephanie Savins & Eric Savins (ZDC-123-2024)

RECOMMENDED MOTIONS

- "I move to deny of ZDC-123-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."
- "I move to approve of ZDC-123-2024, 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."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on July 8, 2024, the Commission voted 5-0 to recommend approval of case number ZDC-123-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 313 Monticello Drive.

CASE INFORMATION

Applicant: Stephanie Savins
Property Owner(s): Stephanie Savins & Eric Savins
Site Acreage: 0.21 acres
Current Zoning: Single Family-2 (SF-2)
Requested Zoning: SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 313 Monticello Drive
Parcel ID Number(s): 172127
Existing Use: Residential use
Development History: The subject property is platted as Lot 35, Block 3 of the Belle-Vue Addition.

Adjoining Zoning & Uses:

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

Future Land Use Plan:

Mixed Use Neighborhood

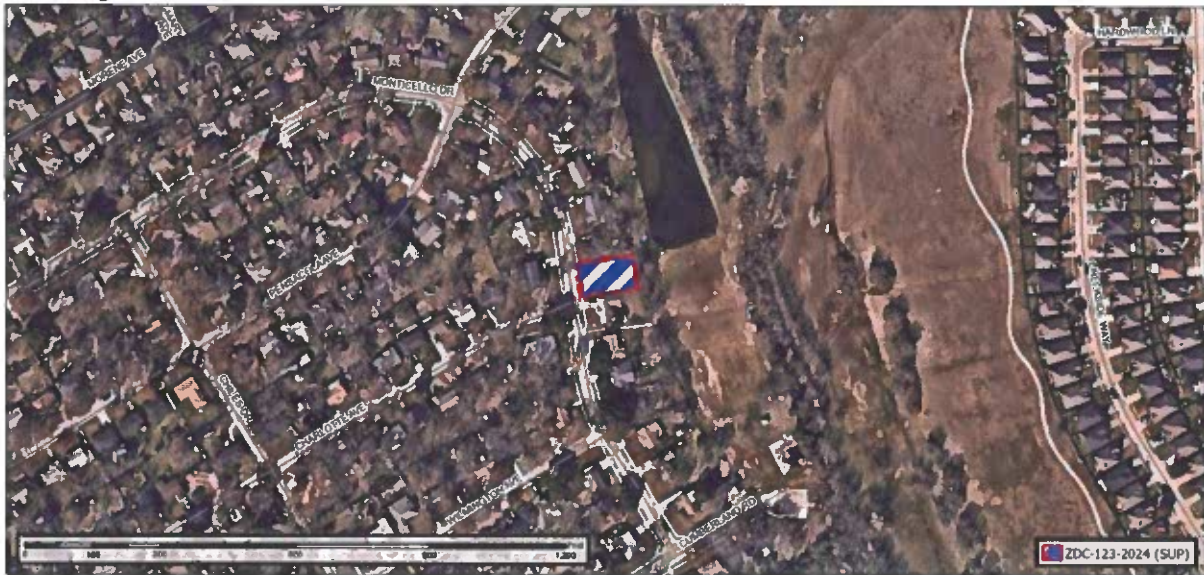
Comprehensive Plan:

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 placetype, 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 Monticello Drive.

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 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.

Planning Analysis (continued):

The Applicant is requesting a SUP for a short-term rental use located at 313 Monticello Dr. because it is located within an SF-2 zoning district. The subject property consists of a primary structure of approximately 1,765 square feet with two (2) bedrooms and enough improved surface to accommodate the maximum parking spaces of two (2) vehicles situated on an approximately 0.21-acre (9,147 square feet) lot.

The applicant submitted this SUP Application on May 31, 2024. The applicant has been operating a short-term rental since approximately August of 2023, and has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify whether the subject property is a Homestead. The applicant has satisfied all of 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 considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the property's current use in the past 12 months.

The local emergency contact provided by the applicant is Tristan Savins (972) 765-7778, 5841 Jennifer Lane, Midlothian, TX 76065, Tsavins13@gmail.com located on 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, 56 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 support and seven (7) letters of opposition were received by staff, with two (2) letters of support and one (1) letter of opposition 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 in Section 3.27 of the City's Zoning Ordinance.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

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

(12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-123-2024

**CHILD ROBERT & HEAVEN M
301 MONTICELLO DR
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Stephanie Savins & Eric Savins, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 313 Monticello Dr. (Property ID 172127) - Owner: Stephanie Savins & Eric Savins (ZDC-123-2024)

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-123-2024

City Reference: 172141

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 3, 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:

H. Child
Signature
Heaven Child
Printed Name and Title

6/21/24
Date
301 Monticello Dr.
Address

(12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-123-2024**



AUTREY DUSTY
200 S ELM ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Stephanie Savins & Eric Savins, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 313 Monticello Dr. (Property ID 172127) - Owner: Stephanie Savins & Eric Savins (ZDC-123-2024)

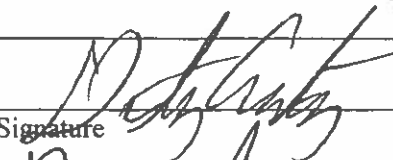
You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion 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-123-2024** City Reference: 172223

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:


Signature

6-24-24
Date

Dusty Autrey - owner
Printed Name and Title

200 S Elm Way TX
75165
Address

(12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-123-2024

STEWART WILLIAM K & DEBRA A
215 PENSACOLA AVE
WAXAHACHIE, TX 75165-2023

RECEIVED JUN 25 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Stephanie Savins & Eric Savins, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 313 Monticello Dr. (Property ID 172127) - Owner: Stephanie Savins & Eric Savins (ZDC-123-2024)

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Case Number: ZDC-123-2024

City Reference: 172199

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Debra Stewart William Stewart
Signature

June 25 2024
Date

William & Debra Stewart
Printed Name and Title

215 Pensacola Ave
Address

(12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-123-2024

WILSON SAMUEL D III
503 MONTICELLO DR
WAXAHACHIE, TX 75165

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Case Number: ZDC-123-2024

City Reference: 172123

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Samuel Wilson
Signature

6/25/24
Date

Samuel Wilson
Printed Name and Title
owner

503 Monticello Dr.
Address

Case Number: ZDC-123-2024

City Reference: 172157

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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.

RECEIVED JUN 27 2024

SUPPORT

OPPOSE

Comments:

Traffic/parking concerns
Roady event concerns

Bobby J. Saylor
Signature

6-24-2024
Date

BOBBY J. SAYLORS
Printed Name and Title OWNER

215 Charlotte Ave.
Address
Waxahachie, Texas 75165

(12)

Case Number: ZDC-123-2024

City Reference: 172286

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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

RECEIVED JUL 02 2024

Comments:

Terry O'Daniel
Signature

06-22-2024
Date

TERRY O'DANIEL
Printed Name and Title OWNER

212 WILMINGTON AVE.
Address

(12)

(12)

Venissat, Michelle

From: Beeker Express <beekerexpress@yahoo.com>
Sent: Monday, July 8, 2024 2:24 PM
To: Planning
Subject: ZDC-121-2024, ZDC-123-2024

Short-term rentals have increasingly disrupted the fabric of our neighborhood, which I have cherished and called home since 1993. These transient accommodations undermine community stability, as the frequent turnover of guests prevents the development of long-term relationships and a sense of trust among neighbors. The influx of short-term renters often leads to noise, increased traffic, and parking issues, detracting from the peaceful, residential character that originally drew many of us to the area. Additionally, the commercialization of housing units exacerbates the housing shortage, driving up property values and rents, making it more difficult for long-term residents and families to afford to stay. Preserving the integrity and continuity of our community necessitates limiting short-term rentals to ensure that our neighborhood remains a welcoming and stable environment for all.

Jeff W.

(12)

Venissat, Michelle

From: Maria Wesbrooks <maria.wesbrooks@yahoo.com>
Sent: Monday, July 8, 2024 2:30 PM
To: Planning
Subject: ZDC 121 2024 and zdc 123 2024

Opposing short term rentals

Short-term rentals in our neighborhood, where I've been a resident since 1986, are detrimental for several reasons. Firstly, they disrupt the sense of community and stability that long-term residents have built over decades. These transient visitors often lack a vested interest in maintaining the neighborhood's cleanliness, safety, and overall atmosphere. Secondly, the constant influx of strangers can lead to increased noise levels and security concerns, as the unfamiliar faces and frequent turnover can make it difficult to monitor suspicious activities. Additionally, the rise of short-term rentals often drives up property values and rental rates, making it harder for long-term residents to afford to live in their own community. This can result in the displacement of families and individuals who have been integral to the neighborhood's character and history. Overall, short-term rentals undermine the cohesion, safety, and affordability of our cherished neighborhood.

Maria
2.. Monticello

(12)

Venissat, Michelle

From: Todd Kirk <librarydad68@yahoo.com>
Sent: Wednesday, July 10, 2024 10:22 AM
To: Planning
Subject: Case ZDC-123-2024

Greetings. My next door neighbor is running a Short Term Rental at 313 Monticello Dr. I am at 401 Monticello and my property is directly adjacent to hers. I did not receive a letter from the planning committee although many of my neighbors did. I would like to voice my opinion particularly since the rental affects me more than most of the other neighbors, since I am directly adjacent to the property.

I am in no way connected financially, socially, or otherwise with the Savins family except that I have seen them mowing the yard. In my experience they have been great neighbors and I have had NO problems with any renters. In fact, it would be hard to imagine having a better neighbor with a cleaner and quieter house than the short term rental has been.

Therefore I SUPPORT the continuance of the house at 313 Monticello as a short-term rent property so long as the Savins' continue to own it and operate it.

Thanks,

Todd Kirk
430-333-2060
401 Monticello Dr.
75165

(13)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED 313 MONTICELLO DRIVE BEING PROPERTY ID 172127, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 35, BLOCK 3 OF THE BELLE-VUE ADDITION, 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-2; 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-123-2024. 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-2 to SF-2, with a SUP in order to permit a Short-Term Rental use on the following property: Lot 35, Block 3 of the Belle-Vue Addition, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Site Plan attached as Exhibit D, and the Host Rules attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A SINGLE-FAMILY-2 (SF-2) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-123-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan Exhibit D – Site Plan, and Exhibit E – Host Rules.
3. The Applicant and/or STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The Applicant and/or STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D and E
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City’s vendor.
6. The owner/short-term rental operator is subject to a maximum occupancy of six (6) guests per stay.

7. The short-term rental operator is subject to provide a maximum of two (2) off-street parking spaces.
8. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
9. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
10. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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 15th day of July, 2024.

MAYOR

ATTEST:




City Secretary

Location Map (EXHIBIT A)



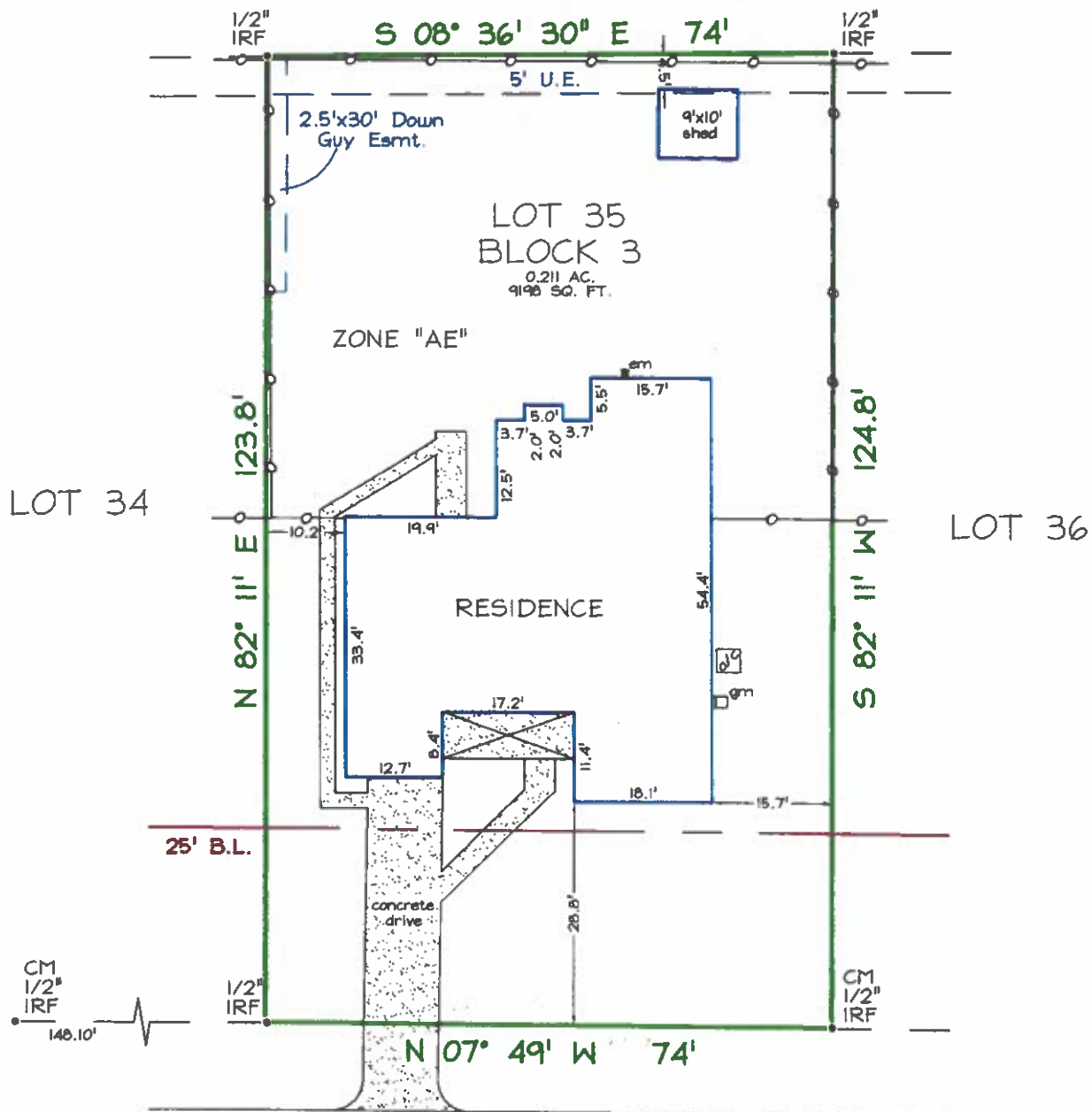
Zoning Map (EXHIBIT B)



-  ZDC-123-2024 (SUP)
-  PD-SF-2
-  SF-2

SITE PLAN (EXHIBIT D)

BLOCK 9



MONTICELLO DRIVE
(50' R.O.W.)

Address: 313 MONTICELLO DRIVE

G.F. No.: 21034

Date: 08/04/2016



Purchaser

Purchaser

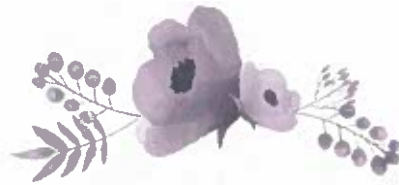
DATE:
ACCEPTED BY:

FULLER ENGINEERING
& LAND SURVEYING, INC.

I, Paul G. Fuller II, Registered Professional Land Surveyor No. 4843, do hereby declare that the map shown hereon accurately represents the property as determined by an on-the-ground survey made under my direct supervision and correctly shows the boundary lines and dimensions of the property, as found on the date of the survey, indicated hereon. There are no visible conflicts, or protrusions, except as shown and said property has access to a public roadway. All easements and right-of-ways that the surveyor has knowledge of or has been advised of and those shown on the referenced plat of record are shown or noted hereon. This survey is for the exclusive use of title company, the mortgage company and the purchaser.

LEGEND OF ABBREVIATIONS AND SYMBOLS

- | | | | |
|-----------------------------|------------------------------|---------------------------------------|----------------------|
| B.L. = Building Line | I.P.F. = Iron Pipe Found | □ = Buried Cable Riser | —//— = Wood Fence |
| C.M. = Control Monument | I.R.F. = Iron Rod Found | P.O.S.E. = Public Open Space Easement | ○ = Chain Link Fence |
| D.E. = Drainage Easement | I.R.S. = Capped Iron Rod Set | R.O.W. = Right of Way | — — = Iron Fence |
| D.U.F. = Drainage & Utility | O.H.S. = Overhead Structure | ⊓ = Telephone Disc | |



Waxahachie Wildflower HOUSE RULES:



313 Monticello Drive
Waxahachie, TX 75165



Eric: 214-882-1901
Stephanie: 214-869-3735



jhetsproperties@gmail.com

PLEASE READ:

- Absolutely NO SMOKING in the house.
- For cleaning spills and other messes, please use utility rags available under kitchen sink.
- NO dangerous dogs
- NO dog food left outside
- NO firewood stored inside house or against house
- NO large food waste in garbage disposal
- NO noise disruption, please respect home and neighbors
- Please clean up after yourselves and leave the house as you found it
- Thermostat cannot be set below 70 degrees in summer
- No pets on furniture, but if they insist, please place sheet or blanket over furniture first
- Please pick up any pet poop from yard

Bathrooms

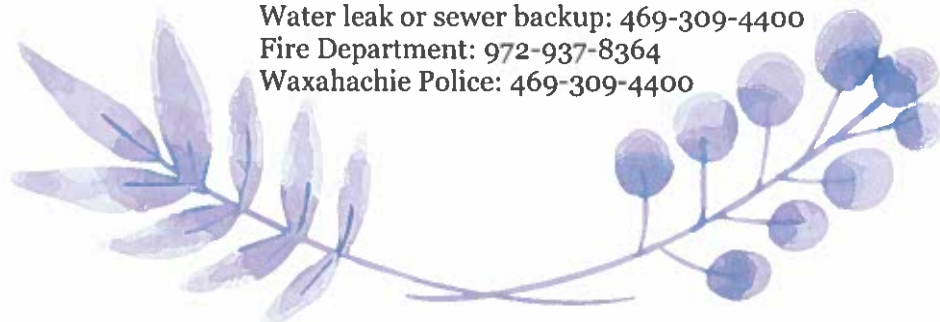
- Do not flush wet wipes or feminine items down toilet
- Old pipes require gentle use, please try not to overwhelm pipes with large amounts of toilet paper per flush

CHECK OUT

- Winter: set thermostat at 61 degrees and press HOLD
- Summer: set thermostat at 75 degrees and press HOLD
- Collect trash and place in kitchen trash can, we will take out
- Place used towels and rags in garage laundry basket
- Remove bed linens and set beside bed(s)
- Load and start dishwasher
- Sweep hard floors
- Lock doors and close garage door

Emergency contact information

ATMOS gas: 866-322-8667
TXU electric: 800-818-6132
Water leak or sewer backup: 469-309-4400
Fire Department: 972-937-8364
Waxahachie Police: 469-309-4400



(14)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-111-2024



MEETING DATE(S)

Planning & Zoning Commission: July 8, 2024
City Council: July 15, 2024

CAPTION

Public Hearing on a request by Melanie Brewer for a **Specific Use Permit (SUP)** for an **Accessory Structure Dwelling Unit** use within a Single Family-2 (SF-2) zoning district located at 1111 W Marvin Avenue (Property ID 176332) - Owner: Melanie Brewer & Mark Brewer (ZDC-111-2024)

RECOMMENDED MOTION

"I move to approve ZDC-111-2024, a Specific Use Permit for an Accessory Dwelling Unit, subject to the conditions the staff report."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on July 8, 2024, the Commission voted 5-0 to recommend approval of case number ZDC-111-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) to allow for the conversion of an existing 2-car detached garage to 483 square foot Accessory Dwelling Unit.

CASE INFORMATION

Applicant: Melanie Brewer
Property Owner(s): Melanie Brewer & Mark Brewer
Site Acreage: 0.458 acres
Current Zoning: Single Family-2 (SF-2)
Requested Zoning: SF-2 with a SUP for an Accessory Dwelling Unit

SUBJECT PROPERTY

General Location: 1111 W Marvin Avenue
Parcel ID Number(s): 176332
Existing Use: Single Family Residence with a detached 2-car garage.
Development History: The property is platted as Lot 3, Block 18 of the University Revision.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Home
East	SF-2	Single Family Home
South	SF-2	Single Family Home & Patrick Field
West	SF-2	Single Family Home

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 the large land areas 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 placetype, 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 W Marvin Avenue.

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) to allow for the conversion of an existing 2-car detached garage to 483 square foot Accessory Dwelling Unit. The Waxahachie Zoning Ordinance requires approval of a SUP to allow for an Accessory Dwelling Unit use within a Single Family-2 (SF-2) zoning district. The proposed accessory dwelling unit is located to the rear of the primary home at 1111 W Marvin Avenue and meets the minimum setback requirements for an accessory structure within the SF-2 zoning district. If approved, the existing driveway is sufficient to meet the parking requirements for the existing home and the proposed accessory dwelling unit.

Planning Analysis (continued):

The proposed accessory dwelling unit will include one (1) bedroom, one (1) bathroom, a washer/dryer connection, a full kitchen, and open living area. The two existing garage doors on the front of the structure are proposed to be removed and replaced with siding matching the existing structure. Access doors are proposed on the west and south side of the structure. This means the structure will only be accessible from the backyard of the primary home.

The property has confirmed that the accessory dwelling unit will only be used as a residence for their son and granddaughter. The property owner has also confirmed that the accessory dwelling unit will not be leased or sold separately from the primary home, separately metered, used a short-term rental (STR), or used for commercial purposes.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 15 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 opposition and two (2) letters of support for the proposed SUP.

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 SUP request, subject to the conditions noted below.

Conditions:

1. The accessory dwelling shall be 483 square feet in size. An amendment to this SUP shall be required in the event the accessory dwelling is proposed to expand beyond 483 square feet in size.
2. The accessory dwelling shall only be occupied by the property owner or non-paying guest of the property owner.
3. The accessory dwelling shall not be used as a short-term rental without a Specific use Permit that has been approved by City Council.
4. The accessory dwelling shall not be used for commercial purposes.
5. The accessory dwelling shall not be leased or sold separately from the primary residence and shall not be separately metered for electric, water, or wastewater services.
6. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory dwelling.

ATTACHED EXHIBITS

1. Public Notification Responses
2. SUP Ordinance
3. Exhibit A – Location Map
4. Exhibit B – Site Plan
5. Exhibit C – Floor Plan
6. Exhibit D – Elevation/Façade Plan

APPLICANT REQUIREMENTS

1. If approved by City Council, the applicant can complete the building permitting process with the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

(14)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-111-2024

HOOVER SARAH E
1107 W MARVIN AVE
WAXAHACHIE, TX 75165-2931

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Case Number: ZDC-111-2024

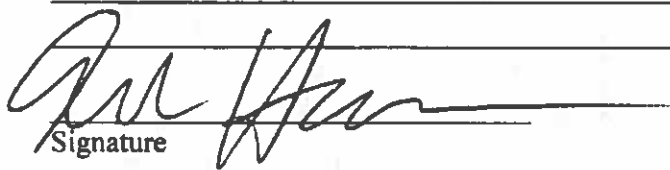
City Reference: 265090

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 3, 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:


Signature

Sarah E. Hoover, Home owner
Printed Name and Title

6-24-2024
Date

1107 W. Marvin Ave.
Address
Waxahachie, TX 75165



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-111-2024

HOOVER DENNIS R & SHARON G HOOVER
1107 W MARVIN AVE
WAXAHACHIE, TX 75165

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Case Number: ZDC-111-2024

City Reference: 265090

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SUPPORT

OPPOSE

Comments:

Dennis Hoover / Sharon Hoover
Signature

6-24-2024
Date

Dennis R. Hoover
Printed Name and Title
Sharon G. Hoover
Homeowners

1107 W. Marvin Ave.
Address
Waxahachie, TX 75165

(14)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-111-2024

RECEIVED JUL 03 2024

POARCH JAMES
103 E University Ave
Waxahachie, TX 75165-2353

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Melanie Brewer for a Specific Use Permit (SUP) for an Accessory Structure Dwelling Unit use within a Single Family-2 (SF-2) zoning district located at 1111 W Marvin Avenue (Property ID 176332) - Owner: Melanie Brewer & Mark Brewer (ZDC-111-2024) Staff: Zack King

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-111-2024

City Reference: 176378

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 3, 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:



Signature

6-23-24

Date

Poarch

Printed Name and Title

103 E University

Address

(14)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-111-2024

RECEIVED JUL 0 3 2024

POARCH JAMES D & SHANNON C
103 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2353

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Case Number: ZDC-111-2024

City Reference: 176340

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 3, 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:


Signature

6/23/24
Date

Poarch - owner
Printed Name and Title

103 E University
Address

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY DWELLING UNIT USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED 1111 W MARVIN AVENUE, BEING PROPERTY ID 176332, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 3, BLOCK 18 IN THE UNIVERSITY REVISION, 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-2; and

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-111-2024. 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-2 to SF-2, with a SUP in order to permit an Accessory Dwelling Unit use on the following property: Lot 3, Block 18 of the University Revision subdivision, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, the Floor Plan attached as Exhibit C, and the Elevation/Façade Plan attached as Exhibit D.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

Specific Use Permit

FOR THE OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY DWELLING UNIT USE IN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The accessory dwelling shall be 483 square feet in size. An amendment to this SUP shall be required in the event the accessory dwelling is proposed to expand beyond 483 square feet in size.
2. The accessory dwelling shall only be occupied by the property owner or non-paying guest of the property owner.
3. The accessory dwelling shall not be used as a short-term rental without a Specific use Permit that has been approved by City Council.
4. The accessory dwelling shall not be used for commercial purposes.
5. The accessory dwelling shall not be leased or sold separately from the primary residence and shall not be separately metered for electric, water, or wastewater services.
6. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory dwelling.
7. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Site Plan, Exhibit C – Floor Plan, and Exhibit D – Elevation/Façade Plan.
8. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
9. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibits B – Site Plan, Exhibit C – Floor Plan, and Exhibit D – Elevation/Façade Plan. Where regulations are not specified in Exhibits B, C, D, or this Zoning Ordinance, the regulations of the Single Family-2 (SF-2) Zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.
10. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business of establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six (6) months, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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.

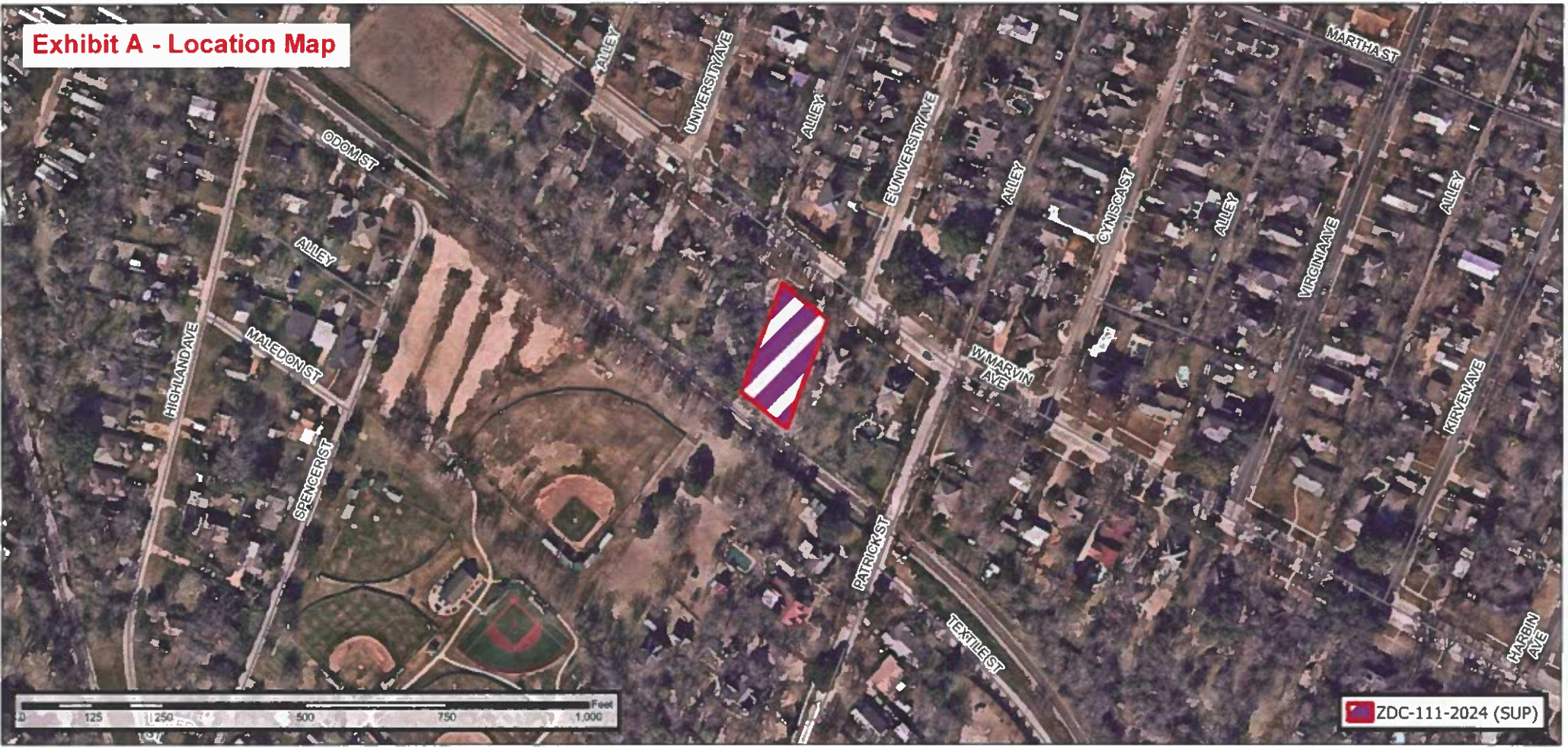
PASSED, APPROVED AND ADOPTED on this 15th day of July, 2024.


MAYOR

ATTEST:

City Secretary

Exhibit A - Location Map



 ZDC-111-2024 (SUP)

LEGAL DESCRIPTION Texas Registered Engineering Firm # F-8331 and Surveying Firm # 10091800

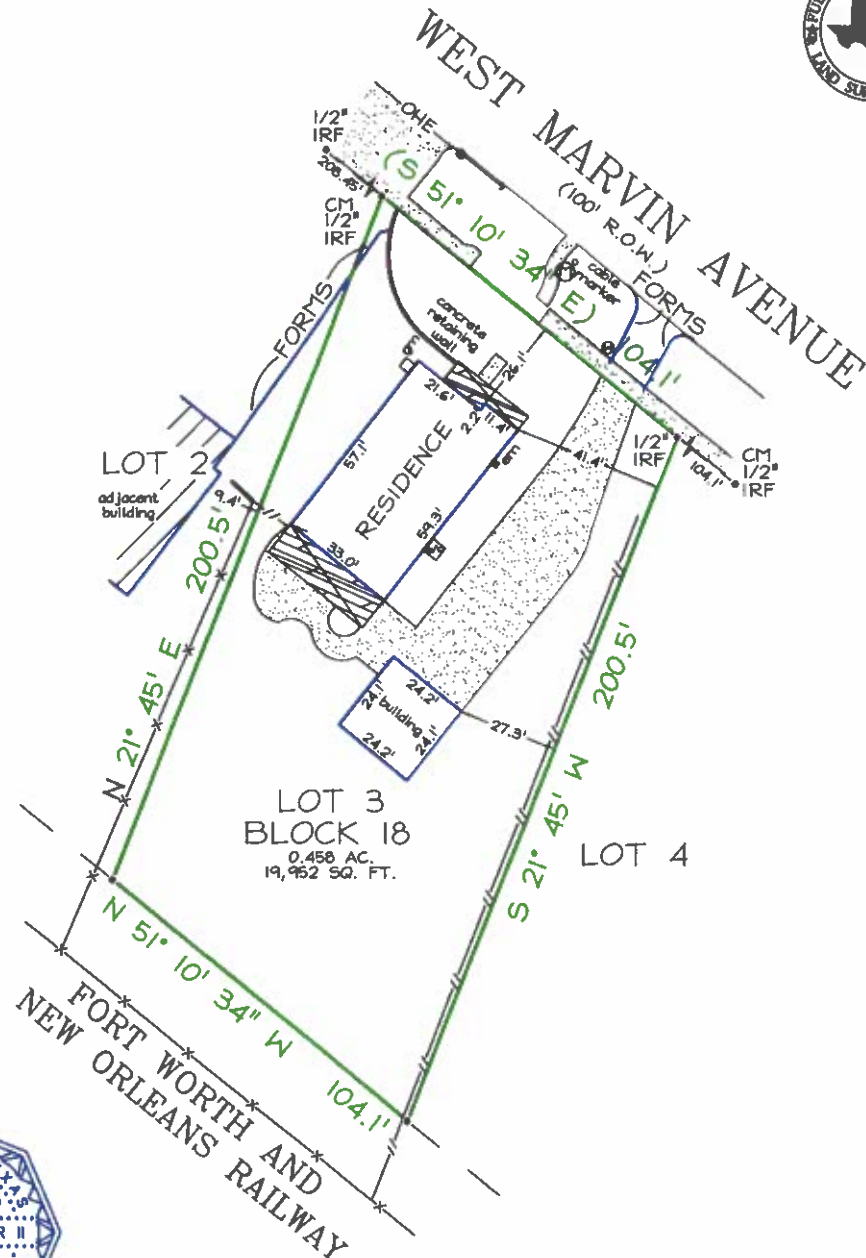
LOT 3, BLOCK 18, OF UNIVERSITY ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN CABINET A, SLIDE 147, OF THE PLAT RECORDS, OF ELLIS COUNTY, TEXAS.

According to the Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel No. 4819AC0190 F, dated June 3, 2013, this property does not lie within a 100-Year Flood Hazard Area.

Scale: 1" = 40'
 Tech: JP
 Field: JG
 Job No: 1908TA18

ADDITIONAL BUILDING LINES/EASEMENTS PER CITY ZONING ORDINANCES & SUBDIVISION RESTRICTIONS/COVENANTS MAY AFFECT SUBJECT PROPERTY

BUILDING LINES/EASEMENTS PER PLAT UNLESS OTHERWISE NOTED



Address: 1111 WEST MARVIN AVENUE
 G.F. No.: 019-37587
 Date: 09/04/2019

I, Paul G. Fuller II, Registered Professional Land Surveyor No. 4843, do hereby declare that the map shown hereon accurately represents the property as determined by an on-the-ground survey made under my direct supervision and correctly shows the boundary lines and dimensions of the property, as found on the date of the survey, indicated hereon. There are no visible conflicts, or protrusions, except as shown and said property has access to a public roadway. All easements and rights-of-way that the surveyor has knowledge of or has been advised of and those shown on the referenced plat of record are shown or noted hereon. This survey is for the exclusive use of title company, the mortgage company and the purchaser.

DATE: _____
 ACCEPTED BY: _____

Purchaser _____
 Purchaser _____

FULLER ENGINEERING & LAND SURVEYING, INC.

LEGEND			
B.L.	= Building Line	I.P.F.	= Iron Pipe Found
C.M.	= Control Monument	I.R.F.	= Iron Rod Found
D.E.	= Drainage Easement	I.R.S.	= Capped Iron Rod Set
D.U.E.	= Drainage & Utility Easement	O.H.E.	= Overhead Electric
M.E.	= Maintenance Easement ()	RD	= Record Data
ET	= Electric Transformer ()	BB	= Bearing Basis
		W.M.	= Water Meter
		P.P.	= Power Pole
		R.O.W.	= Right of Way
		S.S.M.	= Sanitary Sewer Manhole
		U.E.	= Utility Easement
		G.M.	= Gas Meter
		WF	= Wood Fence
		CLF	= Chain Link Fence
		IF	= Iron Fence
		WF	= Wire Fence
		EM	= Electric Meter

Exhibit C - Floor Plan

SQUARE FOOTAGE

1ST FLOOR	483
2ND FLOOR	0
TOTAL CONDITIONED AREA	483
GARAGE/STORAGE	0
COVERED PATIO (REAR)	0
COVERED PORCH (FRONT)	0
TOTAL UNDER ROOF	483
SLAB AREA	483

GENERAL FLOOR PLAN NOTES:

1st STORY

TYP. STUD WALLS ARE 2x4'S. DIMENSIONED 4". OTHERS AS DIMENSIONED. BRICK &/OR STONE VENEER IS 5 1/2".

***ALL PLUMBING WALLS TO BE A MIN. OF 2X6 U.N.O.

DOORS

REFER TO COMMUNITY SPECS OR CONTRACT DOCUMENTS FOR REQ. DOOR HEIGHTS.

WINDOWS

INSTALL ALL 1ST FLR. WINDOWS WITH HEADS AT 8'-0" A.F.F U.N.O.

SHOWERS

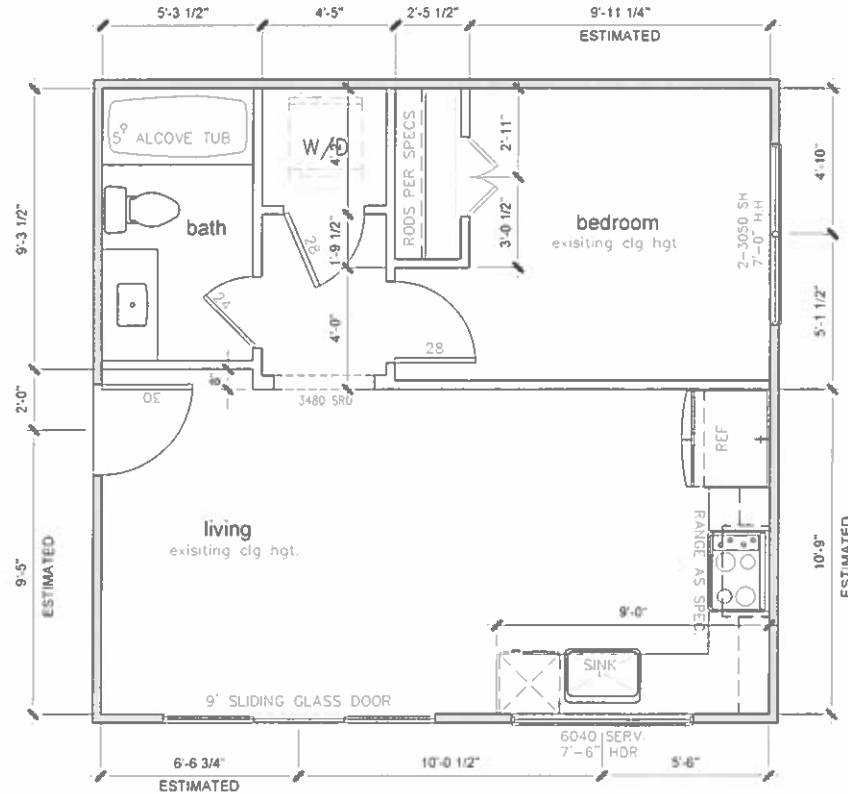
SHOWER HEAD TO BE INSTALLED @ 6'-8" MEASURED FROM PLATE

SHOWER CONTROLS

TO BE LOCATED WITHIN A 3'-0" RADIUS U.N.O.

TYP. 1ST F.F. EL. = 0'-0" (U.N.O.)

WALL LEGEND	
- NEW WALL	[Single line]
- EXISTING INT./EXT. WALL	[Double line]
- DEMO INT./EXT. WALL	[Dashed line]
- EXISTING WALL W/ BRICK VENEER	[Thick double line]



SCALE AS NOTED

24"x36" PRINTS ARE 1/4" = 1'-0"
 11"x17" PRINTS ARE 1/8" = 1'-0"
 *UNLESS SPECIFIED OTHERWISE

FP1.0

This plan was prepared by the architect under contract with the owner. It is the property of the architect and shall remain confidential. No part of this plan may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect. The architect assumes no responsibility for the construction of the project or for any damage to the property of the owner or third parties. The architect's liability is limited to the professional services rendered. The architect does not warrant the accuracy of the information provided. The architect is not responsible for the construction of the project or for any damage to the property of the owner or third parties. The architect's liability is limited to the professional services rendered. The architect does not warrant the accuracy of the information provided.

2024
 CREATOR
 R. Egan
 DATE
 4.9.24

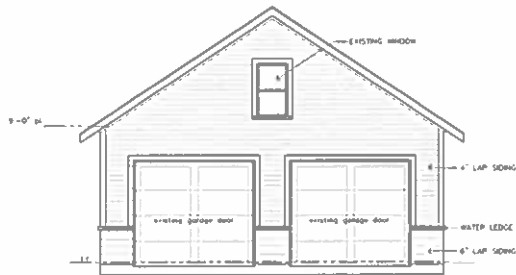
Brewer Poolhouse
 Address
 Lot/Block/Subdivision
 Midlothian, Texas

P.O. Box 1480
 Midlothian, Texas 76065
 972-351-0848
 nich@thestudioE.com



(51)

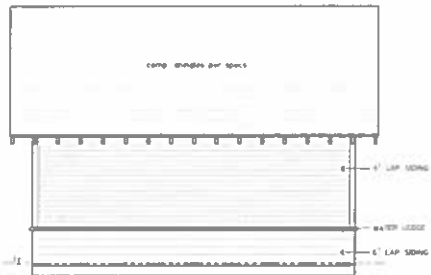
Exhibit D - Elevation/Facade Plan



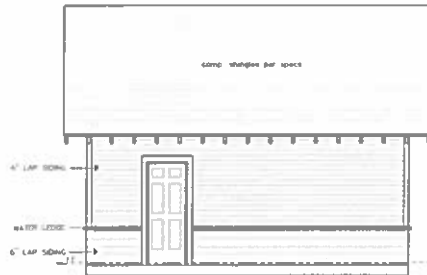
1 | Front Elevation
EXISTING



2 | Rear Elevation
EXISTING



3 | Left Elevation
EXISTING



4 | Right Elevation
EXISTING

ELEV1

NOTE: WORK NOT SHOWN TO PROVIDE THE BASIC INFORMATION FOR CONSTRUCTION OF THIS PROJECT. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF THE EXISTING STRUCTURE. AN AGREEMENT FOR THE JOB SHALL BE OBTAINED FROM THE CLIENT BEFORE ANY CONSTRUCTION IS BEGUN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE AND BONDING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY MATERIALS AND LABOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TOOLS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SAFETY EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PROTECTIVE EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CLEANUP EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY DISPOSAL EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY STORAGE EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TRANSPORTATION EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY COMMUNICATIONS EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDING EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REPORTING EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TRAINING EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CERTIFICATION EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REGISTRATION EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LICENSING EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BONDING EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY MATERIALS AND LABOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TOOLS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SAFETY EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PROTECTIVE EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CLEANUP EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY DISPOSAL EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY STORAGE EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TRANSPORTATION EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY COMMUNICATIONS EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDING EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REPORTING EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TRAINING EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CERTIFICATION EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REGISTRATION EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LICENSING EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE EQUIPMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BONDING EQUIPMENT.

2024
CREATOR
R. Egan
DATE
4.9.24

Brewer Poolhouse
Address
Lot/Block/Subdivision
Midlothian, Texas

P.O. Box 1480
Midlothian, Texas 78065
972-351-0048
rich@thestudioE.com



(51)

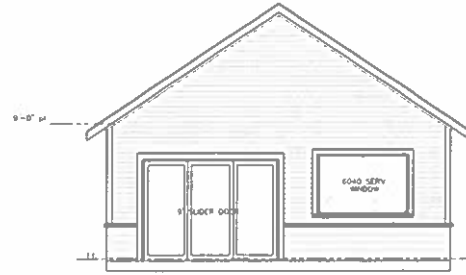
SCALE AS NOTED
24"x36" PRINTS ARE 1/2" = 1'-0"
11"x17" PRINTS ARE 1/4" = 1'-0"
*UNLESS SPECIFIED OTHERWISE

Exhibit D - Elevation/Facade Plan



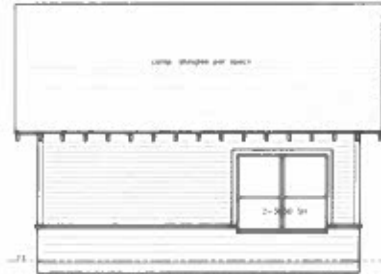
1 | Front Elevation

PROPOSED



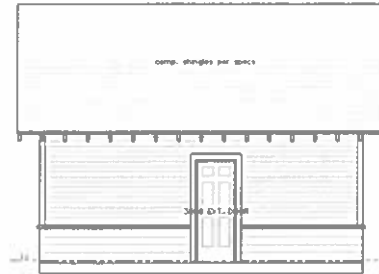
2 | Rear Elevation

PROPOSED



3 | Left Elevation

PROPOSED



4 | Right Elevation

PROPOSED

ELEV2

THESE PLANS ARE PREPARED TO PROVIDE THE BASIC CONSTRUCTION INFORMATION NECESSARY TO CONSTRUCT THE PROJECT. THESE PLANS ARE NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS.

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24"x36" PRINTS ARE 1/4" = 1'-0"
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UNLESS SPECIFIED OTHERWISE

(16)

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-108-2024

MEETING DATE(S)

Planning & Zoning Commission: July 8, 2024
City Council: July 15, 2024

CAPTION

Public Hearing on a request by Gabrielle Calvery, 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 1107 W Main Street (Property ID 176627) - Owner: Virginia Holdings LLC (ZDC-108-2024)

RECOMMENDED MOTIONS

- "I move to deny ZDC-108-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."
- "I move to approve ZDC-108-2024, 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."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on July 8,2024, the Commission voted 5-0 to recommend approval of case number ZDC-108-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 1107 W Main Street.

CASE INFORMATION

Applicant: Gabrielle Calvery, Virginia Holdings LLC

Property Owner(s): Virginia Holdings LLC

Site Acreage: 0.218 acres

Current Zoning: Single Family-2 (SF-2)

Requested Zoning: SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 1107 W Main Street

Parcel ID Number(s): 176627

Existing Use: A single-family home currently occupies the subject property.

Development History: The subject property is platted as a portion of Lots 1 and 2, Block 9 of the West End addition.

(116)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2 w/ SUP for an ADU	Single Family Residence & ADU

Future Land Use Plan:

Mixed-Use Neighborhood

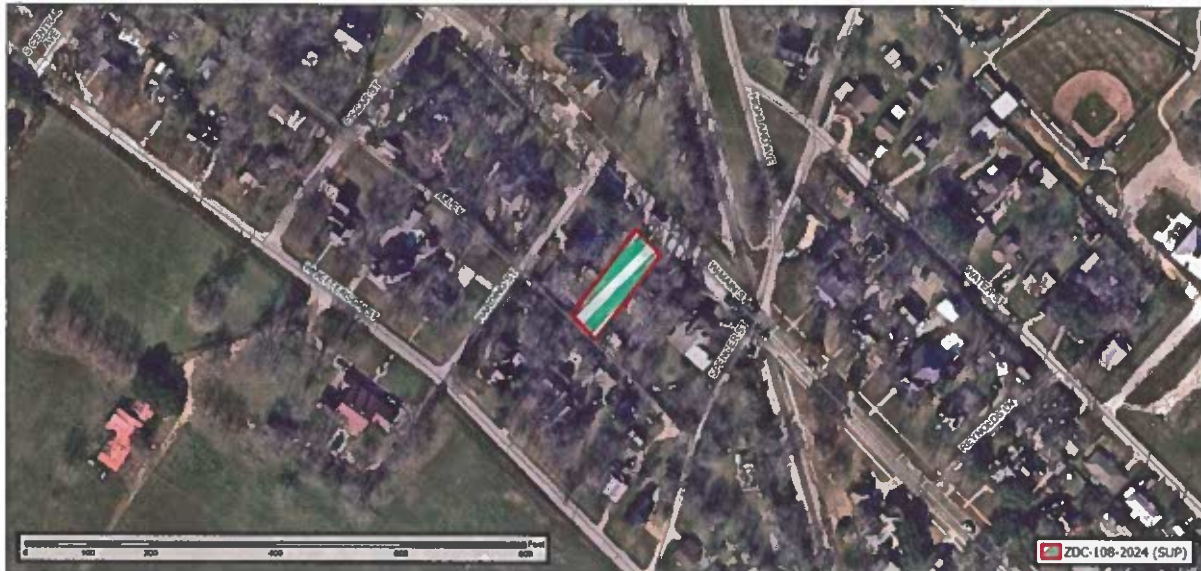
Comprehensive Plan:

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 placetype, 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 W 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 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.

Planning Analysis (continued):

The Applicant is requesting a SUP for a short-term rental use located at 1107 W Main Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 2,240 square feet, four (4) bedrooms, and a detached, alley-accessed garage. The site has sufficient parking to accommodate the maximum parking requirement of four (4) vehicles. The home is situated on an approximately 0.218-acre (9,515 square foot) lot.

The applicant submitted this SUP Application on May 21, 2024. The applicant has been operating a short-term rental since October 1, 2022, and has not paid local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. At the time of publishing this staff report, the City has received no complaints regarding any issues considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the property and its current use in the past 12 months.

The applicant's local emergency contact is Gabrielle Calvery Tranel (972-697-7664), 301 Virginia Ave., Waxahachie, TX. 75165, gabriellecalvery@gmail.com, located 1.0 miles 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, 41 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 three (3) letters of opposition and one (1) letter of support were received by staff, with two (2) letters of opposition and one (1) letter of support 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 ten (10) guests per stay.
4. The short-term rental operator shall provide a maximum of four (4) 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.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

(16)

ATTACHED EXHIBITS

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

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP

Senior Planner

zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(11e)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-108-2024

RECEIVED JUN 27 2024

ARCHIBALD NORMAN L & DOROTHY L
1030 W MAIN ST
WAXAHACHIE, TX 75165-2949

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Gabrielle Calvery, 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 1107 W Main Street (Property ID 176627) - Owner: Virginia Holdings LLC (ZDC-108-2024)
Staff: Zack King

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-108-2024

City Reference: 171837

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 3, 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:

- Main Street is supposed to be a historical district. There is a sufficient number of non single-family residential uses (apartments, bed & breakfast facilities, etc.) already in this district. Another non single-family residential use such as a short term rental will only weaken the character of this historical district.

Norman L Archibald
Signature

6/22/2024
Date

Norman L. Archibald - owner
Printed Name and Title

1030 W. Main Street
Address

(16)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-108-2024



LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED JUL 0 1 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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Case Number: ZDC-108-2024

City Reference: 176719

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 3, 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:

Not enough quality hotel rooms in town

Signature

Brad Yates member

Printed Name and Title

6/30/24

Date

1100 W. Jefferson

Address

(16)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-108-2024

HUNTER KIRK P & MAUREEN D MOORE
1112 W JEFFERSON ST
WAXAHACHIE, TX 75165-2226

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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Staff: Zack King

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-108-2024

City Reference: 176620

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 3, 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:

Short-term rentals degrade the neighborhood. You do not know your neighbors! Who wants to live near a short-term rental?

Kirk Hunter
Signature

2 July 2024
Date

KIRK HUNTER, Home owner
Printed Name and Title

1112 W. Jefferson St.
Address

(16)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-108-2024

HUNTER KIRK P & MAUREEN D MOORE
1112 W JEFFERSON ST
WAXAHACHIE, TX 75165-2226

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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Staff: Zack King

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-108-2024

City Reference: 176620

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 3, 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:

Whenever a neighbor moves from our neighborhood, we're never sure if we'll get a new one, or not.

Maureen Moore
Signature

7-2-2024
Date

Maureen D. Moore (home-owner)
Printed Name and Title

1112 W. Jefferson St.
Address

We have appreciated and valued and enjoyed our neighborhood and our neighbors since 1986. We are so unhappy that our city does not seem to value these for us.

(17)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 1107 W MAIN STREET, BEING PROPERTY ID 176627, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A PORTION OF LOTS 1 & 2, BLOCK 9 OF THE WEST END ADDITION, 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-2; 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-108-2024. 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-2 to SF-2, with a SUP in order to permit a Short-Term Rental use on the following property: a portion of Lots 1 & 2, Block 9 of the West End Addition, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Site Plan attached as Exhibit D, and the Host Rules attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A SINGLE-FAMILY-2 (SF-2) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-108-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D – Site Plan, and Exhibit E – Host Rules.
3. The Applicant and/or STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The Applicant and/or STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City’s vendor.
6. The owner/short-term rental operator is subject to a maximum occupancy of ten (10) guests per stay.
7. The short-term rental operator is subject to provide a maximum of four (4) off-street parking spaces.

8. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
9. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
10. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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 15th day of July, 2024.

MAYOR

ATTEST:

City Secretary

Exhibit A - Location Map

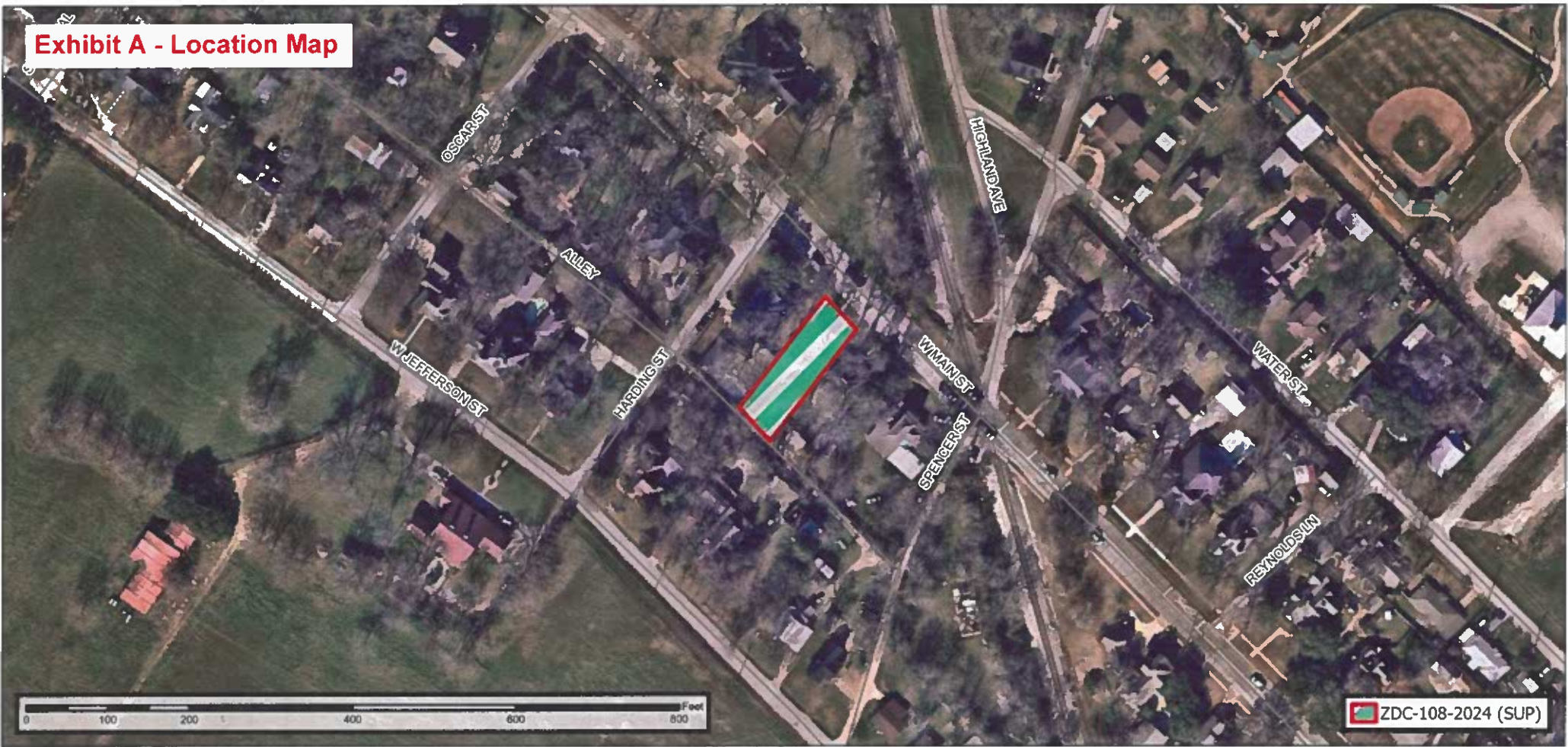


Exhibit B - Zoning Map









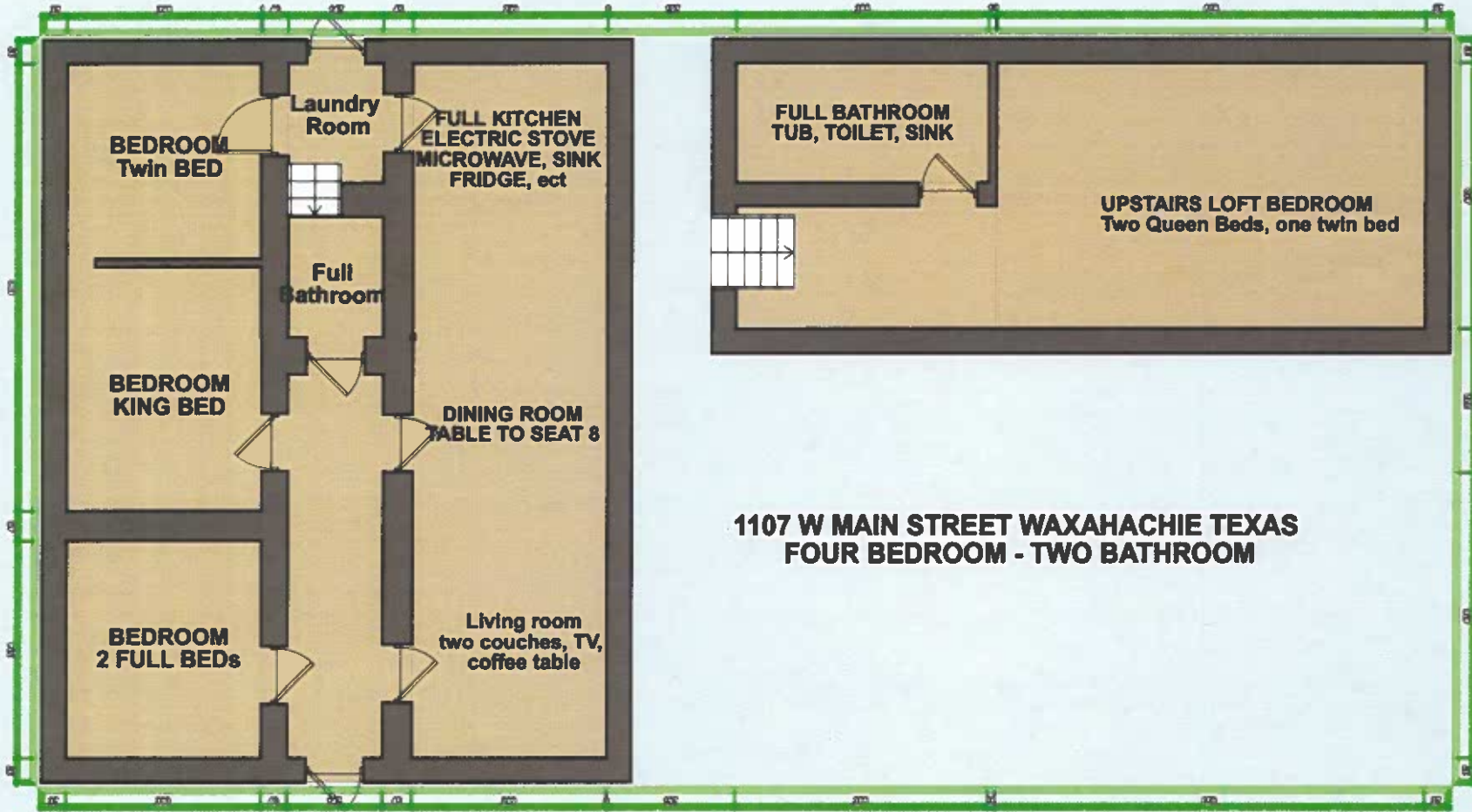
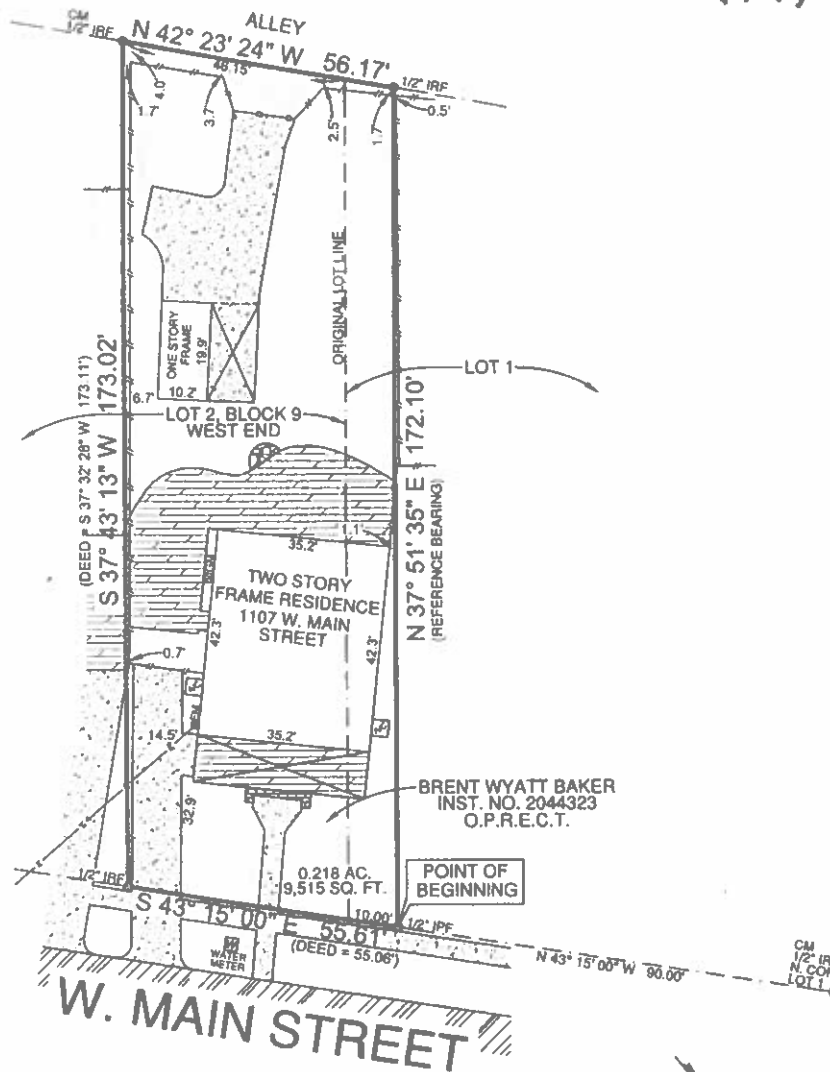
-  ZDC-108-2024 (SUP)
-  SUP
-  2F
-  PD-O
-  SF-1
-  SF-2

Exhibit C - Floor Plan



(17)



LEGEND:

—○—	BARB WIRE FENCE	▨	ASPHALT
—○—	CHAIN LINK FENCE	▩	CONCRETE
—○—	WROUGHT IRON FENCE	▧	GRAVEL
—○—	WOOD FENCE	▤	TILE
—○—	VINYL FENCE	▥	WOOD
—○—	ELECTRIC LINE	▦	BRICK
—○—	CM - GAS METER	▧	STONE
—○—	EM - ELECTRIC METER	▨	
—○—	IPF - IRON PIPE FOUND	▩	
—○—	IRS - IRON ROD SET WITH "PREMIER" CAP	▧	
—○—	IRF - IRON ROD FOUND	▥	
—○—	CM - CONTROLLING MONUMENT (WOOD) RAILROAD TIE	▦	

NOTES
BEARINGS ARE BASED ON THE RECORDED DEED.



LEGAL DESCRIPTION:
BEING A PORTION OF LOTS 1 AND 2, BLOCK 9, WEST END, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET A, SLIDES 148-149, PLAT RECORDS, ELLIS COUNTY, TEXAS, BEING ALL THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO BRENT WYATT BAKER, AS RECORDED IN INSTRUMENT NO. 2044323, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION ATTACHED HERETO AND MADE A PART THEREOF ON PAGE 2.

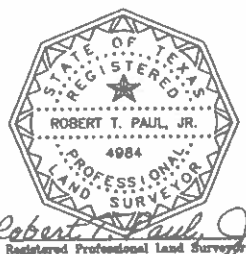
SURVEYOR'S CERTIFICATION:
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY ONLY AND THIS SURVEY IS MADE PURSUANT TO THAT CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER SHOWN HEREON, PROVIDED BY THE TITLE COMPANY NAMED HEREON AND THAT THIS DATE, THE EASEMENTS, RIGHTS-OF-WAY, OR OTHER LOCATABLE MATTERS OF RECORD THAT THE UNDERSIGNED HAS KNOWLEDGE OR HAS BEEN ADVISED ARE AS SHOWN OR NOTED HEREON. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT AND DEED REFERENCED HEREON.

GF. NO.	MID-22-10215
BORROWER	VIRGINIA HOLDINGS LLC
TITLE CO.	DESIGNATED TITLE
TECH	MSP
FIELD	CB

FLOOD INFORMATION:
THE SUBJECT PROPERTY DOES NOT APPEAR TO BE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. AN HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48139C0190 F, DATED JUNE 3, 2013.

DATE: 06/07/22 JOB NO.: 22-05021
FIELD: 06/02/22

1107 W. MAIN STREET, WAXAHACHIE, TX 75165
PORTION OF LOTS 1 AND 2, BLOCK 9, WEST END



Premier Surveying, Inc.
5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
972-413-9973 | 972-413-9988 (F)
www.premiersurveying.com

DATE: _____
ACCEPTED BY: _____

Premier Surveying, Inc.
5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
Office: 972-413-9603
Fax: 855-892-0455
Firm Registration No. 10146200

Welcome Guide

Enjoy your trip in gingerbread city!



Welcome to The Prairie House!

Address: 1107 W Main Street Waxahachie, TX 75165

Door Code: the last 4 digits of your phone number

We are very proud of our home and neighborhood and strive to be a great addition to our community. Please be respectful and courteous to our neighbors. Close contact is kept with neighbors to ensure they feel safe and comfortable with our short term rental. We strive to create a sense of home away from home for each of our guests and allow them to fully experience the city of Historic Waxahachie.

If you have any questions or concerns, please contact us (Gabrielle and Jesse) directly via phone at 972-697-7664. We are just one street over and are on call during your stay! Don't hesitate to reach out if you need anything!



About Your Hosts



Jeff Calvery

I am the proud owner of the Myrtle House and am delighted that you have chosen to stay in the home. I am the proud business owner of CRS cabinets since the year 2000. My passion is investing and growing my community. Waxahachie is a community filled with small business, beautiful homes, and amazing community events. I hope you find yourself at home and enjoy your stay!

Partnering with Jesse and Gabrielle Tranel (My Daughter and Son in law) to provide concierge hosting services to the Myrtle House guests has

enhanced the hospitality factor exponentially! You will love them! So... Welcome. We hope you can escape from the hustle of the world a bit, enjoy the house, explore the area.



Gabrielle and Jesse Tranel

Gabrielle and Jesse are our property managers and will be your main source of contact during your stay. They are a short walk away so don't hesitate to call or text with any questions or concerns. Gabrielle and Jesse have a passion for hospitality and Waxahachie! We want our guests to feel at home and comfortable while they explore and discover this historic gingerbread town.

Inside The Property

Please make yourselves at home! Have a look through the cupboards to familiarize yourself with the contents of the property. The property should be spotless with clean bedding on the beds and clean towels in the cupboards. If you find anything to not be to your satisfaction, please inform us within the first 24-hours of arriving at the property.



WiFi - Internet

SSID: SpectrumSetup-E9

Password: unquetime879

ENJOY THE INCLUDED HULU LIVE ACCOUNT



Security & Doors

The front door has a coded lock. Your host will message you the code on the day of check in. This code should be the last 4 of the phone number used to book the property. Please keep this code handy because the door can lock automatically! If at any point in time you do not feel safe please call us at 972-697-7664 (Gabrielle) or 214-587-7604 (Jesse). If it is an emergency please call 911 directly.



Kitchen

The kitchen is fully stocked with dishes, cookware, and a coffee set. Everything can be found in cabinets surrounding the sink and oven. For your convenience we have a coffee machine with coffee essentials located on the kitchen counter.



Bedrooms

In each bedroom you will find a made bed with clean sheets and folded clean towels on the bed. If extra bedding or towels are needed please reach out to Gabrielle at 972-697-7664 for additional supplies.



Dining Room/Living Room

The living room TV has complimentary streaming services and wifi. Feel free to log into any personal accounts during your stay. Please log out of your personal accounts upon check out. Enjoy the home's board games, located in the entry table in the dining room.



Bathroom

We have provided sets of towels for each guest to use on your bed. When you depart please place any used towels inside the bathtubs. Each full bathroom contains shampoo, conditioner, body wash, and lotion for each guest. Please take caution getting in and out of showers and tubs. If a shower chair is needed please call Gabrielle at 972-697-7664 and one will be provided for you.



Smoking

Please do not smoke inside the home. Smoking or any use of illegal substances is strictly prohibited. If violated you will be asked to leave the property immediately with no refund.

Exhibit E - Host Rules

(17)



Parking

Parking is only allowed in the home's driveway. Please do not park in front of any neighbors home or block any driveways. Thank you for understanding.



House Rules

The house has a maximum of 10 adults. If additional dinner guests or local family are visiting please advise the host. All Parties and Events are strictly prohibited on the property. If an event or party is held on the property you will be asked to leave the property immediately with no refund. Quiet hour is 10 pm to respect our neighbors sleep schedule. No pets allowed on premises unless special permission is granted by the host.



Heating & Air Conditioning

The property has central heating and air conditioning located in the hall. Please do not set meters below 70 degrees for air or above 70 degrees for heat to avoid freezing or overheating of the unit. Thank you for understanding. Please contact Gabrielle at 972-697-7664 if additional fans or space heaters are needed.



Trash / Recycling

Garbage can be disposed of in the trash bins located on the side of the home in the driveway. The GREEN trash bin is for trash only. The BLUE trash bin is for recycling only.



Check out

**We hope you enjoyed your stay!
Feel free to sign our guest book!**

Check out instructions:

- 1. Place all used sheets and pillow cases in provided laundry baskets or leave used beds unmade.**
- 2. Place dirty dishes in the sink.**
- 3. Place dirty towels in the bathtubs.**
- 4. Place all trash in GREEN trash bins on the side of the home.**
- 5. Log out of personal streaming services.**
- 6. Don't forget to double check for any left behind belongings!**

**Let me know if you have any recommendations on how we can improve.
We also appreciate any reviews.**

Thank you for booking with us.

Contact:

Gabrielle and Jesse Tranel

Contact Number: (972) 697-7664 or (214) 587-7604

The Neighborhood



Supermarkets

Local supermarkets include:

- **H-E-B**
 - **Address:** 800 N Hwy 77, Waxahachie, TX 75165
 - **Open everyday-** 6:00 am - 11:00 pm
- **Local farmers market**
 - **Address:** 701 Howard Road Waxahachie, TX 75165
 - **Open Saturdays-** 8:00 am - 12:00 pm



Local Restaurants & Bars

- **Farmluck**
 - **Address:** 109 W. Franklin St. #119, Waxahachie 75165
 - **Cuisines:** Sandwiches, Salads, Ice Cream Parlor
 - **Cost for two:** \$25
 - **Hours:** Monday-Saturday 11AM-9PM, Sunday 11AM-3PM
- **Pop's Burger Stand**
 - **Address:** 107 S Monroe St., Waxahachie 75165
 - **Cuisines:** Burgers
 - **Cost for two:** \$20
 - **Hours:** Monday-Friday 11AM-8PM, Sunday 11AM-3PM
- **Branded Burger**
 - **Address:** 2801 N. Hwy 77, Ste 150, Waxahachie 75165
 - **Cuisines:** Burgers
 - **Cost for two:** \$25
 - **Hours:** Monday- Saturday 11AM-9PM, Sunday 11AM-4 PM
- **Prime 115**
 - **Address:** 114 S Rogers St, Waxahachie, TX 75165
 - **Cuisines:** Steak House
 - **Cost for two:** \$100
 - **Hours:** Tues-Sat 11AM-10PM, Sunday 11AM-3PM, Mon. Closed
- **Two Amigos Taqueria**

Exhibit E - Host Rules

(17)

- Address: 241 S Monroe St, Waxahachie, TX 75165
- Cuisines: Mexican
- Cost for two: \$25
- Hours: Mon-Sat: 7AM-9PM, Sun 8AM-3PM
- **Campuzano**
 - Address: 2167 N Highway 77, Waxahachie 75165
 - Cuisines: Mexican
 - Cost for two: \$40
 - Hours: Sunday-Thursday: 11AM- 9PM, Friday-Saturday: 11AM-10PM
- **Straight From Philly**
 - Address: 110 E Main Street, Waxahachie 75165
 - Cuisines: Fast Food, Sandwich
 - Cost for two: \$25
 - Hours: Mon-Thurs 10:30AM-5PM, Friday-Sat: 10:30AM-7pm, Sun- Closed
- **Tomato's**
 - Address: 619 Ferris Ave., Waxahachie 75165
 - Cuisines: Italian, Mexican
 - Cost for two: \$25
 - Hours: Mon-Sun 11AM-10PM
- **College Street Pub**
 - Address: 210 N College St, Waxahachie 75165
 - Cuisines: British, Bar Food
 - Cost for two: \$25
 - Hours: Mon-Thurs 11AM-10PM, Fri-Sat 11AM-12AM, Sun Closed
- **Oma's Jiffy Burger**
 - Address: 403 Water Street, Waxahachie 75165
 - Cuisines: Burger
 - Cost for two: \$25
 - Hours: Monday-Saturday 7AM-3PM, Sunday Closed
- **The Dove's Nest**
 - Address: 105 W Jefferson St, Waxahachie 75165
 - Cuisines: American, Healthy Food
 - Cost for two: \$55
 - Hours: Mon-Sat 11AM-2PM, Sunday Closed



Local Attractions

- **Historic CourtHouse** located in the center of Downtown Square
- **Vita Coffee House, White Rhino Coffee, and Fresh Market Coffee**
- **Jordan E's Popcorn and Candy**
- **Paper Leaves Bookstore and Plant Shop**
- **Antique shopping in downtown Waxahachie**
 - **Atelier Antiques**
 - **With Willing Hands**
- **Blume (boutique clothing)**
- **The Arcade - 100 N College St.**
- **Urban Air Trampoline Park**
- **Getzendaner park**
- **Lake Waxahachie**
- **Golf - Waxahachie Country Club**



Public Transportation

- **Greyhound: Bus Station**
 - **Address: 3300 S Interstate 35 East Service Rd, Waxahachie, TX 75165**
 - **Hours: Everyday 6AM–11PM**
 - **Phone: 972-937-4893**



Taxi

- **Dallas Yellow Cab**
 - **Waxahachie, TX**
 - **Phone: 214.426.6262**
- **Uber/Lyft**
 - **Cell Phone App**

Emergency Information



Hospital

Nearest hospital: Baylor Scott & White Medical Center- Waxahachie
Address: 2400 N, I-35E, Waxahachie, TX 75165
Phone: 469-843-4000



Police

Waxahachie Police Department
Address: 630 Farley St, Waxahachie, TX 75165
Phone: 469-309-4400 (non-emergency line)
Emergency Line: 911



Doctors

Baylor Scott & White Medical Center- Waxahachie
Address: 2400 N, I-35E, Waxahachie, TX 75165
Phone: 469-843-4000



Emergency Contact

Please call 911 for all emergencies.
A first aid kit is located in the kitchen cabinet.
A fire extinguisher is located under the sink in the kitchen.

If you have a non-emergency but need assistance please call your hosts Gabrielle at 972-697-7664 or Jesse 214-587-7604. A first aid kit and fire hydrant is located in the kitchen below the sink if needed.

WE HOPE YOU ENJOY YOUR STAY WITH US!

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-109-2024

MEETING DATE(S)

Planning & Zoning Commission: July 8, 2024
City Council: July 15, 2024

CAPTION

Public Hearing on a request by Gabrielle Calvery, 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 330 E University Avenue (Property ID 176172) - Owner: Virginia Holdings (ZDC-109-2024)

RECOMMENDED MOTIONS

- "I move to deny ZDC-109-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."
- "I move to approve ZDC-109-2024, 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."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on July 8, 2024, the Commission voted 5-0 to recommend approval of case number ZDC-109-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 330 E University Avenue.

CASE INFORMATION

Applicant: Gabrielle Calvery, Virginia Holdings LLC

Property Owner(s): Virginia Holdings

Site Acreage: 0.344 acres

Current Zoning: Single Family-2 (SF-2)

Requested Zoning: SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 330 E University Avenue

Parcel ID Number(s): 176172

Existing Use: A single-family home currently occupies the subject property.

Development History: The subject property is platted as Lot 1 and 2, Block 4 of the University Revision addition.

Adjoining Zoning & Uses:

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

Future Land Use Plan:

Mixed Use Neighborhood

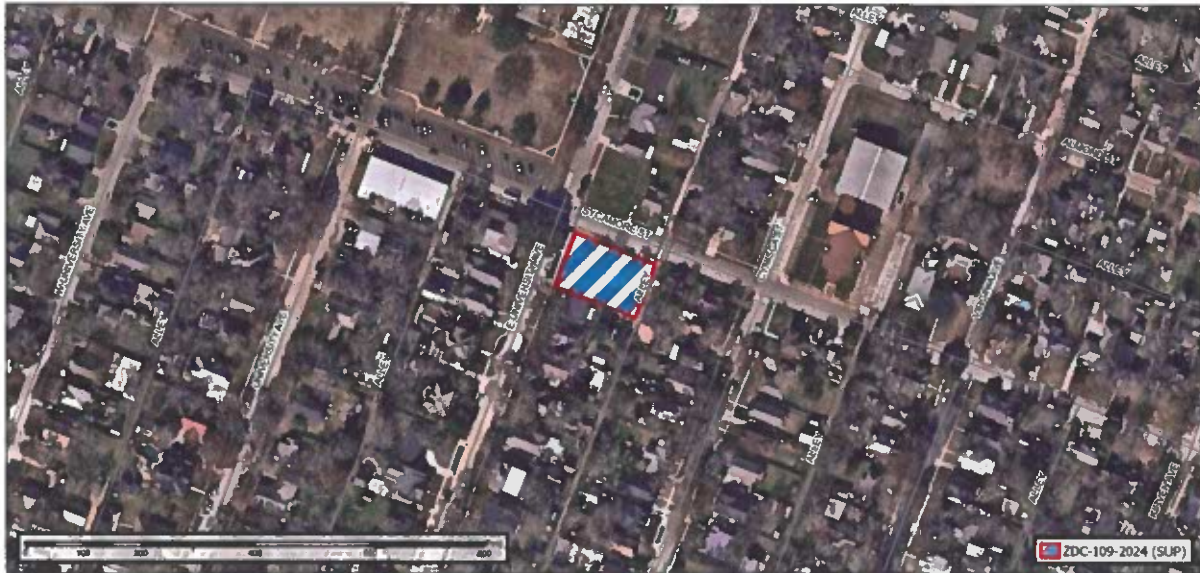
Comprehensive Plan:

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 placetype, 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 E University Avenue and Sycamore 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 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.

Planning Analysis (continued):

The Applicant is requesting a SUP for a short-term rental use located at 330 E University Avenue because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 3,686 square feet with seven (7) bedrooms and a detached one-car garage. The site has sufficient parking to accommodate the maximum parking requirement of five (5) vehicles. The home is situated on an approximately 0.344-acre (14,985 square foot) lot. The maximum occupancy permitted for the home is ten (10) guests.

The applicant submitted this SUP Application on May 21, 2024. The applicant has been operating a short-term rental since November 10, 2020, and has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant has satisfied all of 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.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the property and its current use in the past 12 months.

The local emergency contact provided by the applicant is Gabrielle Calvery Tranel (972-697-7664), 301 Virginia Ave., Waxahachie, TX. 75165, gabriellecalvery@gmail.com, located 0.3 miles 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, 74 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 one (1) letter of opposition and eight (8) letters of support were received by staff, with zero (0) letters of opposition and one (1) letter of support 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 ten (10) guests per stay.
4. The short-term rental operator shall provide a maximum of five (5) 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.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

ATTACHED EXHIBITS

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

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP

Senior Planner

zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-109-2024

AUTREY DUSTY
200 S ELM ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Gabrielle Calvery, 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 330 E University Avenue (Property ID 176172) - Owner: Virginia Holdings (ZDC-109-2024)
Staff: Zack King

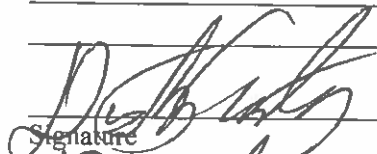
You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion 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-109-2024

City Reference: 176042

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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.

Comments: SUPPORT OPPOSE


Signature
Dusty Austy - owner
Printed Name and Title

6-23-24
Date
200 Elm Way TX
Address
75165

(18)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-109-2024



TWIN CEDARS TRUST
3841 Blackchamp Rd
Midlothian, TX 76065-5749

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Staff: Zack King

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Case Number: ZDC-109-2024

City Reference: 175950

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Great neighbor! Well cared for property

Shebi Wood

Signature

6/24/24

Date

SHELIA MOO

Printed Name and Title

316 Cynthia St

Address

Waxahachie, TX 75165

(18)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-109-2024



SMITH CRAIG V & DEBORAH A
304 CYNISCA ST
WAXAHACHIE, TX 75165-2308

RECEIVED JUN 25 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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Case Number: ZDC-109-2024

City Reference: 175955

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

This property has been an STR for multiple years. It is a welcome addition to the neighborhood, has been quiet and immaculately maintained.

Signature *Craig V. Smith*

06/24/2024
Date

Craig V. Smith/owner →
Printed Name and Title

304 Cynisca St.
Address



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-109-2024



MC CUTCHAN SAMUEL
406 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-1710

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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Case Number: ZDC-109-2024

City Reference: 176093

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 3, 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:

ONLY ISSUE WOULD BE PARKING

Samuel B. McCutchan
Signature

6-29-2024
Date

SAMUEL B. MCMCUTCHAN
Printed Name and Title

406 E. UNIVERSITY AVE
Address



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-109-2024

MC CUTCHAN SAMUEL B
406 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-1710

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Case Number: ZDC-109-2024

City Reference: 176096

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SUPPORT

OPPOSE

Comments:

ONLY ISSUE WOULD BE PARKING

Samuel B. McCutchan
Signature

6-29-2024
Date

SAMUEL B MC CUTCHAN
Printed Name and Title

406 E. UNIVERSITY AVE
Address



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-109-2024

MC CUTCHAN SAMUEL B
406 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-1710

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Case Number: ZDC-109-2024

City Reference: 176095

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SUPPORT

OPPOSE

Comments:

ONLY ISSUE WOULD BE PARKING

Samuel B. Mc Cutchan
Signature

6-29-2024
Date

SAMUEL B. Mc CUTCHAN
Printed Name and Title

406 E. UNIVERSITY AVE
Address



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-109-2024

RECEIVED JUN 27 2024

FOX ROBERTA K & JAMES A
327 UNIVERSITY
WAXAHACHIE, TX 75165-2351

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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Staff: Zack King

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Case Number: ZDC-109-2024

City Reference: 176223

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

It really doesn't affect us much if at all. The triplex across from us is much worse to deal with.


Signature

Roberta Foy
Printed Name and Title

06-26-24
Date

327 University Ave.
Address



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-109-2024

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED JUL 0 1 2024

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Case Number: ZDC-109-2024

City Reference: 176215


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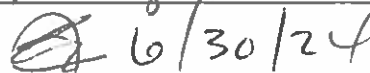
SUPPORT

OPPOSE

Comments:

Not enough quality hotels in town.
She has done a good job with mgmt. of this property


Signature


Date

Brad Yates member
Printed Name and Title

321 University
Address

Case Number: ZDC-109-2024

City Reference: 176216

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 3, 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

RECEIVED JUL 02 2024

Comments:

Charlie Foster

Signature

6-22-24

Date

CHARLIE FOSTER (OWNER 317 UNIVERSITY)

Printed Name and Title

1704 TURTLE POINT DR.

Address

WAXAHACHIE DE SOTO, TX 75115

(18)

(19)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 330 E UNIVERSITY AVENUE, BEING PROPERTY ID 176172, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOTS 1 & 2, BLOCK 4 OF THE UNIVERSITY REVISION ADDITION, 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-2; 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-109-2024. 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-2 to SF-2, with a SUP in order to permit a Short-Term Rental use on the following property: Lots 1 & 2, Block 4 of the University Revision Addition, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Site Plan attached as Exhibit D, and the Host Rules attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A SINGLE-FAMILY-2 (SF-2) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-109-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D – Site Plan, and Exhibit E – Host Rules.
3. The Applicant and/or STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The Applicant and/or STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City’s vendor.
6. The owner/short-term rental operator is subject to a maximum occupancy of ten (10) guests per stay.
7. The short-term rental operator is subject to provide a maximum of five (5) off-street parking spaces.

(19)

8. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
9. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
10. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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 15th day of July, 2024.

MAYOR

ATTEST:

City Secretary

Exhibit A - Location Map

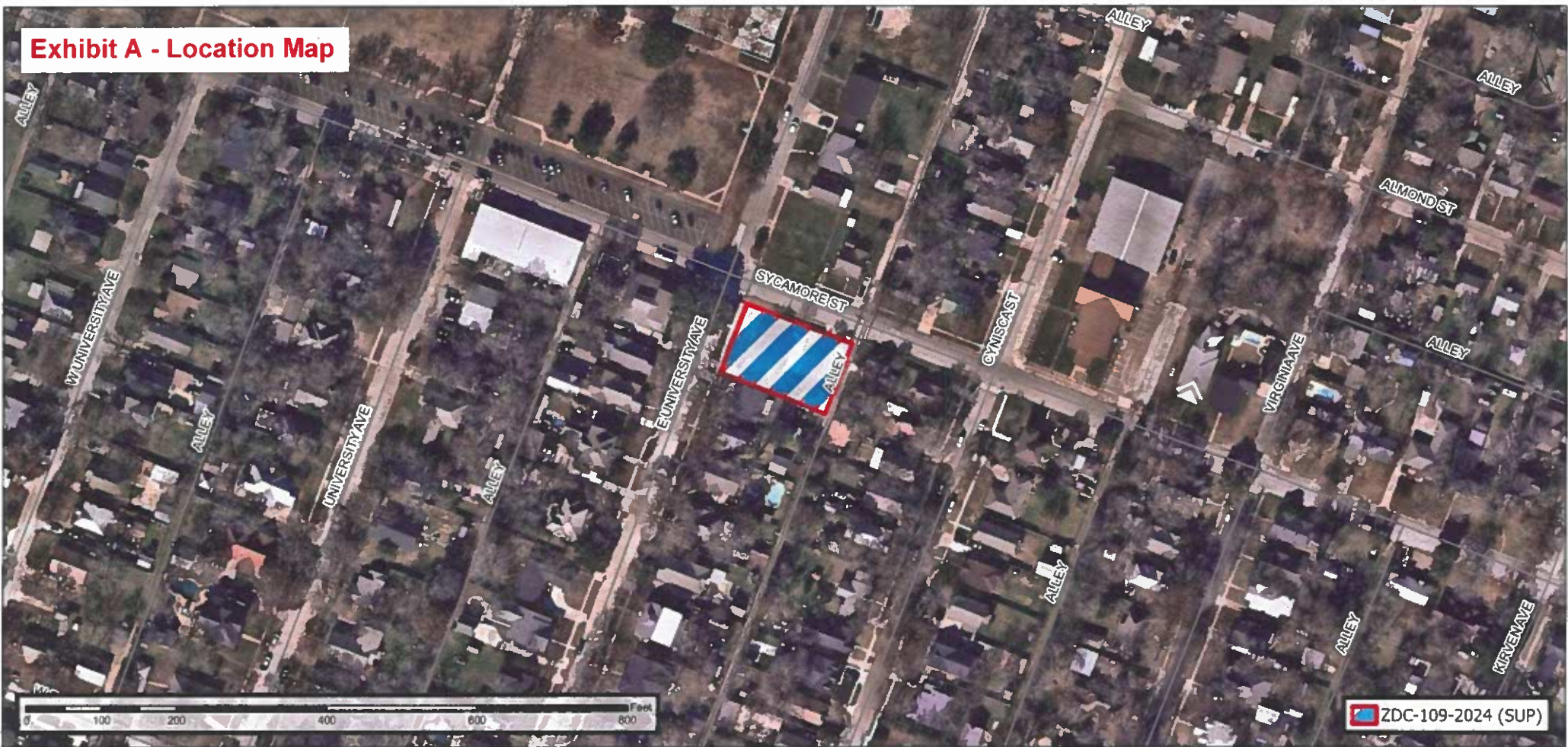
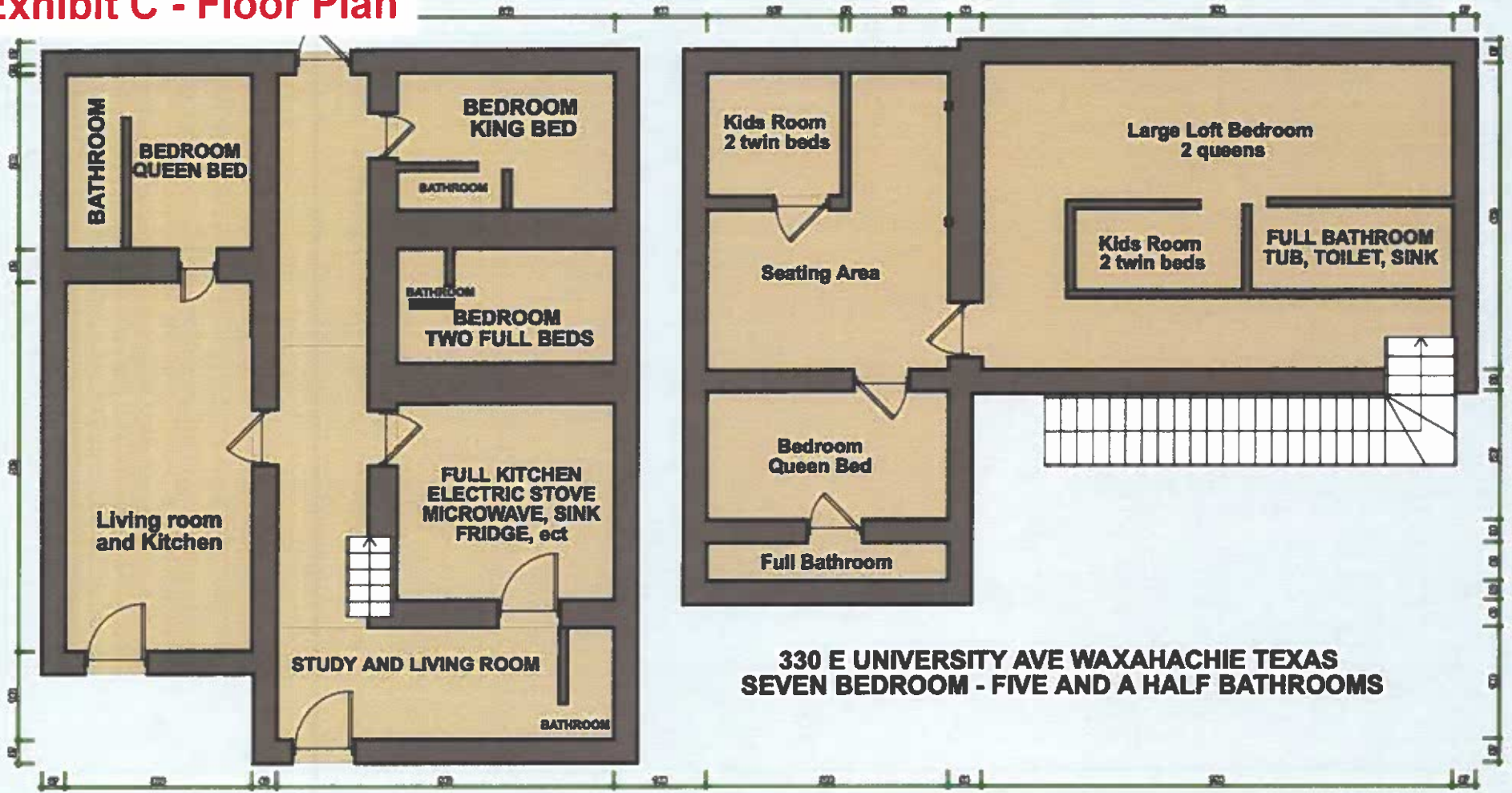


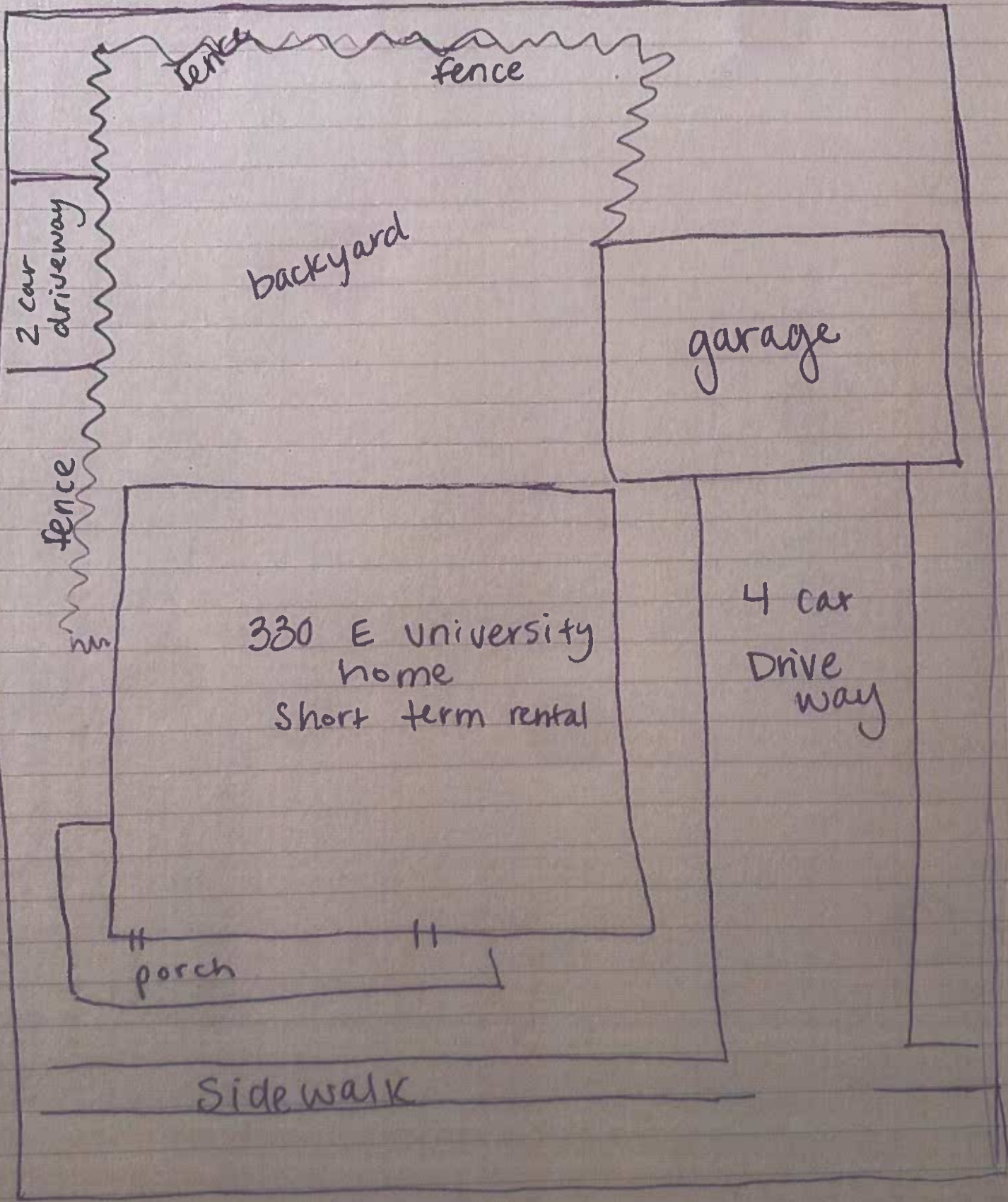
Exhibit B - Zoning Map



	ZDC-109-2024 (SUP)
	SUP
	2F
	GR
	PD-GR
	SF-2

Exhibit C - Floor Plan





Welcome Guide

Enjoy your trip in gingerbread city!



Welcome to The Prairie House!

Address: 330 E University Ave Waxahachie, TX 75165

Door Code: the last 4 digits of your phone number

We are very proud of our home and neighborhood and strive to be a great addition to our community. Please be respectful and courteous to our neighbors. Close contact is kept with neighbors to ensure they feel safe and comfortable with our short term rental. We strive to create a sense of home away from home for each of our guests and allow them to fully experience the city of Historic Waxahachie.

If you have any questions or concerns, please contact us (Gabrielle and Jesse) directly via phone at 972-697-7664. We are just one street over and are on call during your stay! Don't hesitate to reach out if you need anything!



About Your Hosts



Jeff Calvery

I am the proud owner of the Myrtle House and am delighted that you have chosen to stay in the home. I am the proud business owner of CRS cabinets since the year 2000. My passion is investing and growing my community. Waxahachie is a community filled with small business, beautiful homes, and amazing community events. I hope you find yourself at home and enjoy your stay!

Partnering with Jesse and Gabrielle Tranel (My Daughter and Son in law) to provide concierge hosting services to the Myrtle House guests has

enhanced the hospitality factor exponentially! You will love them! So... Welcome. We hope you can escape from the hustle of the world a bit, enjoy the house, explore the area.



Gabrielle and Jesse Tranel

Gabrielle and Jesse are our property managers and will be your main source of contact during your stay. They are a short walk away so don't hesitate to call or text with any questions or concerns. Gabrielle and Jesse have a passion for hospitality and Waxahachie! We want our guests to feel at home and comfortable while they explore and discover this historic gingerbread town.

Inside The Property

Please make yourselves at home! Have a look through the cupboards to familiarize yourself with the contents of the property. The property should be spotless with clean bedding on the beds and clean towels in the cupboards. If you find anything to not be to your satisfaction, please inform us within the first 24-hours of arriving at the property.



WiFi - Internet

SSID: SpectrumSetup-48

Password: scaryhat808

ENJOY THE INCLUDED HULU ACCOUNTT



Security & Doors

The front door has a coded lock. Your host will message you the code on the day of check in. This code should be the last 4 of the phone number used to book the property. Please keep this code handy because the door can lock automatically! If at any point in time you do not feel safe please call us at 972-697-7664 (Gabrielle) or 214-587-7604 (Jesse). If it is an emergency please call 911 directly.



Kitchen

The kitchen is fully stocked with dishes, cookware, and a coffee set. Everything can be found in cabinets surrounding the sink and oven. For your convenience we have a coffee machine with coffee essentials located on the kitchen counter.



Bedrooms

In each bedroom you will find a made bed with clean sheets and folded clean towels on the bed. If extra bedding or towels are needed please reach out to Gabrielle at 972-697-7664 for additional supplies.



Dining Room/Living Room

The living room TV has complimentary streaming services and wifi. Feel free to log into any personal accounts during your stay. Please log out of your personal accounts upon check out. Enjoy the home's board games, located in the entry table in the dining room.



Bathroom

We have provided sets of towels for each guest to use on your bed. When you depart please place any used towels inside the bathtubs. Each full bathroom contains shampoo, conditioner, body wash, and lotion for each guest. Please take caution getting in and out of showers and tubs. If a shower chair is needed please call Gabrielle at 972-697-7664 and one will be provided for you.



Smoking

Please do not smoke inside the home. Smoking or any use of illegal substances is strictly prohibited. If violated you will be asked to leave the property immediately with no refund.



Parking

Parking is only allowed in the home's driveway. Only 5 cars are permitted to be parked at the airbnb at any given time. No on street parking is permitted. Please do not park in front of any neighbors home or block any driveways. Thank you for understanding.



House Rules

The house has a maximum of 10 guests. If additional dinner guests or local family are visiting please advise the host. All Parties and Events are strictly prohibited on the property. If an event or party is held on the property you will be asked to leave the property immediately with no refund. Quiet hour is 10 pm to respect our neighbors sleep schedule. No pets allowed on premises unless special permission is granted by the host.



Heating & Air Conditioning

The property has central heating and air conditioning located in the hall. Please do not set meters below 70 degrees for air or above 70 degrees for heat to avoid freezing or overheating of the unit. Thank you for understanding. Please contact Gabrielle at 972-697-7664 if additional fans or space heaters are needed.



Trash / Recycling

Garbage can be disposed of in the trash bins located on the side of the home in the driveway. The GREEN trash bin is for trash only. The BLUE trash bin is for recycling only.



Check out

**We hope you enjoyed your stay!
Feel free to sign our guest book!**

Check out instructions:

- 1. Place all used sheets and pillow cases in provided laundry baskets or leave used beds unmade.**
- 2. Place dirty dishes in the sink.**
- 3. Place dirty towels in the bathtubs.**
- 4. Place all trash in GREEN trash bins on the side of the home.**
- 5. Log out of personal streaming services.**
- 6. Don't forget to double check for any left behind belongings!**

**Let me know if you have any recommendations on how we can improve.
We also appreciate any reviews.**

Thank you for booking with us.

Contact:

Gabrielle and Jesse Tranel

Contact Number: (972) 697-7664 or (214) 587-7604

The Neighborhood



Supermarkets

Local supermarkets include:

- **H-E-B**
 - **Address:** 800 N Hwy 77, Waxahachie, TX 75165
 - **Open everyday-** 6:00 am - 11:00 pm
- **Local farmers market**
 - **Address:** 701 Howard Road Waxahachie, TX 75165
 - **Open Saturdays-** 8:00 am - 12:00 pm



Local Restaurants & Bars

- **Farmluck**
 - **Address:** 109 W. Franklin St. #119, Waxahachie 75165
 - **Cuisines:** Sandwiches, Salads, Ice Cream Parlor
 - **Cost for two:** \$25
 - **Hours:** Monday-Saturday 11AM-9PM, Sunday 11AM-3PM
- **Pop's Burger Stand**
 - **Address:** 107 S Monroe St., Waxahachie 75165
 - **Cuisines:** Burgers
 - **Cost for two:** \$20
 - **Hours:** Monday-Friday 11AM-8PM, Sunday 11AM-3PM
- **Branded Burger**
 - **Address:** 2801 N. Hwy 77, Ste 150, Waxahachie 75165
 - **Cuisines:** Burgers
 - **Cost for two:** \$25
 - **Hours:** Monday- Saturday 11AM-9PM, Sunday 11AM-4 PM
- **Prime 115**
 - **Address:** 114 S Rogers St, Waxahachie, TX 75165
 - **Cuisines:** Steak House
 - **Cost for two:** \$100
 - **Hours:** Tues-Sat 11AM-10PM, Sunday 11AM-3PM, Mon. Closed
- **Two Amigos Taqueria**

Exhibit E - Host Rules

(19)

- Address: 241 S Monroe St, Waxahachie, TX 75165
- Cuisines: Mexican
- Cost for two: \$25
- Hours: Mon-Sat: 7AM-9PM, Sun 8AM-3PM
- **Campuzano**
 - Address: 2167 N Highway 77, Waxahachie 75165
 - Cuisines: Mexican
 - Cost for two: \$40
 - Hours: Sunday-Thursday: 11AM- 9PM, Friday-Saturday: 11AM-10PM
- **Straight From Philly**
 - Address: 110 E Main Street, Waxahachie 75165
 - Cuisines: Fast Food, Sandwich
 - Cost for two: \$25
 - Hours: Mon-Thurs 10:30AM-5PM, Friday-Sat: 10:30AM-7pm, Sun- Closed
- **Tomato's**
 - Address: 619 Ferris Ave., Waxahachie 75165
 - Cuisines: Italian, Mexican
 - Cost for two: \$25
 - Hours: Mon-Sun 11AM-10PM
- **College Street Pub**
 - Address: 210 N College St, Waxahachie 75165
 - Cuisines: British, Bar Food
 - Cost for two: \$25
 - Hours: Mon-Thurs 11AM-10PM, Fri-Sat 11AM-12AM, Sun Closed
- **Oma's Jiffy Burger**
 - Address: 403 Water Street, Waxahachie 75165
 - Cuisines: Burger
 - Cost for two: \$25
 - Hours: Monday-Saturday 7AM-3PM, Sunday Closed
- **The Dove's Nest**
 - Address: 105 W Jefferson St, Waxahachie 75165
 - Cuisines: American, Healthy Food
 - Cost for two: \$55
 - Hours: Mon-Sat 11AM-2PM, Sunday Closed



Local Attractions

- **Historic CourtHouse** located in the center of **Downtown Square**
- **Vita Coffee House, White Rhino Coffee, and Fresh Market Coffee**
- **Jordan E's Popcorn and Candy**
- **Paper Leaves Bookstore and Plant Shop**
- **Antique shopping in downtown Waxahachie**
 - **Atelier Antiques**
 - **With Willing Hands**
- **Blume (boutique clothing)**
- **The Arcade - 100 N College St.**
- **Urban Air Trampoline Park**
- **Getzendaner park**
- **Lake Waxahachie**
- **Golf - Waxahachie Country Club**



Public Transportation

- **Greyhound: Bus Station**
 - **Address: 3300 S Interstate 35 East Service Rd, Waxahachie, TX 75165**
 - **Hours: Everyday 6AM–11PM**
 - **Phone: 972-937-4893**



Taxi

- **Dallas Yellow Cab**
 - **Waxahachie, TX**
 - **Phone: 214.426.6262**
- **Uber/Lyft**
 - **Cell Phone App**

Emergency Information



Hospital

Nearest hospital: Baylor Scott & White Medical Center- Waxahachie
Address: 2400 N, I-35E, Waxahachie, TX 75165
Phone: 469-843-4000



Police

Waxahachie Police Department
Address: 630 Farley St, Waxahachie, TX 75165
Phone: 469-309-4400 (non-emergency line)
Emergency Line: 911



Doctors

Baylor Scott & White Medical Center- Waxahachie
Address: 2400 N, I-35E, Waxahachie, TX 75165
Phone: 469-843-4000



Emergency Contact

Please call 911 for all emergencies.
A first aid kit is located in the kitchen cabinet.
A fire extinguisher is located under the sink in the kitchen.

If you have a non-emergency but need assistance please call your hosts Gabrielle at 972-697-7664 or Jesse 214-587-7604. A first aid kit and fire hydrant is located in the kitchen below the sink if needed.

WE HOPE YOU ENJOY YOUR STAY WITH US!

(20)

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-110-2024

MEETING DATE(S)

Planning & Zoning Commission: July 8, 2024
City Council: July 15, 2024

CAPTION

Public Hearing on a request by Manuel Vera Jr., for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 (SF-2) zoning district located at 306 Floyd Street (Property ID 174707) - Owner: Vera Construction LLC (ZDC-110-2024)

RECOMMENDED MOTIONS

- "I move to deny ZDC-110-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."
- "I move to approve ZDC-110-2024, 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."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on July 8, 2024, the Commission voted 4-1 to recommend approval of case number ZDC-110-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 306 Floyd Street.

CASE INFORMATION

Applicant: Manuel Vera Jr.

Property Owner(s): Vera Construction LLC

Site Acreage: 0.173 acres

Current Zoning: Single Family-2 (SF-2)

Requested Zoning: SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 306 Floyd Street

Parcel ID Number(s): 174707

Existing Use: A single-family home currently occupies the subject property.

Development History: The subject property is platted as Lot 7 of the Lexington addition.

(20)

Adjoining Zoning & Uses:

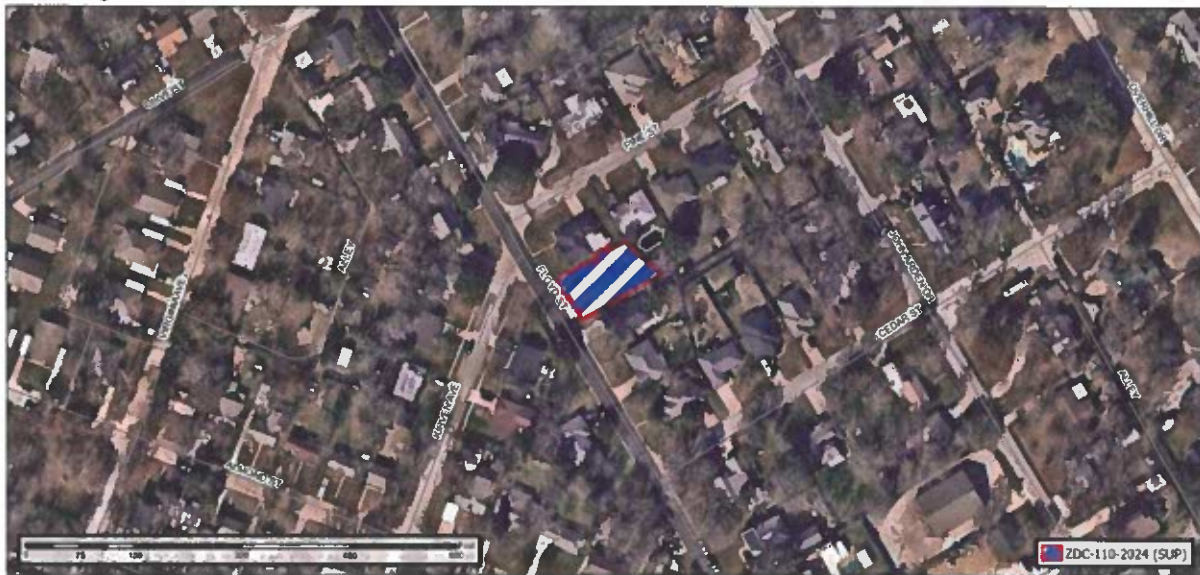
Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

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 placetype, 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 Floyd 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 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.

Planning Analysis (continued):

The Applicant is requesting a SUP for a short-term rental use located at 306 Floyd Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 2,067 square feet in size with three (3) bedrooms. The site has sufficient parking to accommodate the maximum parking requirement of three (3) vehicles. The home is situated on an approximately 0.173-acre (7,536 square foot) lot.

The applicant submitted this SUP Application on May 22, 2024. The applicant has been operating a short-term rental since September 1, 2023, and has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the property and its current use in the past 12 months.

The local emergency contact provided by the applicant is Rebeca Vera (469-261-4440), 511 W 2nd Street Waxahachie, TX. 75165, beca831@yahoo.com, located 0.6 miles 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, 77 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 nine (9) letters of opposition and five (5) letters of support were received by staff, with one (1) letter of opposition and three (3) letters of support 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 eight (8) guests per stay.
4. The short-term rental operator shall provide a maximum of three (3) 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.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

ATTACHED EXHIBITS

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

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP

Senior Planner

zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(20)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2024

COLSTON LINDA R
302 FLOYD ST
WAXAHACHIE, TX 75165-1814

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Manuel Vera Jr., for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 306 Floyd Street (Property ID 174707) - Owner: Vera Construction LLC (ZDC-110-2024) Staff: Zack King

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-110-2024

City Reference: 174705

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 3, 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:

None

Linda Colston
Signature

6-27-24
Date

Linda Colston
Printed Name and Title

302 Floyd St
Address
City

(20)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2024

MURPHY ANDREW G & VERITY
503 Kirven Ave
Waxahachie, TX 75165-1831

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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Case Number: ZDC-110-2024

City Reference: 175324

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

We feel as though this property being a short-term rental property decreases safety in our neighborhood & increases the risk of harm to its residents.

Verity Murphy
Signature

6/26/24
Date

Verity Murphy Homeowner
Printed Name and Title

503 Kirven Ave Waxahachie, TX
Address

75165

Case Number: ZDC-110-2024

City Reference: 176447

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 3, 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:

BRINGS IN UNDESIRABLES TO THE NEIGHBORHOOD,
LOWERS PROPERTY VALUES

Gerald McCleendon

Signature

6/23/24

Date

GERALD McCLENDON

Printed Name and Title

208 OLIVE ST.

Address

SON OF PATRICIA
McCLENDON (90 YEARS OLD)
AT 208 OLIVE ST.

RECEIVED JUN 28 2024
VIA MAIL - OVV

(20)

(20)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2024

RECEIVED JUN 27 2024

MERRELL LESLIE P & DIANA
1006 SE CR 2210
CORSICANA, TX 75109

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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Case Number: ZDC-110-2024

City Reference: 176441

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

I Oppose Short term Rental in the neighborhood.

Paul Merrell
Signature

6-22-24
Date

Paul Merrell - Owner
Printed Name and Title

1104 SE CR 2210
Address
Corsicana, TX 75109

Case Number: ZDC-110-2024

City Reference: 176424

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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.

RECEIVED JUL 01 2024

SUPPORT

OPPOSE

Comments:

A Rental is fine, but not short-term; as TX Real Estate Statutes do not apply to Hospitality Housing. — PLEASE PROTECT OUR NEIGHBORHOOD.

Signature

Eric English

Printed Name and Title

Date

6/24/24

Address

203 Almond
cc 1013 Adams Rd
WAXAH

(20)

Case Number: ZDC-110-2024

City Reference: 175332

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 3, 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.

RECEIVED JUL 0 12024

SUPPORT

OPPOSE

Comments:

It is appropriate location for Street Tera Rental
DR with Rental AS it is GOVERNED by TX RPT

Signature

Vicki Sims ENGLISH

Printed Name and Title

Date

6/24/24 extra commission

Address

1013 Adams Rd
WARD
Also at 405 FLOYD

(20)

(20)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2024

RECEIVED JUL 0 12024

WAXAHACHIE MASONIC LODGE #90 AF & AM
PO BOX 673
WAXAHACHIE, TX 75168-0673

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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Case Number: ZDC-110-2024

City Reference: 198318

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Signature

J.V. Cooper Jr, Secretary
Printed Name and Title

Date

06.25.24
308 JOHN ARDEN DRIVE
Address

(20)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2024

RECEIVED JUL 01 2024

PROPERTY OWNER
407 FLOYD ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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Case Number: ZDC-110-2024

City Reference: 175331

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Too many rental properties in area. Short term Rentals can easily become nuisance

Edgar Santiago-Gonzalez
Signature

07/01/2024
Date

Edgar Santiago-Gonzalez
Printed Name and Title
(Home Owner)

407 Floyd St. Waxahachie, TX 75165
Address

(20)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2024

MOORE DEBRA A
108 Almond St
Waxahachie, TX 75165-1802

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Manuel Vera Jr., for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 306 Floyd Street (Property ID 174707) - Owner: Vera Construction LLC (ZDC-110-2024) Staff: Zack King

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-110-2024

City Reference: 176510

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Limit number of cars.
No street parking... roads can get tight!

Debra A Moore
Signature

7/2/2024
Date

Debra A Moore - owner
Printed Name and Title

108 Almond ST
Address

(20)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-110-2024**

ARNSPIGER ANDREW W & SAMANTHA G
204 Floyd St
Waxahachie, TX 75165-1812

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Manuel Vera Jr., for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 306 Floyd Street (Property ID 174707) - Owner: Vera Construction LLC (ZDC-110-2024) Staff: Zack King

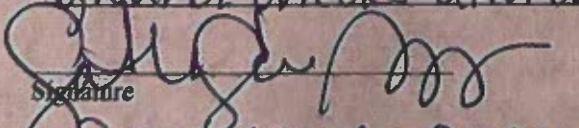
You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion 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-110-2024** City Reference: 176452

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:
Short-term rentals usually ~~require~~ do not require
ground checks and could attract criminals in a
neighborhood with children!


Signature
Samantha Arnspiger.
Printed Name and Title
Mrs.

11/24/24
Date
204 Floyd St.
Address

(20)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2024



VERA DAVEY M & SPENCER M SHORT
304 FLOYD ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Manuel Vera Jr., for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 306 Floyd Street (Property ID 174707) - Owner: Vera Construction LLC (ZDC-110-2024) Staff: Zack King

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-110-2024

City Reference: 174706

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Signature

6/24/2024
Date

Davey Vera and Spencer Short
Printed Name and Title

304 Floyd St
Address

(20)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2024



RECEIVED JUL 0 2 2024

ROWELL CHARLES L
513 JOHN ARDEN DR
WAXAHACHIE, TX 75165-1827

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Manuel Vera Jr., for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 306 Floyd Street (Property ID 174707) - Owner: Vera Construction LLC (ZDC-110-2024) Staff: Zack King

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-110-2024

City Reference: 176450

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

unable to attend

Charles L Rowell

Signature

6-27-24

Date

Charles L Rowell

Printed Name and Title

513 John Arden

Address

(20)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2024



RECEIVED JUL 03 2024

POARCH PROPERTIES LLC
103 E UNIVERSITY
WAXAHACHIE, TX 75165-2353

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Manuel Vera Jr., for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 306 Floyd Street (Property ID 174707) - Owner: Vera Construction LLC (ZDC-110-2024) Staff: Zack King

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-110-2024

City Reference: 176508

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Signature
Manuel Vera Jr. - owner
Printed Name and Title

6-23-24
Date
103 E. University
Address

(20)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2024

VERA CONSTRUCTION LLC
306 Floyd St
Waxahachie, TX 75165-1814

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Manuel Vera Jr., for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 306 Floyd Street (Property ID 174707) - Owner: Vera Construction LLC (ZDC-110-2024) Staff: Zack King

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) 309-4250 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: ZDC-110-2024

City Reference: 174707

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 3, 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:

No complaints. Property is kept clean

Rebecca Vera
Signature

7-1-24
Date

Rebecca Vera
Printed Name and Title

306 Floyd St.
Address

(21)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 306 FLOYD STREET, BEING PROPERTY ID 174707, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 7 OF THE LEXINGTON ADDITION, 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-2; 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-110-2024. 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-2 to SF-2, with a SUP in order to permit a Short-Term Rental use on the following property: Lot 7 of the Lexington Addition, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Site Plan attached as Exhibit D, and the Host Rules attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

(21)

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A SINGLE-FAMILY-2 (SF-2) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-1110-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D – Site Plan, and Exhibit E – Host Rules.
3. The Applicant and/or STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The Applicant and/or STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City’s vendor.
6. The owner/short-term rental operator is subject to a maximum occupancy of eight (8) guests per stay.
7. The short-term rental operator is subject to provide a maximum of three (3) off-street parking spaces.

(21)

8. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
9. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
10. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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 15th day of July, 2024.

MAYOR

ATTEST:

City Secretary

Exhibit A - Location Map

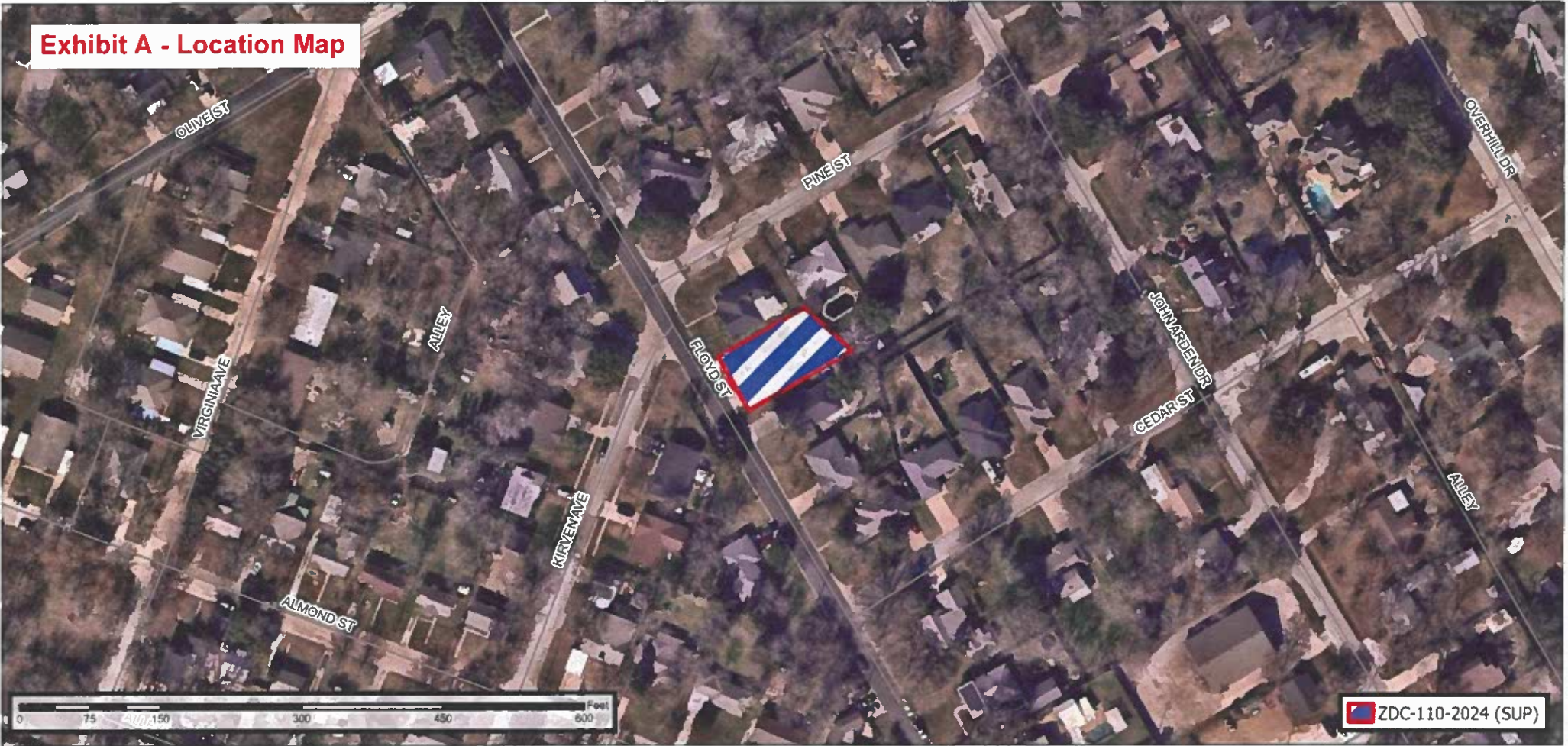


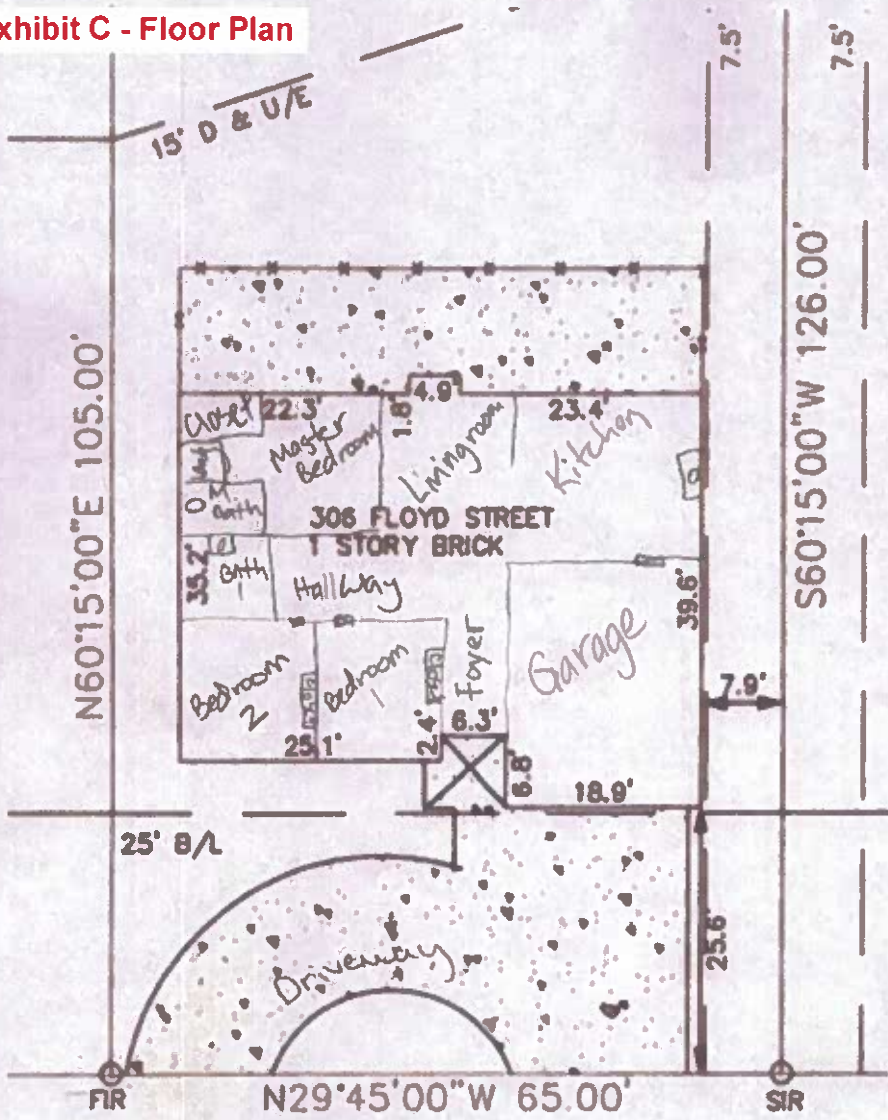
Exhibit B - Zoning Map



(21)

Exhibit C - Floor Plan

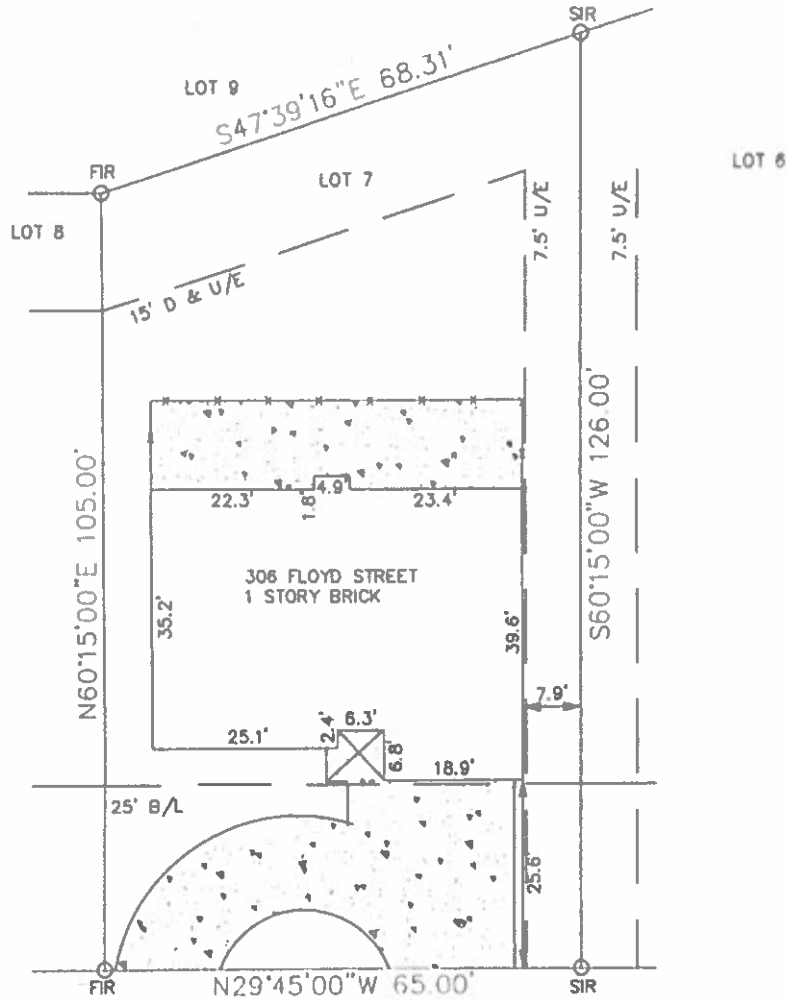
(21)



SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:
 THIS IS TO CERTIFY THAT I HAVE THIS DATE MADE A CAREFUL AND ACCURATE SURVEY
 ON THE GROUND OF PROPERTY LOCATED AT 306 FLOYD STREET, IN THE CITY OF WAXAHACHIE,
 TEXAS, HEREIN DESCRIBED AS FOLLOWS:

LOT 7,
 OF LEXINGTON SQUARE,
 AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
 ACCORDING TO THE PLAT THEREOF RECORDED IN
 CABINET B, SLIDE 285, OF THE PLAT RECORDS
 OF ELLIS COUNTY, TEXAS.

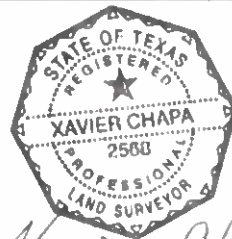


- NOTES:
 FIP - FOUND IRON PIPE
 FIR - FOUND IRON ROD
 CONC - CONCRETE
 S/W - SIDEWALK
 D/W - DRIVE WAY
 B/L - BUILDING SET BACK LINE

FLOYD STREET
 (50' R.O.W.)

TO COMMONWEALTH LAND TITLE COMPANY OF DALLAS
 THE PLAT HEREON IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF
 THE PROPERTY AS DETERMINED BY SURVEY, THE LINES AND DIMENSIONS OF
 SAID PROPERTY BEING, AS INDICATED BY THE PLAT; THE SIZE, LOCATION AND
 TYPE OF BUILDING, AND IMPROVEMENTS, ARE SHOWN, ALL IMPROVEMENTS BEING
 WITHIN THE BOUNDARIES OF THE PROPERTY SETBACK FROM THE PROPERTY LINES
 THE DISTANCES INDICATED, AS SHOWN ON SAID PLAT.
 THERE ARE NO ENCROACHMENTS OR PROTRUSIONS EXCEPT AS SHOWN.

SELLER:
 BRENDA ALLEN CORRELL KARA CORRELL
 BUYER:
 RODOLFO VILLARREAL AND WIFE, GUADALUPE VILLARREAL



Xavier Chapa

SCALE 1"=20'
 DATE OF SURVEY: 10-13-00
 GF NO 0011975WX
 JOB NUMBER 201633S

THIS PROPERTY IS LOCATED IN AN AREA
 WITHIN ZONE X, OUTSIDE THE 100-YEAR
 FLOOD PLAIN, ACCORDING TO THE
 FLOOD INSURANCE RATE MAP FOR THE
 CITY OF WAXAHACHIE, MAP NUMBER
 480211 0020 C. DATED 7-16-91.

XCES
 Xavier Chapa Engineering/surveying
 P.O. Box 153128
 Irving, Texas 75015



Manuel Vera <manuel@veraroofigandconstruction.com>

Floyd

1 message

Manuel Vera <mvera6@att.net>

Wed, Jun 5, 2024 at 9:30 AM

To: Manuel Vera <manuel@veraroofigandconstruction.com>

PROPERTY ADDRESS:

- 308 Floyd Waxahachie, Tx 75165

GUEST CONTACT:

- Rebeca, 1.489.261.4440

beca831@yahoo.com

- Please contact your guest contact(s) with any questions or concerns you may have before or during your stay

CHECK-IN INSTRUCTIONS:

- Check in after 3:00 PM

- The home is accessible via keyless entry. The code is

- Please inform the Guest Contact of any problems or concerns upon arrival, so we can work to address these immediately

CHECK-OUT INSTRUCTIONS:

- Check out before 10:00 AM

- Prior to your departure, please tidy up the unit by doing the following:

- Remove all perishable items

- Take out the trash

- Wash and put away all used dishes

- Strip all used linens from beds and place in a pile

- Turn off all lights, electronics, and appliances

- Close and lock all windows and doors

- Additional fees will be imposed if the unit is found in an unsatisfactory condition, so please return it to the condition in which you found it

HOUSE RULES:

- No smoking

- No pets allowed

- No events, parties, or large gatherings

- Must be at least 25 years old to book

- Please report any damages that occur to both the Guest Contact and Evolve

INTERNET INSTRUCTIONS:

- Instructions for connecting to the wireless internet network can be found inside the unit upon arrival

PARKING:

- 2 vehicles can be parked in the driveway

(22)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-121-2024



MEETING DATE(S)

Planning & Zoning Commission: July 8, 2024
City Council: July 15, 2024

CAPTION

Public Hearing on a request by Kassie Pierce, Odyssey Oasis LLC, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 (SF-2) zoning district located at 207 Cumberland Road (Property ID 172283) - Owner: Clayton McBride & Carmen McBride (ZDC-121-2024)

RECOMMENDED MOTIONS

- "I move to deny ZDC-121-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."
- "I move to approve ZDC-121-2024, 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."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on July 8, 2024, the Commission voted 4-1 to recommend approval of case number ZDC-121-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 207 Cumberland Road.

CASE INFORMATION

Applicant: Kassie Pierce, Odyssey Oasis LLC

Property Owner(s): Clayton McBride & Carmen McBride

Site Acreage: 0.214 acres

Current Zoning: Single Family-2 (SF-2)

Requested Zoning: SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 207 Cumberland Road

Parcel ID Number(s): 172283

Existing Use: A single-family home currently occupies the subject property.

Development History: The subject property is platted as Lot 24, Block 7 of the Bellevue addition.

Adjoining Zoning & Uses:

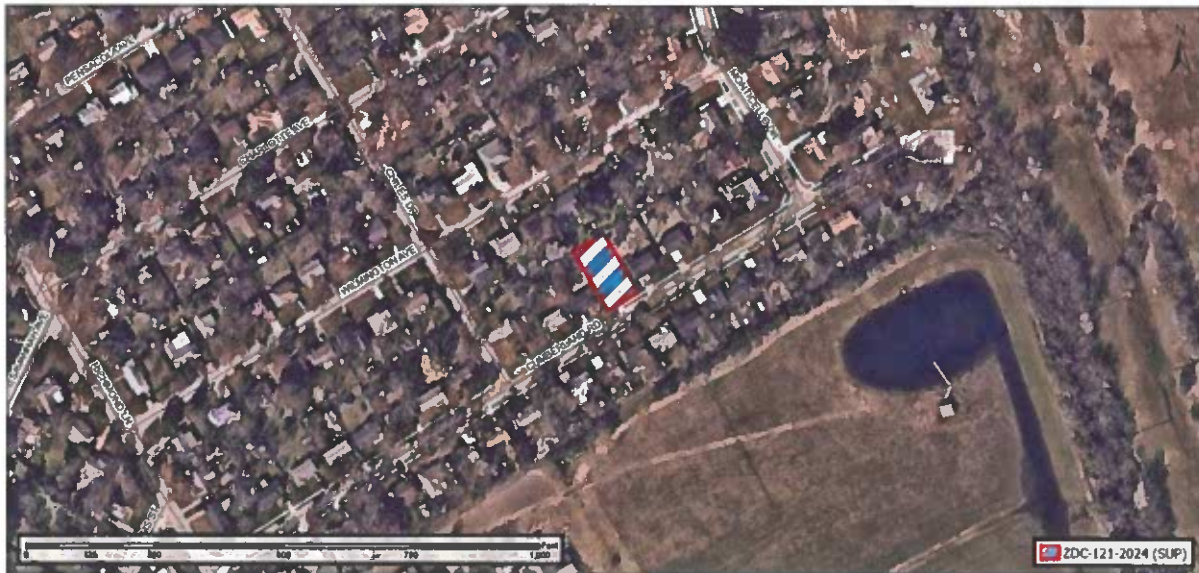
Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

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 placetype, 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 Cumberland Road.

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 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.

(22)

Planning Analysis (continued):

The Applicant is requesting a SUP for a short-term rental use located at 207 Cumberland Road because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,365 square feet in size with three (3) bedrooms. The site has sufficient parking to accommodate the maximum parking requirement of three (3) vehicles. The home is situated on an approximately 0.214-acre (9,322 square foot) lot.

The applicant submitted this SUP Application on May 30, 2024. The applicant is the operator of three (3) STR's in downtown Waxahachie that have already been registered with the City. The applicant has been operating a short-term rental on the subject property since approximately July 12, 2023, and has been paying local hotel occupancy taxes since October of 2023. The applicant has noted that the property had been used as an STR by a previous operator since September 1, 2021. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead.

At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance. During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the property and its current use in the past 12 months.

The local emergency contact provided by the applicant is Kassie Pierce (903-316-8176), 407 Maumee Road, Waxahachie, TX. 75165, kassiepiercetxrealtor@gmail.com, located 8.4 miles from the property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 82 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 eight (8) letters of opposition and two (2) letters of support were received by staff, with three (3) letters of opposition and one (1) letter of support 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 eight (8) guests per stay.
4. The short-term rental operator shall provide a maximum of three (3) 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.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Applicant Letter
3. HOT Tax Receipts
4. SUP Ordinance
5. Location Map (Exhibit A)
6. Zoning Map (Exhibit B)
7. Floorplan (Exhibit C)
8. Site Plan (Exhibit D)
9. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP

Senior Planner

zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(22)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-121-2024

AUTREY DUSTY
200 S ELM ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Kassie Pierce, Odyssey Oasis LLC, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 207 Cumberland Road (Property ID 172283) - Owner: Clayton McBride & Carmen McBride (ZDC-121-2024)

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-121-2024

City Reference: 172208

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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.

Comments: SUPPORT OPPOSE

Signature *Dusty Autrey*

Date *6-24-24*

Printed Name and Title *Dusty Autrey - owner*

Address *200 S Elm Waxah
75165*

(22)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-121-2024**

AUTREY DUSTY
200 S ELM ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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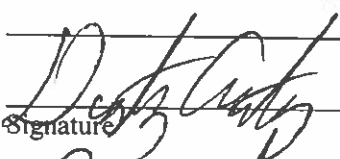
You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion 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-121-2024**

City Reference: 172223

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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.

Comments: SUPPORT OPPOSE


Signature

6-23-24
Date

Dusty Autrey - owner
Printed Name and Title

200 S Elm Wax TX
Address
75165

(22)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-121-2024**

WILSON SAMUEL D III
503 MONTICELLO DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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Case Number: **ZDC-121-2024**

City Reference: 172123

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

Samuel Wilson
Signature
Samuel Wilson
Printed Name and Title owner

6/25/24
Date
503 Monticello Dr.
Address

Case Number: ZDC-121-2024

City Reference: 270576

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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:

RECEIVED JUN 27 2024

Kellie Harris
Signature

6-27-24
Date

Kellie Harris
Printed Name and Title

114 Cumberland Rd. Waxahachie, Tx
Address
75165

(see)

Case Number: ZDC-121-2024

City Reference: 270576

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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

RECEIVED JUN 27 2024

Comments:

Justin A Harris
Signature

6/27/24
Date

Justin Harris
Printed Name and Title

114 Cumberland Rd Waxahachie, TX
Address

(22)

(22)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-121-2024**

JAYNES IVY A & JEFFERY C
212 CUMBERLAND RD
WAXAHACHIE, TX 75165

RECEIVED JUN 27 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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:

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Case Number: **ZDC-121-2024**

City Reference: 172258

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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 **No!**

Comments:

unknown people coming & going, upkeep of house,
lowers my property value.
Jaynes Jeffery C Jaynes

Signature Jaynes Jeffery Jaynes
Printed Name and Title Ivy & Jeffery Jaynes - OWNERS

Date 6/22/2024

Address 212 Cumberland Rd
Waxahachie, TX 75165

Case Number: ZDC-121-2024

City Reference: 172286

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 3, 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

RECEIVED JUL 02 2024

Comments:

Terry O'Daniel
Signature

06-22-2024
Date

TERRY O'DANIEL
Printed Name and Title
OWNER

212 WILMINGTON AVE.
Address

(22)

Case Number: ZDC-121-2024

City Reference: 172294

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 3, 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.

RECEIVED JUL 02 2024

SUPPORT

OPPOSE

Comments:

Richard J. Keller
Signature

6/26/2024
Date

Richard J. Keller
Printed Name and Title

208 Wilmington
Address

(22)

(22)

Venissat, Michelle

From: Beeker Express <beekerexpress@yahoo.com>
Sent: Monday, July 8, 2024 2:24 PM
To: Planning
Subject: ZDC-121-2024, ZDC-123-2024

Short-term rentals have increasingly disrupted the fabric of our neighborhood, which I have cherished and called home since 1993. These transient accommodations undermine community stability, as the frequent turnover of guests prevents the development of long-term relationships and a sense of trust among neighbors. The influx of short-term renters often leads to noise, increased traffic, and parking issues, detracting from the peaceful, residential character that originally drew many of us to the area. Additionally, the commercialization of housing units exacerbates the housing shortage, driving up property values and rents, making it more difficult for long-term residents and families to afford to stay. Preserving the integrity and continuity of our community necessitates limiting short-term rentals to ensure that our neighborhood remains a welcoming and stable environment for all.

Jeff W.

(22)

Venissat, Michelle

From: Maria Wesbrooks <maria.wesbrooks@yahoo.com>
Sent: Monday, July 8, 2024 2:30 PM
To: Planning
Subject: ZDC 121 2024 and zdc 123 2024

Opposing short term rentals

Short-term rentals in our neighborhood, where I've been a resident since 1986, are detrimental for several reasons. Firstly, they disrupt the sense of community and stability that long-term residents have built over decades. These transient visitors often lack a vested interest in maintaining the neighborhood's cleanliness, safety, and overall atmosphere. Secondly, the constant influx of strangers can lead to increased noise levels and security concerns, as the unfamiliar faces and frequent turnover can make it difficult to monitor suspicious activities. Additionally, the rise of short-term rentals often drives up property values and rental rates, making it harder for long-term residents to afford to live in their own community. This can result in the displacement of families and individuals who have been integral to the neighborhood's character and history. Overall, short-term rentals undermine the cohesion, safety, and affordability of our cherished neighborhood.

Maria
2.. Monticello

ODYSSEY OASIS, LLC

This is an application for a SUP for 207 Cumberland.

This is a SFH neighborhood with homes from the 1950's. The neighborhood is older and has many rental homes. Some homes have been rehabbed and some homes need to be rehabbed. The city did a wonderful job on the Cumberland Street project so the Cumberland street is beautifully lined with sidewalks and street light posts, which makes our STR really attractive. The home itself is a little over 1000 RSF. It has 3 bedrooms and 1 bathroom. It has a large wide driveway, which can house four cars. It also has a 1 car garage. It has a large fenced back yard as well. The home is well secured with security cameras at the front and back door. The guests are provided a smart door code the day of check-in and we can see when they check-in and check-out. We can also see when they lock and unlock the door. We also receive alerts on our phones when the cameras go on and off.

The only issue with the location is that the people who live on the street, park everywhere and the streets can become congested. They have trailers, boats, etc. which fill the streets, but of course we do not have these issues with our STR.

Our STR has been on AIRBNB since we took over. We have been on VRBO since October 2023 and as of May 2024, we are on Booking.com. We are SuperHosts and Premier Hosts on AIRBNB and VRBO. We have wonderful reviews on both platforms. Since we are new to Booking.com we have not received any reviews. We have attached our house rules, layout and other required documents. Most of our guests are from out of town or state. We like to promote local businesses, so when we are asked for places to eat or things to do, we refer people to the small businesses that make Waxahachie great. You can go to a lot of places and get Chili's, but there is only one Dove's Nest!

This STR was established on September 1, 2021 by another business. We purchased the business on July 12, 2023. We lease this home from the owners, who are well aware that it is an STR and then we arbitrage it out. Since we knew we would need to get an SUP, I have had the opportunity to speak with a couple of the neighbors, however not many. The neighbor at 209 Cumberland (Betty Woodruff-972-351-3098) stated she had no issue with the STR and has not had any complaints. She has been in her home since 1976. I spoke with the neighbor at 205 Cumberland and they are renting from a company. 206 Cumberland is also a long term renter and the home is owned by a company. I tried to speak to 208 Cumberland, but they did not answer. They have no soliciting on the door. Behind Cumberland street is a large parcel of land owned by Texas Baptist Homes and at the end of Cumberland Street is a large parcel owned by the City of Waxahachie.

My husband and I are invested in the city and believe that God has us here for a reason. I have shared that vision with some of the city council members, Shon Brooks, Doug Barns and the most recent Economic Development Director, and I know at some point, the vision I shared will become a reality!

Applicant Letter

(22)

ODYSSEY OASIS, LLC

My husband, I and our children have lived in Waxahachie since 2015. We came to Waxahachie because my husband was hired as a teacher/coach at Life Middle School. However, as of June he will be a proud member of the Waxahachie Police Department. I have been employed by the federal government for over 25 years, am a realtor and operate the STRs. We have two children, one is an EMT and works at Children's Hospital in Dallas and our son lives here and is currently going through the fire fighting application process with another city. We attend Freedom Fellowship International.

If you have any questions or concerns about this application or any of the STRs we manage or operate, please let us know.

Kassie and Michael Pierce

(22)



City of Waxahachie
Department of Finance

HOTEL OCCUPANCY TAX
HOTEL / MOTEL SUBMISSION REPORT

ESTABLISHMENT NAME	
Burrow -	
MAILING ADDRESS	REPORTING PERIOD (e.g., 1/1/2020 TO 1/30/2020)
407 Maumee Rd	10/16/23 TO 12/31/23
CITY STATE ZIP CODE	Check below if this is a final submission report and
Waxahachie TX 75165	Business sold _____ Business closed _____ Date _____ Date _____
See instructions for remitting payment on back of form.	Blacken this box if hotel information has changed. <input type="checkbox"/>

1.	TOTAL ROOM RECEIPTS		\$2505.32
2.	PERMANENT RESIDENTS ¹	\$0	
3.	GOVERNMENT EMPLOYEES ²	\$0	
4.	TOTAL DEDUCTIONS (= #2 + #3)		\$0
5.	TAXABLE RENTS (= #1 - #4)		\$2505.32
6.	HOTEL OCCUPANCY TAX - 7%		\$
7.	PENALTY ON LATE PAYMENT ³		\$0
8.	INTEREST ON LATE PAYMENT ³		\$
9.	TOTAL TAX, PENALTIES & INTEREST		\$175.37

¹Permanent Resident: Any occupant who has or shall have the right to occupancy of any room or rooms in a hotel for at least (30) consecutive days during the calendar year or preceding year.

²Government Employees: 1) Federal or State employees traveling on official business; 2) diplomatic personnel who present a Tax Exemption card issued by the United States Department of State; 3) Federal or State military personnel.

³5% penalty to be owed after 30 days of payment due date. 10% penalty to be owed after 60 days. Penalty shall never be less than \$100. Delinquent taxes shall draw interest at the rate of 10% per annum beginning 60 days after due date. See Ordinance No. 2270, Section 30-11.4.

I declare under the penalties prescribed in City Ordinance No. 2270, as may be amended, that the information contained in this document is true and correct to the best of my knowledge and belief.

OWNER/OPERATOR TITLE DATE
SIGNATURE 4/24/24

Payment must be received by the City of Waxahachie no later than thirty (30) days after the end of the reporting period.

Please also include a copy of the confirmation of your state report.

(22)



City of Waxahachie
Department of Finance

HOTEL OCCUPANCY TAX
HOTEL / MOTEL SUBMISSION REPORT

ESTABLISHMENT NAME	
Burrow -	
MAILING ADDRESS	REPORTING PERIOD (e.g., 1/1/2020 TO 1/30/2020)
407 Maumee Rd	01/01/24 TO 04/30/24
CITY STATE ZIP CODE	Check below if this is a final submission report and
Waxahachie TX 75165	Business sold _____ Business closed _____ Date _____ Date _____
See instructions for remitting payment on back of form.	Blacken this box if hotel information has changed. <input type="checkbox"/>

1.	TOTAL ROOM RECEIPTS		\$ 10384.05
2.	PERMANENT RESIDENTS ¹	\$ 0	
3.	GOVERNMENT EMPLOYEES ²	\$ 0	
4.	TOTAL DEDUCTIONS (= #2 + #3)		\$ 0
5.	TAXABLE RENTS (= #1 - #4)		\$ 10384.05
6.	HOTEL OCCUPANCY TAX - 7%		\$
7.	PENALTY ON LATE PAYMENT ³		\$ 0
8.	INTEREST ON LATE PAYMENT ³		\$
9.	TOTAL TAX, PENALTIES & INTEREST		\$ 726.88

¹Permanent Resident: Any occupant who has or shall have the right to occupancy of any room or rooms in a hotel for at least (30) consecutive days during the calendar year or preceding year.

²Government Employees: 1) Federal or State employees traveling on official business; 2) diplomatic personnel who present a Tax Exemption card issued by the United States Department of State; 3) Federal or State military personnel.

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I declare under the penalties prescribed in City Ordinance No. 2270, as may be amended, that the information contained in this document is true and correct to the best of my knowledge and belief.

OWNER/OPERATOR TITLE DATE
4/24/24

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Please also include a copy of the confirmation of your state report.

(23)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 207 CUMBERLAND ROAD, BEING PROPERTY ID 172283, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A PORTION OF LOTS 24, BLOCK 7 OF THE BELLE-VUE ADDITION, 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-2; 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-121-2024. 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-2 to SF-2, with a SUP in order to permit a Short-Term Rental use on the following property: a portion of Lots 24, Block 7 of the Belle-Vue Addition, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Site Plan attached as Exhibit D, and the Host Rules attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

(23)

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A SINGLE-FAMILY-2 (SF-2) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-121-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D – Site Plan, and Exhibit E – Host Rules.
3. The Applicant and/or STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The Applicant and/or STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City’s vendor.
6. The owner/short-term rental operator is subject to a maximum occupancy of eight (8) guests per stay.
7. The short-term rental operator is subject to provide a maximum of three (3) off-street parking spaces.

(23)

8. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
9. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
10. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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.

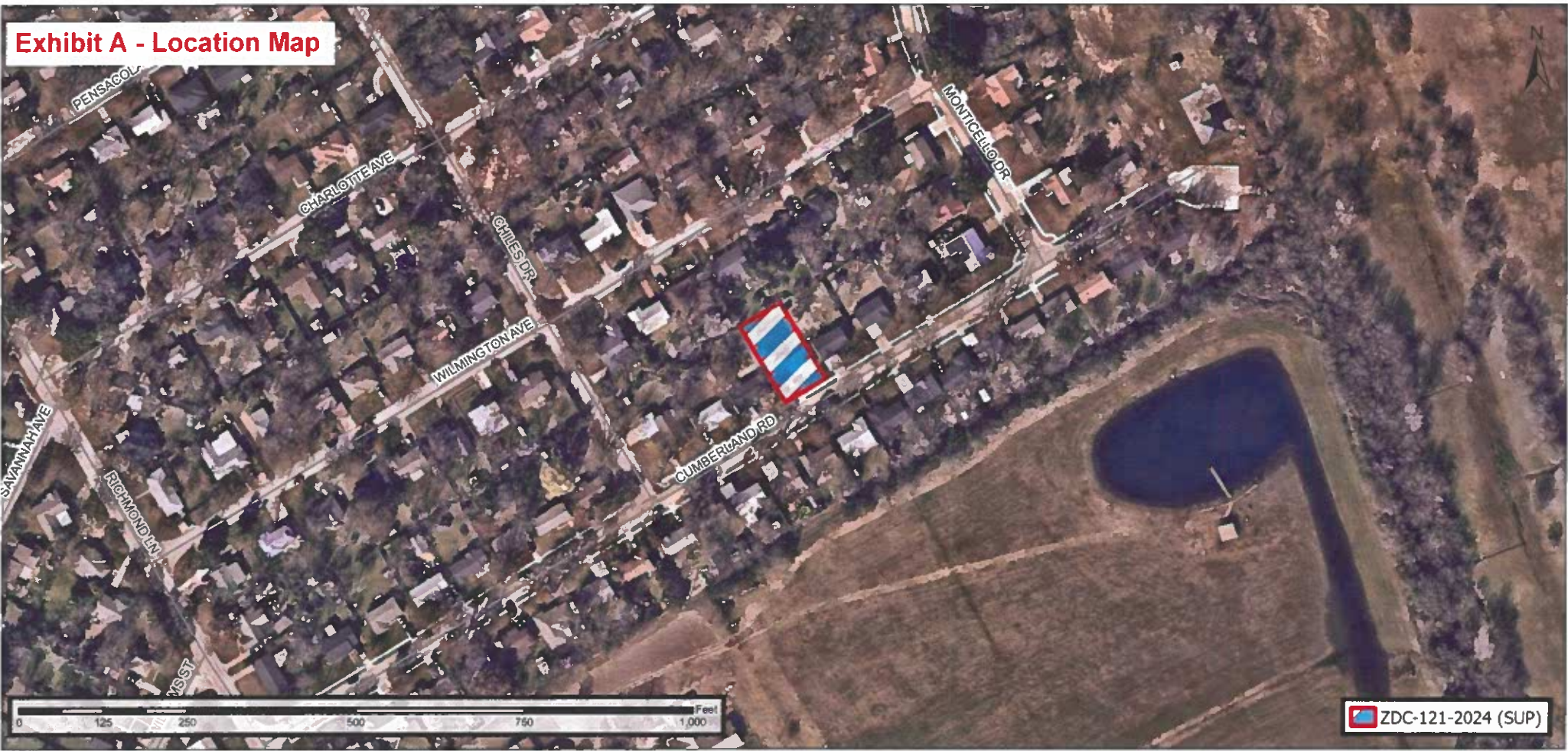
PASSED, APPROVED AND ADOPTED on this 15th day of July, 2024.


MAYOR

ATTEST:

City Secretary

Exhibit A - Location Map



 ZDC-121-2024 (SUP)

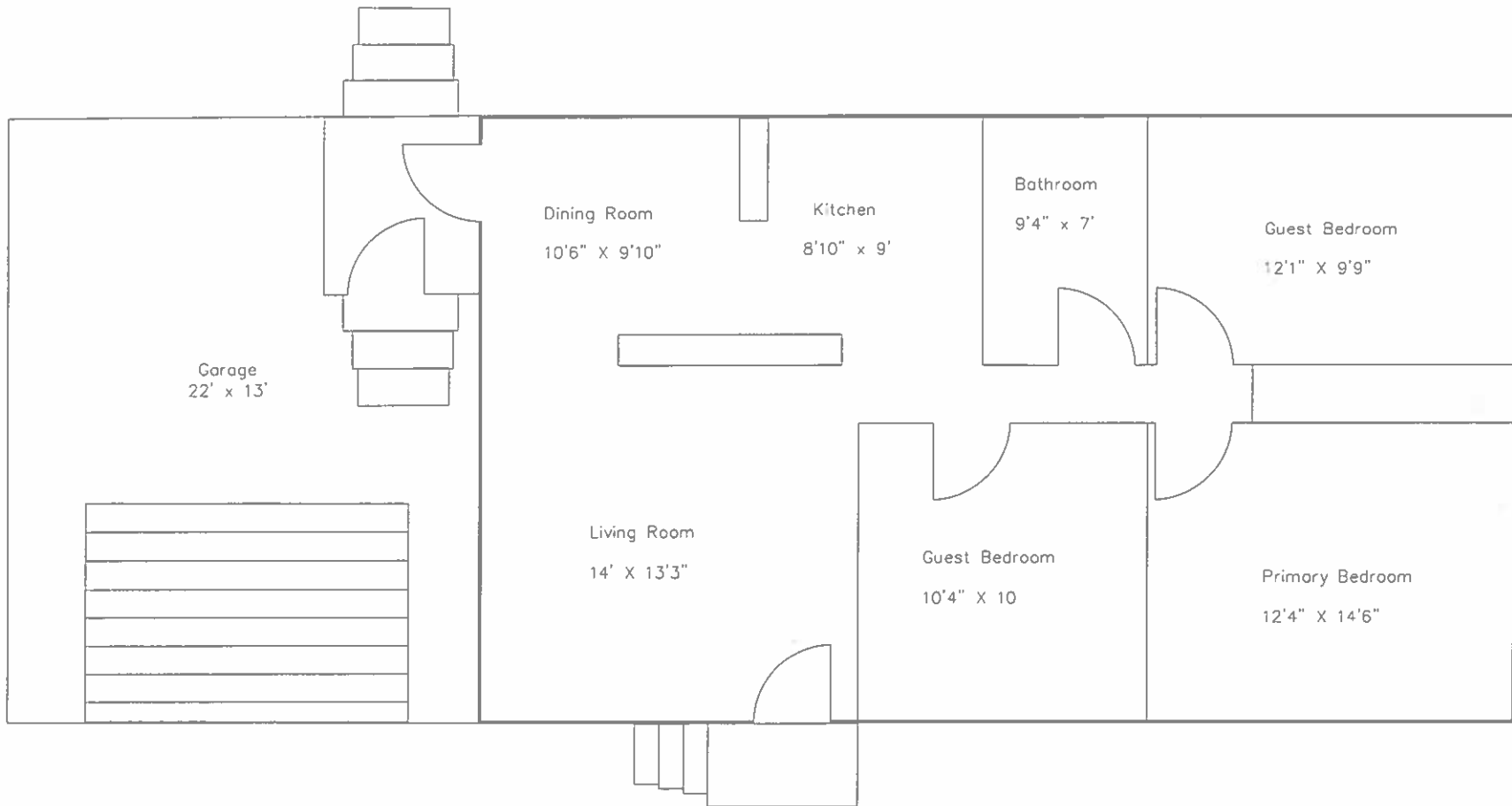
(23)

Exhibit B - Zoning Map



(23)

Exhibit C - Floor Plan

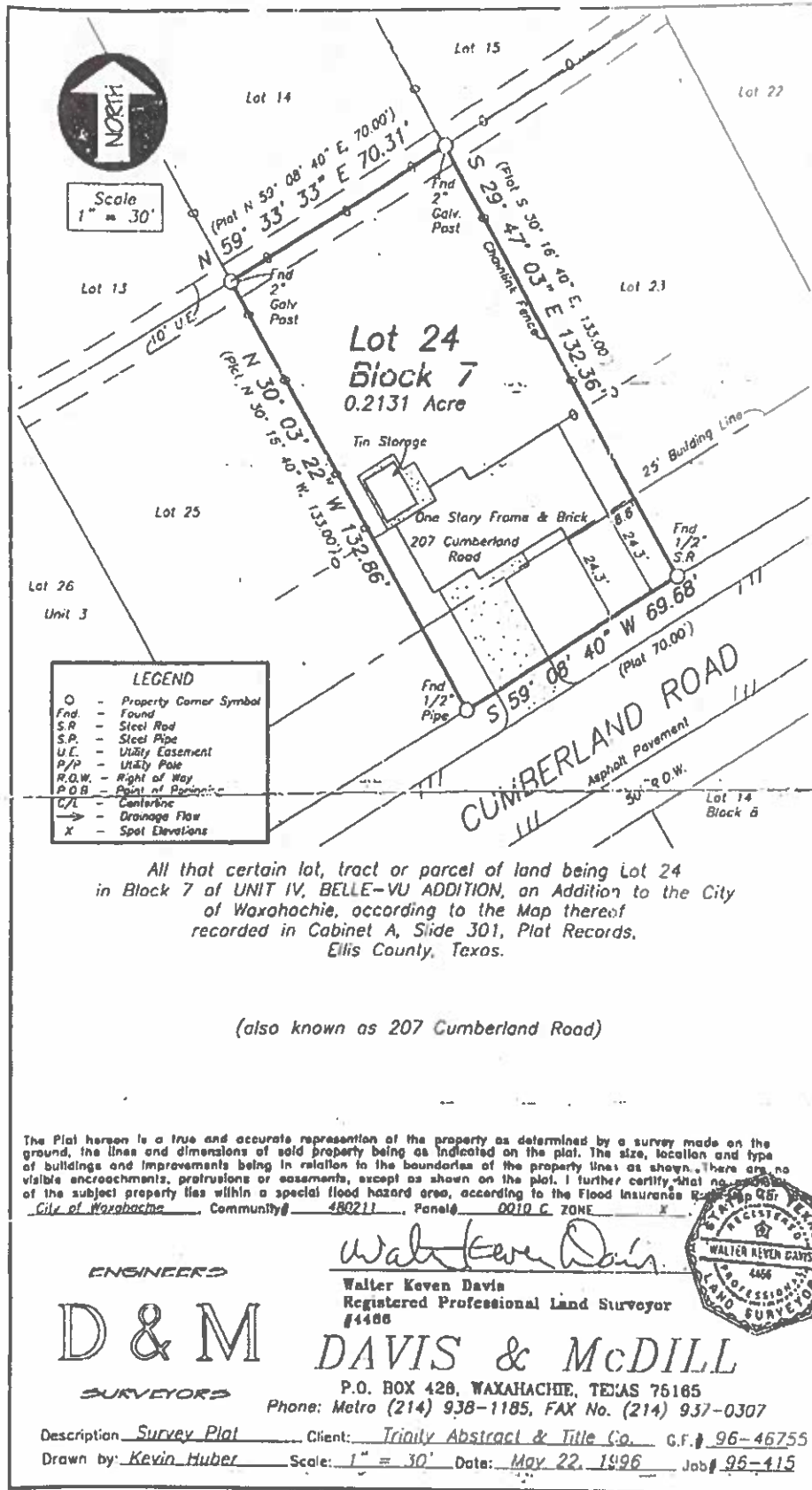


207 Cumberland

(23)

Exhibit D - Site Plan

(23)



LEGEND	
O	Property Corner Symbol
Fnd.	Found
S.P.	Steel Rod
S.P.	Steel Pipe
U.E.	Utility Easement
P/P	Utility Pole
R.O.W.	Right of Way
P.O.B.	Point of Beginning
C/L	Centerline
→	Drainage Flow
X	Spot Elevations

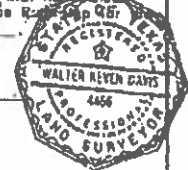
All that certain lot, tract or parcel of land being Lot 24 in Block 7 of UNIT IV, BELLE-VU ADDITION, an Addition to the City of Waxahachie, according to the Map thereof recorded in Cabinet A, Side 301, Plat Records, Ellis County, Texas.

(also known as 207 Cumberland Road)

The Plat herein is a true and accurate representation of the property as determined by a survey made on the ground, the lines and dimensions of said property being as indicated on the plat. The size, location and type of buildings and improvements being in relation to the boundaries of the property lines as shown. There are no visible encroachments, protrusions or easements, except as shown on the plat. I further certify that no portion of the subject property lies within a special flood hazard area, according to the Flood Insurance Rate Map of the City of Waxahachie, Community # 480211, Panel # 0010 G ZONE.

ENGINEERS
D & M
SURVEYORS

Walter Keven Davis
Walter Keven Davis
Registered Professional Land Surveyor
#4486
DAVIS & McDILL



P.O. BOX 428, WAXAHACHIE, TEXAS 75185
Phone: Metro (214) 938-1185, FAX No. (214) 937-0307

Description: Survey Plat Client: Trinity Abstract & Title Co. G.F. # 96-46755
Drawn by: Kevin Huber Scale: 1" = 30' Date: May 22, 1996 Job # 96-415

Exhibit E - Host Rules

(23)

House Rules:

SEPTEMBER 1, 2021 DISCLAIMER:

We reserve the right to refuse accommodation or demands from rude, disrespectful, and/or discourteous guests. We will not hesitate to terminate your stay at our discretion if you continue to harass/verbally abuse us/our staff.

EARLY CHECK-INS

are not guaranteed. Airbnb allows you to choose a preferred check in time, but it is ultimately up to the host to approve any check-ins before 4pm. An accepted request to book does not mean your early check-in time was approved. You will need to send us a message asking us if you can check in early.

LATE CHECK-OUTS

must be approved by the host. If you stay past your 11am check out time without approval, you will automatically be charged for the next nights' stay at the listing's full price.

PACKAGES

We do not allow guests to order mail/packages to this location for privacy reasons. If you attempt to have something delivered to this address we are not held responsible for its whereabouts.

MAINTENANCE

Understand that we are at the mercy of the property management maintenance team for most general "fix-it" requests. We ask that all our guests are patient and understanding in regards to this. If a previous guest has damaged something minor and we were unable to fix it before check in, it will be reported to the staff, but it is dependent on the maintenance team's schedule. Examples: blinds, curtains, and lightbulbs fall under the "non-emergency" maintenance category and won't be completed until they've addressed any emergency requests around the property first.

PETS

This property allows (2) dogs for an additional pet fee of \$50. Guests are required to pick up after their pets; this includes solid waste. Dogs must not be left on their own. Pets must be leashed when in the neighborhood. No more than one pet may be at the property. The pet's individual weight shall not exceed twenty pounds. If a pet causes any property damage it needs to be reported immediately, and pet owner will be responsible for all repairs. Feeding bowls and waste bags for your visit are provided. The house is not a barn and we don't want it to smell like one, we love dogs and we have one ourselves, but the house needs to be ready to accommodate the next guest.

If you do not register a pet and we find out later you had one, you will be charged a \$200 fine.

Exhibit E - Host Rules

(23)

PARTIES

This home enforces a strict no-parties/noise violation policy to all guests. If you throw a party, trash the space, damage the unit, disrespect the property, or have a gathering with extra guests that are not reported in your initial booking, you are breaking the rules and will be fined \$200 as well as the cost of any damages.

CLEANING

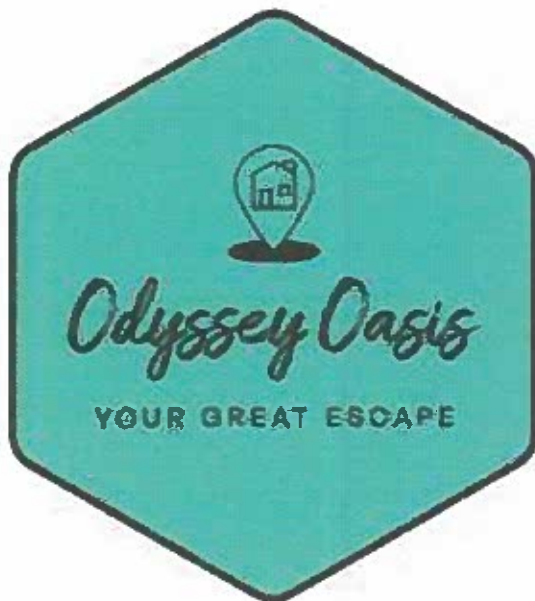
Our cleaning fee is based on a courteous guest (e.g. someone who cleans up after themselves, puts dishes in the dishwasher, towels/linens in the washer, leaves the place as they found it, etc.) This is NOT a hotel. If the housekeeping crew discovers an unreasonable mess post-checkout, we will charge an additional fee of \$100.

EXTRA TOWELS/LINENS

Please understand and accept that our housekeeping crew needs to cover a great number of properties per day and within a short window of time. To accommodate the busy schedules, they often need to leave the CLEAN towels drying in the dryer and then move on. If you do not see enough towels/linens for you when you arrive, please check the dryer. If the housekeeping crew discovers missing sheets post-checkout, we will charge an additional fee of \$50/per missing set

By booking this property, you have read, understood, and agreed to all of these house rules.

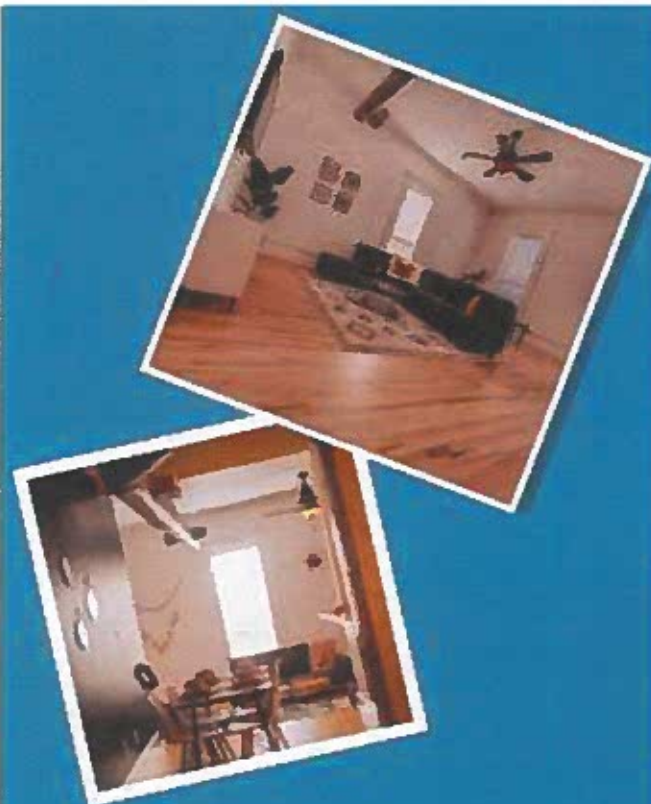
Exhibit E - Host Rules



WHAT ABOUT US

We are the Pierce's. We operate and manage numerous AIRBNB's in Waxahachie. We enjoy the small-town atmosphere the community has to offer, while still offering convenience to DFW.

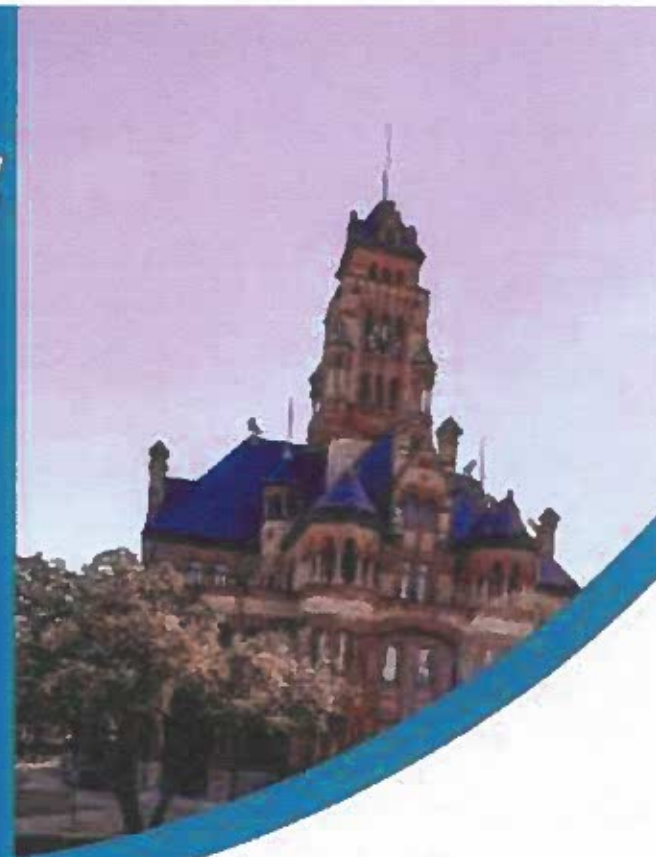
We love to interact with our guest, so if you have any questions or are planning a special occasion, let us know and we can assist in making your honeymoon, anniversary, and birthday surprises/packages available with your stay.



CONTACT US

Phone
(903)316-8176

E-mail
odysseyoasislic@gmail.com



Let Our Small Town
Become Your FAVORITE
Small Town

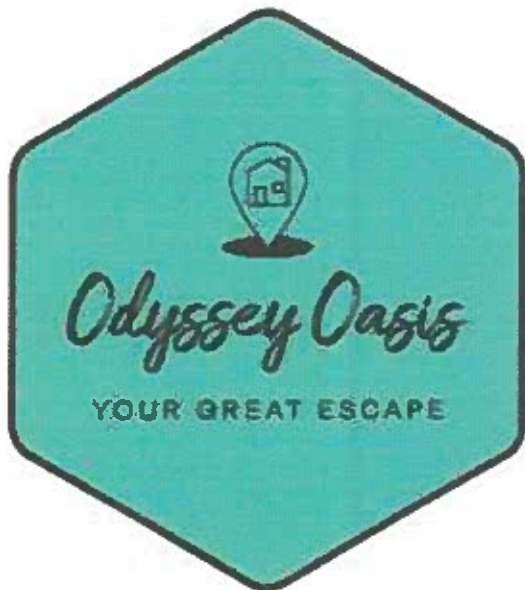
(23)

Exhibit E - Host Rules

PROHIBITED ACTIVITIES

- No Parties
- Animals are allowed (see house rules)
- Three Free Parking Space available
- No Drugs on Premises
- All Spaces are non-smoking

****Smoking is available outside****



THE BURROW

- Sleeps 6
- 1 King Bed
- 2 Queen
- 1 Bathroom
- Large fenced Back Yard
- Back Yard Entertaining Space

EMERGENCY CONTACTS

Police/Fire/Medical Emergency: **911**

- Police
 - (469)309-4000
- Non-Emergency Fire
 - (972) 937-8364
- Non-Emergency Medical
 - Expedia: (817)473-9473
 - Altus: (469)383-7361
 - MedExpress: (972)937-1203
- Severe Weather
 - <http://www.weather.gov/fwd/>

(23)

(24, 25, 26)



Memorandum

To: Honorable Mayor and City Council

From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering

Thru: Michael Scott, City Manager

Date: July 15, 2024

Re: Consider Thoroughfare Plan Amendment and Update to 2020 Roadway Impact Fee Program Update Report

Recommended Motion: "I move to approve the presented ordinances adopting the amendments to the Comprehensive Plan's Thoroughfare Plan and the update to the 2020 Roadway Impact Fee Program Update Report to reflect the revised Thoroughfare Plan."

Item Description: Consider approval of the Amendment to the Comprehensive Plan's Thoroughfare Plan and update the 2020 Roadway Impact Fee Program Update Report accordingly with the revised Thoroughfare Plan.

Item Summary: The Thoroughfare Plan currently shows a road that will connect the proposed roundabout on SPUR 394 to either Howard Road or to US-77 south of the Senior Center (see Exhibit A attached). After design consideration of connecting the new road to Howard Road or US 77, Staff is recommending a revision to the City's Thoroughfare Plan to extend the road to the north and connect to the proposed Mathews Street alignment (see Exhibit B attached).

An amendment to the Thoroughfare Plan reflecting the change described above was presented to Capital Project Impact Fee Advisory Committee and the Planning and Zoning Commission on July 8, 2024, and both unanimously approved the amendment.

Fiscal Impact: None.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ADOPTING THE THOROUGHFARE PLAN REVISIONS TO THE 2020 ROADWAY IMPACT FEE PROGRAM UPDATE TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, Chapter 395, Tex. Loc. Gov't Code, provides procedures for adopting and updating land use assumptions, capital improvements plans, and impact fees; and

WHEREAS, the City Council last approved updated land use assumptions and capital improvements plans for roadway, water and wastewater facilities by Ordinance No. 3239, adopted December 7, 2020; and

WHEREAS, the City Staff prepared the Thoroughfare Plan revisions recommendations to be incorporating into the 2020 Roadway Impact Fee Program Update and presented to the Impact Fee Capital Improvements Advisory Committee on July 8, 2024; and

WHEREAS, the Impact Fee Capital Improvements Advisory Committee recommended the 2020 Roadway Impact Fee Program Update Revisions to the City Council on July 8, 2024; and

WHEREAS, the City Council conducted a public hearing held on July 15, 2024, in which notice of the meeting was posted, where the 2020 Roadway Impact Fee Program Update Revision to incorporate the Thoroughfare Plan were presented and all persons were given the opportunity to present verbal and written testimony; and

WHEREAS, the City Council considered this testimony and, on July 15, 2024, the City Council approved the 2020 Roadway Impact Fee Update Revision to incorporate the Thoroughfare Revisions from the 2023 Comprehensive Plan as shown on the attached Exhibit A.

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

SECTION 1: That the 2020 Roadway Impact Fee Program Update Revision and all the maps, which are attached hereto and incorporated herein for all purposes is hereby adopted by the City Council as a guide and public policy.

SECTION 2: That this 2020 Roadway Impact Fee Program Update Revision and the non-updated sections of the 2020 Roadway Impact Fee Program Update Revision are intended to constitute the Roadway Impact Fee Program and update the Roadway Improvement Plan Projects based on the revised Thoroughfare Plan.

SECTION 3: That it is hereby officially found and determined that the meeting at which this Ordinance is passed was properly noticed and open to the public as required by law.

SECTION 4: That this Ordinance shall become effective on and after its passage and approval

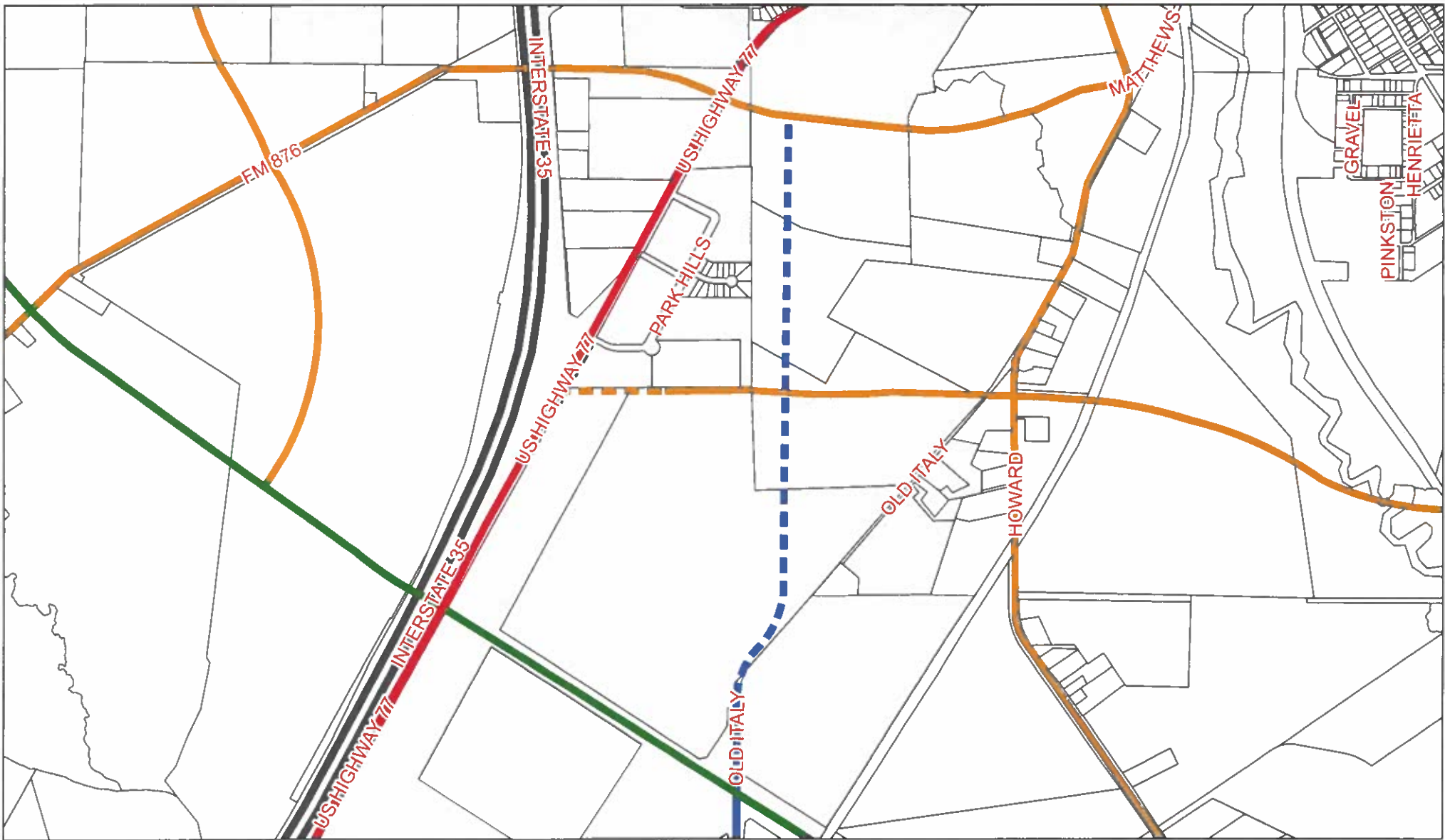
(24)

PASSED AND APPROVED AND ADOPTED this the 15th day of July, 2024.








MAYOR

ATTEST:

City Secretary



Thoroughfare ROW

-  Highway
-  Ex. A-MAJOR ARTERIAL (120')
-  Ex. B-GREENWAY ARTERIAL (120')
-  Ex. C-Minor Arterial (100')
-  Prop. C-Minor Arterial (100')
-  Ex. D-MAJOR COLLECTOR (80')
-  Prop. D-MAJOR COLLECTOR (80')

**Proposed Thoroughfare
Plan Revision
Exhibit A**

(nr)

Note: Solid lines are the existing alignment based on 2023 Comprehensive Plan. The dashed line is the proposed thoroughfare revision for this ordinance.

(26)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ADOPTING THE THOROUGHFARE PLAN REVISIONS TO THE 2023 COMPREHENSIVE PLAN TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the City Staff prepared the Thoroughfare Plan Revisions recommendation and presented to the Planning and Zoning Commission on July 8, 2024; and

WHEREAS, the Planning and Zoning Commission recommended Thoroughfare Plan Revision to the City Council on July 8, 2024; and

WHEREAS, the City Council conducted a public hearing held on July 15, 2024, in which notice of the meeting was posted, where the Thoroughfare Plan Revision were presented and all persons were given the opportunity to present verbal and written testimony; and

WHEREAS, the City Council considered this testimony and, on July 15, 2024, the City Council approved the Thoroughfare Revisions from the 2023 Comprehensive Plan as shown on the attached Exhibit A.

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

- SECTION 1:** That the Thoroughfare Plan Revisions to the 2023 Comprehensive Plan and all the maps, which are attached hereto and incorporated herein for all purposes is hereby adopted by the City Council as a guide and public policy.
- SECTION 2:** That this Thoroughfare Plan Revisions to the 2023 Comprehensive Plan and the non-updated sections of the 2023 Comprehensive Plan are intended to constitute the Comprehensive or Master Plan of the City of Waxahachie, Texas, for all matters relating to long-range guidance relative to zoning decisions, land subdivision, thoroughfare construction, park and recreation planning, and growth management.
- SECTION 3:** That it is hereby officially found and determined that the meeting at which this Ordinance is passed was properly noticed and open to the public as required by law.
- SECTION 4:** That this Ordinance shall become effective on and after its passage and approval

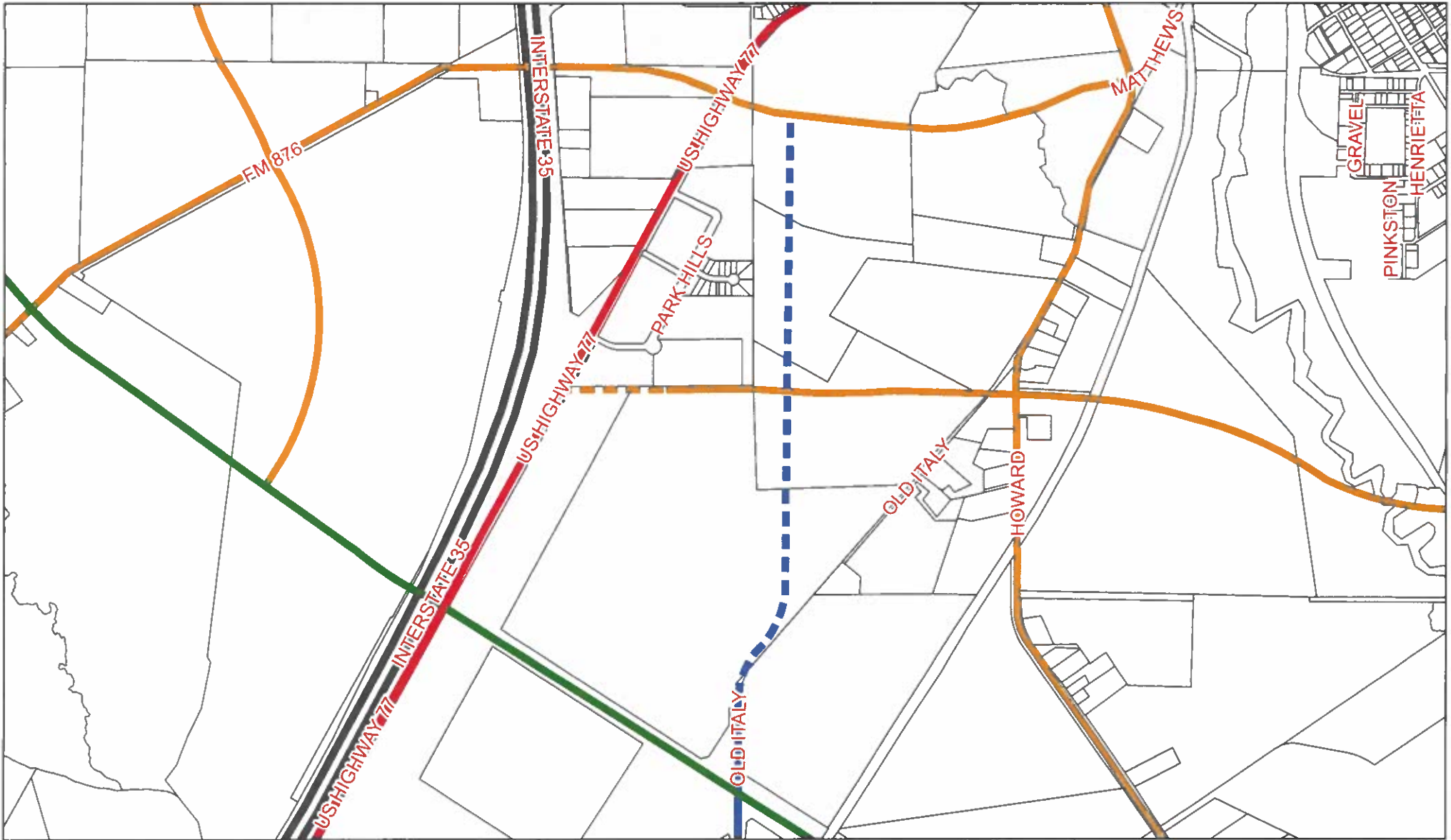
(26)

PASSED AND APPROVED AND ADOPTED this the 15th day of July, 2024.








MAYOR

ATTEST:

City Secretary

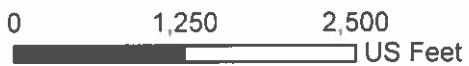


Thoroughfare ROW

-  Highway
-  Ex. A-MAJOR ARTERIAL (120')
-  Ex. B-GREENWAY ARTERIAL (120')
-  Ex. C-Minor Arterial (100')
-  Prop. C-Minor Arterial (100')
-  Ex. D-MAJOR COLLECTOR (80')
-  Prop. D-MAJOR COLLECTOR (80')

**Proposed Thoroughfare
Plan Revision
Exhibit A**

(24)



Note: Solid lines are the existing alignment based on 2023 Comprehensive Plan. The dashed line is the proposed thoroughfare revision for this ordinance.

(27)



Memorandum

To: Honorable Mayor and City Council

From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering

Thru: Michael Scott, City Manager

Date: July 15, 2024

Re: Consider Engineering Professional Services Agreement for Old Italy Road Realignment Project

Recommended Motion: "I move to approve the professional service agreement with Kimley-Horn and Associates, Inc. for the design of the Old Italy Road Realignment Project in an amount not to exceed \$964,000, and authorize the City Manager to execute all necessary documents."

Item Description: Consider approval of a professional service agreement with Kimley Horn and Associates, Inc. for the Old Italy Road Realignment Project.

Item Summary: The proposed agreement for the Old Italy Road Realignment Project includes design plans and construction administration services for roadway improvements, including an approximately 6,000 feet long 4-lane undivided concrete roadway from the new Spur 394 northward and connecting to US 77 near Dunaway Elementary School. The road will include a turning lane adjacent to the proposed high school and reformed intersection with the remaining Old Italy Road.

This roadway is on the 2023 Thoroughfare Plan and 2023 Impact Fee Report. Revisions to the Thoroughfare Plan and Impact Fee Report are necessary to accommodate the revised alignment of this roadway; and are presented separately for approval.

Fiscal Impact: The \$964,000 professional services agreement is eligible for impact fee funding and the available funding in Impact Fee Service Area 6 is recommended. The current balance of Impact Fee Service Area 6 is \$2,508,543.

(28)



Memorandum

To: Honorable Mayor and City Council
From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering
Thru: Michael Scott, City Manager
Date: July 15, 2024
Re: Consider Engineering Professional Service Agreement for MLK Sidewalk Project

Recommended Motion: "I move to approve the professional service agreement with Freese and Nichols, Inc. for the design of the Martin Luther King Jr. Sidewalk Project in an amount not to exceed of \$71,007, and authorize the City Manager to execute all necessary documents."

Item Description: Consider approval of a professional services agreement with Freese and Nichols, Inc. for the Martin Luther King Jr. (MLK) Sidewalk Project.

Item Summary: The proposed agreement for the MLK Sidewalk Project includes design plans for sidewalk improvements on the north side of MLK Blvd (US 287 Business) from Kaufman Street to Aiken Street and along the east side of Aiken Street from MLK Blvd to Frierson Street.

Fiscal Impact: The design of the MLK Sidewalk Project is a budgeted project in the adopted FY 2024 Budget and the funds are available for the professional services agreement in an amount not to exceed \$71,007.

(29)



Memorandum

To: Honorable Mayor and City Council

From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering

Thru: Michael Scott, City Manager 

Date: July 15, 2024

Re: Consider approval of a contract with Stripe A Zone for the Grand Avenue and Solon Road Striping

Recommended Motion: "I move to approve the pavement marking contract with Stripe A Zone in the amount of \$102,278 with an additional contingency of \$5,114 for Grand Avenue and Solon Road Striping, and authorize the City Manager to execute all necessary documents."

Item Description: Consider approval of a contract with Stripe A Zone for the Grand Avenue and Solon Road Striping, via an interlocal agreement with the City of Grand Prairie.

Item Summary: The proposed Grand Avenue and Solon Road Striping is located on Grand Avenue starting North of the Union Pacific Railroad, and going to Solon Road at Solon Place Way. The striping project will take place after Pressure Pave is completed along this section of Grand Avenue. The striping project consists of center lane striping, turn lanes at major intersections, and bike lane striping through the whole length of the project.

The previously approved Grand Avenue Paving and Striping Improvements Project is located on Grand Avenue South of the Union Pacific Railroad, which includes striping for that portion of the road and will not conflict with this project.

(29)

We are able to contract with Stripe A Zone, by utilizing the interlocal cooperative purchase agreement currently in place with the City of Grand Prairie. By taking advantage of Grand Prairie's larger unit of scale, we feel that we will receive more competitive pricing than bidding this project ourselves.

Fiscal Impact: The contract with Stripe A Zone is \$102,278 and city staff requests a contingency of \$5,114 for a total construction project budget of \$107,392. The proposed \$107,392 for the project will be funded utilizing the FY 2023 Bond Funds designated for the Grand Solon Engineering/Scarification/Striping Project. These funds are currently in the Streets Capital Projects Fund.