A G E N D A

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Tuesday, July 23, 2024 at 7:00 p.m***.

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

1. Call to Order

2. Invocation

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

4. ***Consent Agenda***

   All matters listed under Item 4, Consent Agenda, are considered to be routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Planning & Zoning Commissioner to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.

   a. Minutes of the regular Planning & Zoning Commission meeting of July 8, 2024
   b. Consider a request by Ryan Kelly, EAN Holdings LLC, for a Replat of the CSP1 Addition, to create Lot 2R, Block A, being 1.0045 acres, located at directly South of 2409 N US Highway 77 (Property ID 289375) – Owner: EAN Holdings LLC (SUB-143-2024)
   c. Consider a request by James Johnston, for a Plat of Lots 1 and 11X, Block A WOC addition of the Official Map of Waxahachie, being 4.394-acres, located at Highway 287 N access road approx. 1-mile West of Ovilla road, (Property ID 295243) – Owner: Montclair development a series of EIS development II LLC (SUB-144-2024)

5. ***Public Hearing*** on a request by Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 131 Vanderbilt Lane (Property ID 172836) – Owner(s): Jose & Maria Perez (ZDC-131-2024) Staff: Oanh Vu

6. ***Consider*** recommendation of ZDC-131-2024

7. ***Public Hearing*** on a request by Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 137 Vanderbilt Lane (Property ID 172839) – Owner(s): Jose Perez (ZDC-129-2024) Staff: Oanh Vu

8. ***Consider*** recommendation of ZDC-129-2024

9. ***Public Hearing*** on a request by Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 103 Johnston Boulevard (Property ID 174978) – Owner(s): Jose & Maria Perez (ZDC-130-2024) Staff: Oanh Vu

10. ***Consider*** recommendation of ZDC-130-2024

11. ***Public Hearing*** on a request by Demi Oyerokun for a Specific Use Permit (SUP) for a Minor Auto Repair Shop use within a General Retail (GR) zoning district located at 1011 US HWY 77, Suite 109 (Property ID 173186) – Owner: Marline Six LLC (ZDC-124-2024) Staff: Harper Lindamood

12. ***Consider*** recommendation of ZDC-124-2024

13. ***Public Hearing*** on a request by Erica Edwards, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 211 Pecan St. (Property ID 175135) - Owner: Seven Partners, LLC (ZDC-128-2024) Staff: Harper Lindamood

14. ***Consider*** recommendation of ZDC-128-2024

15. Adjourn

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

Notice of Potential Quorum
One or more members of the Waxahachie City Council may be present at this meeting.
No action will be taken by the City Council at this meeting.

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, July 8, 2024 at 7:00 p.m.

Members Present:	Rick Keeler, Chairman Erik Test, Vice Chairman Bonney Ramsey David Hudgins Marlene Norcross
Members Absent:	Ron Ansell Jeff Reed
Others Present:	Jennifer Pruitt, Senior Director of Planning Zack King, Senior Planner Harper Lindamood, Planner Macey Martinez, City Engineer Jami Bonner, Assistant City Secretary Patrick Souter, Council Representative

1. Call to Order
2. Invocation

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

3. Public Comments

None.

4. Consent Agenda

a. Minutes of the regular Planning & Zoning Commission meeting of June 25, 2024
b. Consider a request by Matt Baacke, P.E., GMcivil, for a Plat of Myrtle Creek Phase 1A, being 25.116 acres, located approximately 2,000 feet northeast of 2325 S US Highway 287 Bypass, situated in the Robert M. Berry Survey, Abstract 96, the Benjamin Collier Survey, Abstract 216, and the Salis M. Duritt Survey, Abstract 272, an addition to the City of Waxahachie (Property ID: 180362 & 180365) – Owner: HT US 287 Owner LP (SUB-25-2023)
c. Consider a request by Matt Baacke, P.E., GMcivil, for a Plat of Myrtle Creek Phase 1B, being 54.055 acres, located approximately 800 feet north of 2325 S US Highway 287 Bypass, situated in the Benjamin Collier Survey, Abstract 216, and the Salis M. Duritt Survey, Abstract 272, an addition to the City of Waxahachie (Property ID: 180362 & 180365) – Owner: HT US 287 Owner LP (SUB-62-2023)
d. Consider a request by Matt Baacke, P.E., GMcivil, for a Plat of Myrtle Creek Phase 1C, being 64.893 acres, located approximately 2,300 feet northeast of 2325 S US Highway 287 Bypass, situated in the Benjamin Collier Survey, Abstract 216, the Salis M. Duritt Survey, Abstract 272, and the Robert M. Berry Survey, Abstract 96,

an addition to the City of Waxahachie (Property ID: 180362 & 180365) – Owner: HT US 287 Owner LP (SUB-63-2023)

e. Consider a request by Brad Yates for a Replat of a portion of Block 19 of the Bullards Addition to create Lot 1-5, Block 19 of the Dunaway Townhomes Addition, four (4) residential lots and one (1) HOA lot, being 0.391 acres, located directly north of 602 S Rogers Street (Property ID 298309) – Owner: Loren Gray Investments LLC (SUB-125-2024)

Action:

Bonney Ramsey moved to approve all items on the Consent Agenda as presented. Motion was seconded by Erik Test and carried unanimously (5-0).

5. Public Hearing on a request by the City of Waxahachie to amend the adopted Waxahachie Comprehensive Plan, solely to amend the Thoroughfare Plan. Staff: Justin Stoker

The Item was presented by Justin Stoker, Senior Director of Public Works and Engineering. Mr. Stoker requested approval of an amendment to the current Impact Fee Capital Improvement Plan. He noted the proposed amendment does not change any land use assumptions or impact fees. He explained the Texas Department of Transportation (TxDOT) is proceeding with the design of Spur 394 on the south side of the City. Additionally, the Waxahachie Independent School District (WISD) is in design for a new high school that will be built north of Spur 394. The North Central Texas Council of Governments (NCTCOG) and TxDOT have requested Spur 394 not be the main recipient of traffic for the new high school. The current City of Waxahachie Thoroughfare Plan identifies a new roadway connection to the north.

After speaking with impacted property owners and external stakeholders, the proposed amendment revises the Impact Fee Capital Improvement Plan to avoid design complications and convey traffic to US 77, which is more capable of receiving northbound traffic.

The proposed changes eliminate the need to design around a major drainage outfall south of the Waxahachie Senior Center and avoids creating a complicated intersection with Howard Road. The revision directs northbound traffic to US 77 further to the north, which is more capable of receiving the traffic. Shifting the proposed roadway to the east by 350 feet improves the ability of landowners to develop the property adjacent to the new roadway.

Vice Chairman Erik Test inquired about the timeline and Mr. Stoker replied that Spur 394 is currently in design by TxDOT and is expected to enter into construction within the next year and to be completed by the summer of 2027. He noted the construction is funded by NCTCOG. The new high school is also expected to be completed the summer of 2027. He explained the water lines along I35 and Spur 394 and the proposed roadway to support the development are expected to be completed ahead of TxDOT and school improvements.

Chairman Keeler inquired about right-of-ways (ROW) and Mr. Stoker replied that three property owners are donating ROW and the fourth property is owned by the City.

Chairman Keeler opened the Public Hearing at approximately 7:05 p.m.

There being no others to speak for or against the proposed amendment, Chairman Keeler closed the Public Hearing at approximately 7:05 p.m.

6. Consider recommendation to amend the adopted Waxahachie Comprehensive Plan; solely to amend the Thoroughfare Plan

Action:
Erik Test moved to recommend approval on a request by the City of Waxahachie to amend the adopted Waxahachie Comprehensive Plan; solely to amend the Thoroughfare Plan, authorizing the City Manager and or Mayor to execute all documents accordingly. Motion was seconded by David Hudgins and carried unanimously (5-0).

7. 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) Staff: Harper Lindamood

Chairman Keeler announced the applicant requested to continue the case to the August 13, 2024 Planning and Zoning Commission meeting.

Action:
Erik Test moved to continue the Public Hearing for SUB-113-2024 to the August 13, 2024 Planning and Zoning Commission Meeting. Motion was seconded by Bonney Ramsey and carried unanimously (5-0).

8. Consider recommendation of SUB-113-2024

No action taken.

9. 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 St (Property ID 173368) - Owner: Harlen Roberts & Cindy Roberts (ZDC-118-2024) Staff: Harper Lindamood

The Item was presented by Planner Harper Lindamood and applicant Cindy Roberts requested approval. The applicant requests a SUP for a Short-Term Rental use at 714 Dunn Street because it is located within the 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 has not been operating a short-term rental, and has not been paying local hotel occupancy taxes. The Ellis County Appraisal District 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.

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 applicant's local emergency contact is located 8.5 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 68 notices were mailed to property owners within 500 feet of the request. At the time of publishing of the 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.

Chairman Keeler inquired about the applicant's residency and Ms. Roberts replied she does reside in Waxahachie.

Commissioner Bonney Ramsey asked if the applicant has any other short-term rentals and Ms. Roberts replied they have one other short-term rental at Lake Whitney.

Chairman Keeler opened the Public Hearing at approximately 7:09 p.m.

There being no others to speak for or against ZDC-118-2024, Chairman Keeler closed the Public Hearing at approximately 7:09 p.m.

10. Consider recommendation of ZDC-118-2024

Action:
Bonney Ramsey moved to recommend approval of ZDC-118-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by David Hudgins and carried unanimously (5-0).

11. 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 Dr. (Property ID 172127) - Owner: Stephanie Savins & Eric Savins (ZDC-123-2024) Staff: Harper Lindamood

The Item was presented by Ms. Lindamood and applicant Stephanie Savins requested approval. 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 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 does not identify the subject property as a Homestead.

Staff inquired with 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 is located 13 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 56 notices were mailed to property owners within 500 feet of the request. At the time of publishing the staff report, a total of one (1) letter of support and seven (7) letters of opposition were received by staff, with one (1) letter of support and one (1) letter of opposition being inside the 200' buffer and the remainder outside of the 200' buffer.

Vice Chairman Test asked if any other short-term rentals have been approved on Monticello and Ms. Harper replied there have not been any approved on Monticello.

Chairman Keeler asked the applicant if she personally manages the subject property and where she resides. Ms. Savins replied she manages the subject property and resides in Midlothian.

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

There being no others to speak for or against ZDC-123-2024, Chairman Keeler closed the Public Hearing at approximately 7:12p.m.

12. Consider recommendation of ZDC-123-2024

Action:
David Hudgins moved to recommend approval of ZDC-123-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Erik Test and carried unanimously (5-0).

13. 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) Staff: Zack King

The Item was presented by Senior Planner Zack King and applicant Melanie Brewer requested approval. The applicant is requesting a SUP to allow for the conversion of an existing 2-car detached garage to 483 square foot accessory dwelling unit. The proposed accessory dwelling unit is located to the rear of the primary home and meets the minimum setback requirements for an accessory structure within the SF-2 zoning district. The existing driveway meets the parking requirements for the existing home and the proposed accessory dwelling unit.

The applicant has confirmed that the accessory dwelling unit will only be used as a residence for family and guests and will not be leased or sold separately from the primary home, separately metered, used as a short-term rental, or used for commercial purposes.

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. Staff received two (2) letters of support and one (1) letter of opposition.

Chairman Keeler inquired about the location of the accessory dwelling in relation to the pool and primary home. Ms. Brewer replied the pool is located behind the primary home and the proposed accessory dwelling.

Commissioner Marlene Norcross asked if the driveway was shared and Ms. Brewer replied it is not.

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

There being no others to speak for or against ZDC-111-2024, Chairman Keeler closed the Public Hearing at approximately 7:17 p.m.

14. Consider recommendation of ZDC-111-2024

Action:
Erik Test moved to recommend approval of ZDC-111-2024, a Specific Use Permit for an Accessory Dwelling Unit, subject to the conditions of the staff report. Motion was seconded by Marlene Norcross and carried unanimously (5-0).

15. 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) Staff: Zack King

The Item was presented by Mr. King and applicant Gabrielle Calvery requested approval. 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 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 feet) lot. 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 does not identify the subject property as a Homestead.

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 is located one (1) mile from the subject property.

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 subject property. Staff has received one (1) letter of support and two (2) letters of opposition, with one (1) letter of support and (2) letters of opposition being inside the 200' buffer.

Commissioner Ramsey inquired about the applicant's residency and Ms. Calvery replied she lives in Waxahachie and has been operating the subject property as a short-term rental since October 2022 with no issues.

Chairman Keeler inquired if the applicant manages or owns the property. Ms. Calvery replied she manages several short-term rentals.

Council Member Patrick Souter noted the applicant is connected to the neighborhood and owns Paper Leaves Book Store on Water St.

Chairman Keeler opened the Public Hearing at approximately 7:23 p.m.

There being no others to speak for or against ZDC-108-2024, Chairman Keeler closed the Public Hearing at approximately 7:23 p.m.

16. Consider recommendation of ZDC-108-2024

Action:
Marlene Norcross moved to recommend approval of ZDC-108-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (5-0).

17. 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) Staff: Zack King

The Item was presented by Mr. King and applicant Gabrielle Calvery requested approval. 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 is situated on an approximately 0.344-acre (14,985 square feet) lot. 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 does not identify the subject property as a Homestead.

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 is located 0.3 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 74 notices were mailed to property owners within 500 feet of the subject property. Staff received eight (8) letters of support and one (1) letter of opposition, with one (1) letter of support and zero (0) letters being inside the 200' buffer, and the remainder outside of the 200' buffer.

Commissioner David Hudgins inquired about the parking space requirements and Mr. King confirmed the subject property does meet the maximum number of spaces allowed by the ordinance.

Commissioner Norcross asked if the applicant monitors parking and Ms. Calvery confirmed that she does.

Chairman Keeler opened the Public Hearing at approximately 7:28 p.m.

There being no others to speak for or against ZDC-109-2024, Chairman Keeler closed the Public Hearing at approximately 7:28 p.m.

18. Consider recommendation of ZDC-109-2024

Action:
Bonney Ramsey moved to recommend approval of ZDC-109-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Erik Test and carried unanimously (5-0).

19. 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) Staff: Zack King

The Item was presented by Mr. King and applicant Manuel Vera, Jr. requested approval. 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 and has sufficient parking to accommodate the maximum parking requirements of three (3) vehicles. The home is situated on an approximately 0.173-acre (7,536 square feet) lot. 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 does not identify the subject property as a Homestead.

Staff inquired with 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 is located 0.6 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 77 notices were mailed to property owners within 500 feet of the property. Staff received six (6) letters of support and ten (10) letters of opposition, with two (2) letters of support and one (1) letter of opposition within the 200' buffer, and the remainder outside of the 200' buffer.

Chairman Keeler inquired about when the applicant started operating the subject property as a short-term rental. Mr. Vera replied September 1, 2023 and noted there have been no issues.

Commissioner Norcross asked if the applicant is aware of the reason for several opposition letters. Mr. Vera replied he has not spoken with property owners that provided opposition letters.

Vice Chairman Test asked why the applicant chose to utilize the subject property as a short-term rental versus a long time rental. Mr. Vera replied he received a recommendation to utilize it as a

short-term rental after the property was used as a long-term rental for a year. He noted that the upkeep is easier on short-term rentals.

Council Member Souter asked if the applicant was aware that he began operating the property as a short-term rental during a moratorium passed by City Council. Mr. Vera replied he was not aware of the short-term rental moratorium.

Chairman Keeler opened the Public Hearing at approximately 7:36 p.m.

Andrew Murphy, 503 Kirven Avenue, Waxahachie, Texas, spoke in opposition due to parking.

Chris Wright, 808 W. Marvin, Waxahachie, Texas, encouraged consistency when considering short-term rental SUPs.

There being no others to speak for or against ZDC-110-2024, Chairman Keeler closed the Public Hearing at approximately 7:53 p.m.

20. Consider recommendation of ZDC-110-2024

Action:
Erik Test moved to recommend approval of ZDC-110-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Bonney Ramsey and carried by a 4-1 vote, with Marlene Norcross voting in opposition.

21. 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) Staff: Zack King

The Item was presented by Mr. King and applicant Kassie Pierce requested approval. The applicant is requesting a SUP for a short-term rental use 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 and has sufficient parking. The home is situated on an approximately 0.214-acre (9,322 square feett) lot. 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 2023. The Ellis County Appraisal District does not identify the subject property as a Homestead.

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 is located 8.4 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 82 notices were mailed to property owners within 500 feet of the property. Staff received two (2) letters of support and eight (8) letters of opposition, with one (1)

letter of support and three (3) letters of opposition within the 200' buffer, and the remainder outside of the 200' buffer.

Chairman Keeler asked if the applicant owns the subject property and Ms. Pierce replied she does not own the subject property.

Clayton McBride, 665 Brookvista Court, Waxahachie, Texas, identified himself as the owner of the subject property and explained Kassie and Michael Pierce manage the short-term rental. He noted the subject property was a long-term rental; however, there have been no issues since cleaning up the property and utilizing it as a short-term rental. He noted he has owned the home for twelve years and it was always a long-term rental property.

Commissioner Norcross noted there are several opposition letters and Ms. Pierce replied she is researching the various reasons for opposition. She explained she does not believe the community understands the use of short-term rentals.

Council Member Souter noted for consistency, the City Council previously denied a short-term rental SUP due to a non-owner applicant and other issues.

Chairman Keeler opened the Public Hearing at approximately 8:09 p.m.

There being no others to speak for or against ZDC-121-2024, Chairman Keeler closed the Public Hearing at approximately 8:09 p.m.

22. Consider recommendation of ZDC-121-2024

Action:
David Hudgins moved to recommend approval of ZDC-121-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Erik Test and carried by a 4-1 vote, with Marlene Norcross voting in opposition.

23. Adjourn

Council Member Patrick Souter thanked the Planning Department staff for their work on short-term rental SUP applications.

There being no further business, the meeting adjourned at 8:10 p.m.

Respectfully submitted,

Jami Bonner
Assistant City Secretary

Planning & Zoning Department

Plat Staff Report

Case: SUB-143-2024

MEETING DATE(S)

Planning & Zoning Commission: July 23, 2024

CAPTION

Present a request by Ryan Kelly, EAN Holdings LLC, for a **Replat** of the CSP1 Addition, to create Lot 2R, Block A, being 1.0045 acres, located at directly South of 2409 N US Highway 77 (Property ID 289375) – Owner: EAN Holdings LLC (SUB-143-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to approve SUB-143-2024, a Plat of the CSP1 Addition, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests to replat the subject property to add a mutual access easement to the site, as required by Ordinance 3519, a Specific Use Permit (SUP) for Auto Leasing and Rental.

CASE INFORMATION

Applicant:	Ryan Kelly, EAN Holdings LLC
Property Owner(s):	EAN Holdings LLC
Site Acreage:	1.045 acres
Number of Lots:	1 lot
Number of Dwelling Units:	0 units
Park Land Dedication:	N/A
Adequate Public Facilities:	Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location:	Directly South of 2409 N US Highway 77
Parcel ID Number(s):	289375
Current Zoning:	Commercial (C) with SUP (Ord 3519) for Auto Leasing and Rental
Existing Use:	The subject property is currently undeveloped.
Platting History:	The subject property is currently platted as Lot 2, Block A of the CSP1 Addition.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to replat the subject property to add a mutual access easement to the site, as required by Ordinance 3519, a Specific Use Permit (SUP) for Auto Leasing and Rental. The proposed replat does not alter the dimensions of the exterior boundary of the originally platted lot.

As part of the review of the Replat application, staff identified multiple technical items that conflict with the requirements of the Waxahachie Subdivision Ordinance and need to be corrected. These technical items are required to be corrected prior to the filing of the Replat. The correction of each item has been identified as a condition of approval in the staff recommendation section below.

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 Replat request with the motion and conditions noted below.

Conditions:

1. Per Section 2.2.e of the Waxahachie Subdivision Ordinance, as part of proof of ownership for the subject property, the applicant is required to provide a signed and notarized Property Owner Affidavit. Your Owner's Certificate states that EAN Holdings LLC is the property owner. Provide a signed and notarized Property Owner Affidavit from EAN Holdings LLC.
2. Per Section 2.2.e of the Waxahachie Subdivision Ordinance, as part of proof of ownership for the subject property, the applicant is required to provide a general warranty deed, special warranty deed or title policy for the subject property that identifies the property owner. Your Owner's Certificate states that EAN Holdings LLC is the property owner. Provide a filed deed to confirm this.
3. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, a hard copy of the embossed tax certificate for the property showing that no delinquent taxes exist against the property is required to be provided at the time of plat filing.
4. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, only easements need to be shown on the plat, not build lines (setbacks). Remove setback lines from the lots on the plat. (Setbacks are determined by zoning, not the plat.)

Conditions (continued):

5. Per Section 2.4.c.7 of the Waxahachie Subdivision Ordinance, the name and address of the correct property owner is required to be referenced on the replat.
6. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Please revise the title block to include reference to the total acreage of the subject property (1.045ac).
7. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Please revise the title block to include reference to the current zoning of the property, Commercial (C) with SUP (Ord. 3519).
8. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. The correct case number for this plat is "SUB-75-2024", revise accordingly.
9. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, correct signature blocks are required. Correct "County" references to Ellis.
10. Per Section 2.4.c.25.i of the Waxahachie Subdivision Ordinance, correct reference to the ownership instrument needs to be provided in the Owner's Certificate. Add the Instrument Number for this deed.
11. Per Section 5.6.d and 5.7.a.8 of the Waxahachie Subdivision Ordinance, add a note stating that retaining walls/fences shall not be installed within utility easements.
12. Per Section 7.1.h of the Waxahachie Subdivision Ordinance, Filing Fees ($100.00) are required to be paid with your Replat application. These fees can be paid via check to the City of Waxahachie or via the invoice on our Citizen Self Service (CSS) Portal.

ATTACHED EXHIBITS

1. Replat

APPLICANT REQUIREMENTS

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

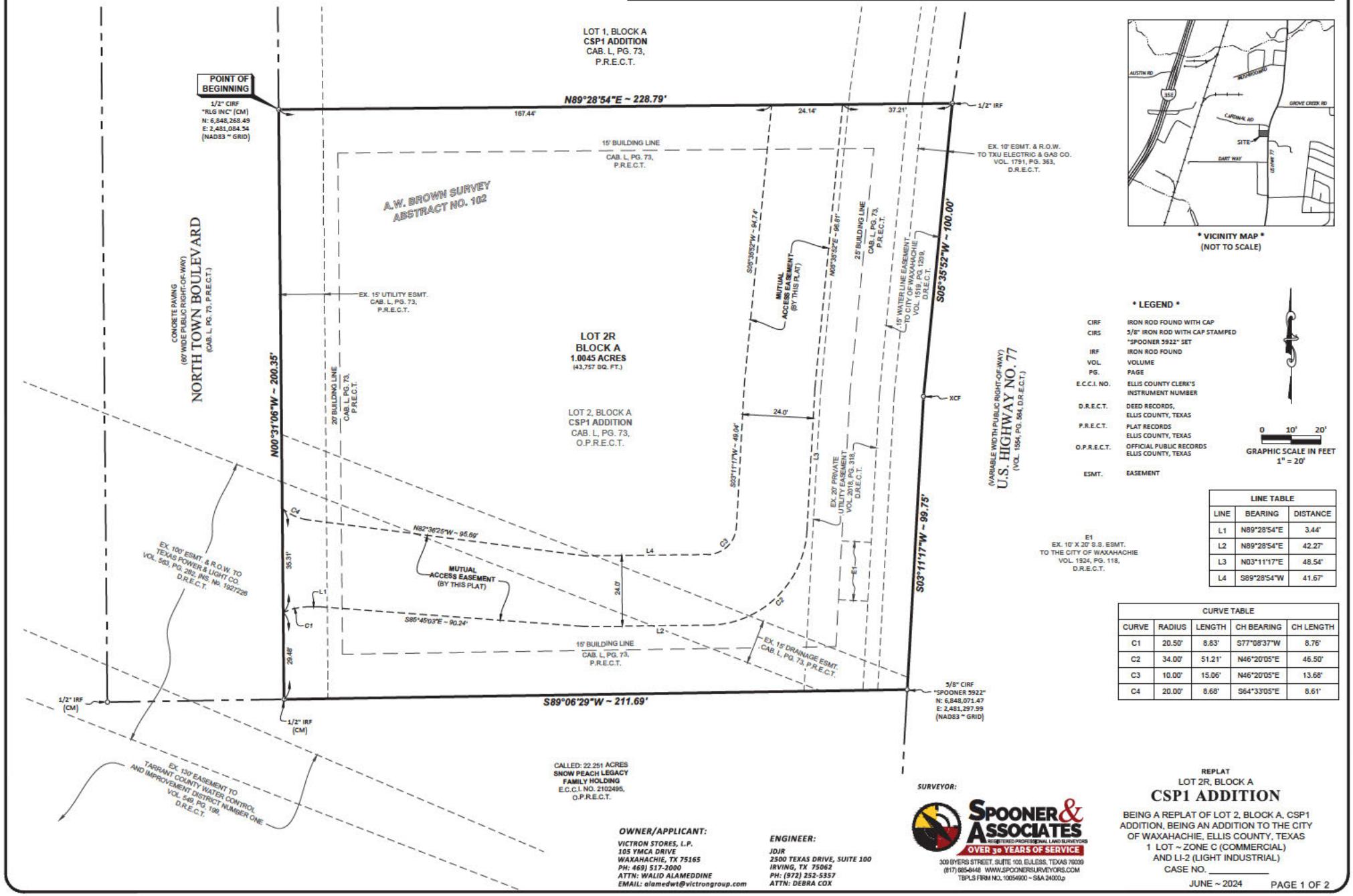
STAFF CONTACT INFORMATION

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

Item 4.b

NOTE: SEE SHEET 2 OF 2 FOR OWNER'S DEDICATION, OWNER'S CERTIFICATE, SURVEYOR'S STATEMENT GENERAL NOTES, AND CITY APPROVAL.



* VICINITY MAP *
(NOT TO SCALE)

* LEGEND *

CIRF	IRON ROD FOUND WITH CAP
CIRS	5/8" IRON ROD WITH CAP STAMPED "SPOONER 5922" SET
IRF	IRON ROD FOUND
VOL.	VOLUME
PG.	PAGE
E.C.C.I. NO.	ELLIS COUNTY CLERK'S INSTRUMENT NUMBER
D.R.E.C.T.	DEED RECORDS, ELLIS COUNTY, TEXAS
P.R.E.C.T.	PLAT RECORDS ELLIS COUNTY, TEXAS
O.P.R.E.C.T.	OFFICIAL PUBLIC RECORDS ELLIS COUNTY, TEXAS
ESMT.	EASEMENT

0 10' 20'
GRAPHIC SCALE IN FEET
1" = 20'

E1
EX. 10' X 20' U.S. ESMT.
TO THE CITY OF WAXAHACHIE
VOL. 1924, PG. 118,
D.R.E.C.T.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N89°28'54"E	3.44'
L2	N89°28'54"E	42.27'
L3	N03°11'17"E	48.54'
L4	S89°28'54"W	41.67'

CURVE TABLE				
CURVE	RADIUS	LENGTH	CH BEARING	CH LENGTH
C1	20.50'	8.83'	S77°08'37"W	8.76'
C2	34.00'	51.21'	N46°20'05"E	46.50'
C3	10.00'	15.06'	N46°20'05"E	13.68'
C4	20.00'	8.68'	S64°33'05"E	8.61'

OWNER/APPLICANT:
VICTRON STORES, L.P.
105 YMCA DRIVE
WAXAHACHIE, TX 75165
PH: 469) 517-2000
ATTN: WALID ALAMEDDINE
EMAIL: alamedwt@victrongroup.com

ENGINEER:
JDJR
2500 TEXAS DRIVE, SUITE 100
IRVING, TX 75062
PH: (972) 252-5357
ATTN: DEBRA COX

SURVEYOR:
SPOONER & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
OVER 30 YEARS OF SERVICE
309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 6854448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900 ~ S&A 24000.p

REPLAT
LOT 2R, BLOCK A
CSP1 ADDITION
BEING A REPLAT OF LOT 2, BLOCK A, CSP1 ADDITION, BEING AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
1 LOT ~ ZONE C (COMMERCIAL) AND LI-2 (LIGHT INDUSTRIAL)
CASE NO. _____
JUNE ~ 2024

*** OWNER'S CERTIFICATION ***

STATE OF TEXAS §

COUNTY OF ELLIS §

WHEREAS EAN HOLDINGS, LLC is the sole owner of a 1.0045 acre tract of land located in the A.W. Brown Survey, Abstract No. 102, City of Waxahachie, Ellis County, Texas, said 1.0045 acre tract of land being all of **LOT 2, BLOCK A, CSP1 ADDITION**, being an Addition to the said City and State, according to the plat thereof filed for record in Cabinet L, Page 73, Plat Records, Ellis County, Texas (P.R.E.C.T.), said 1.0045 acre tract of land also being all of that certain tract of land conveyed to **EAN HOLDINGS, LLC**, by deed thereof filed for record in Ellis County Clerk's Instrument No. _____, O.P.R.E.C.T., said 1.0045 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with a cap stamped "RLG INC" found at the northwest lot corner of said Lot 2, same being the southwest lot corner of Lot 1 of said Block A, said beginning point being on the east right-of-way line of North Town Boulevard (being a 60 feet wide public right-of-way, as shown on and dedicated by the said plat of CSP1 Addition);

THENCE North 89°28'54" East, along the common lot line of said Lots 1 and 2, a distance of 228.79 feet to a 1/2 inch iron rod found at the northeast lot corner of said Lot 2, same being the southeast lot corner of said Lot 1, and being on the west right-of-way line of U.S. Highway No. 77 (being a variable width public right-of-way conveyed to the State of Texas, by deed thereof filed for record in Volume 1554, Page 564, Deed Records, Ellis County, Texas.);

THENCE along the east lot lines of said Lot 2 and along the said west right-of-way line the following courses and distances:

South 05°35'52" West, a distance of 100.00 feet to an X cut found;

South 03°11'17" West, a distance of 99.75 feet to a 5/8 inch iron rod with a cap stamped "SPOONER 5922" found at the southeast lot corner of said Lot 2, same being the northeast property corner of a called 22.251 acre tract of land conveyed to Snow Peach Legacy Family Holding, by deed thereof filed for record in Ellis County Clerk's Instrument No. 2102495, O.P.R.E.C.T.;

THENCE South 89°06'29" West, departing the said east lot line and the said west right-of-way line, along the south lot line of said Lot 2 and along the north property line of the said 22.251 acre tract, a distance of 211.69 feet to a 1/2 inch iron rod found at the southwest lot corner of said Lot 2, same being the southeast right-of-way corner of said North Town Boulevard;

THENCE North 00°31'06" West, along the west lot line of said Lot 2 and along the said east right-of-way line of Town North Boulevard, a distance of 200.35 feet to the **POINT OF BEGINNING**.

The hereinabove described tract of land contains a computed area of **1.0045 acres (43,757 square feet)** of land more or less.

*** OWNER'S DEDICATION ***

NOW, THEREFORE KNOWN BY ALL MEN THESE PRESENTS:

THAT EAN HOLDINGS, LLC, acting herein by and through their duly authorized agent, does hereby adopt this plat designating the hereinabove described property as **LOT 2R, BLOCK A, CSP1 ADDITION,** an Addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas as, as shown, are dedicated, for the public use forever, for the purpose indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particularly utilities, said use by public utilities being subordinate to the public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing from all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas.

WITNESS MY HAND this the _____ day of _____, 2024.

EAN HOLDINGS, LLC

_____
Ryan Kelley, Manager

STATE OF TEXAS §

COUNTY OF ELLIS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared **RYAN KELLEY** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the _____ day of_____, 2024.

_____
Notary Public, State of _____
My Commission Expires On:

CERTIFICATE OF APPROVAL

Approved by: Planning and Zoning Commision, City of Waxahachie

_____
Chairperson Date

_____
Attest Date

STATE OF TEXAS §

COUNTY OF TARRANT §

KNOW ALL MEN BY THESE PRESENTS, THAT I, Eric S. Spooner, a Registered Professional Land Surveyor, in the State of Texas, do hereby certify that this plat was prepared from an actual survey on the ground of the property and that all block monuments and corners were placed under my personal supervision, and in accordance with the platting regulations of the City of Waxahachie, Texas.

Surveyed on the ground during the month of January, 2024.

THIS DOCUMENT IS
PRELIMINARY
FOR REVIEW PURPOSES ONLY
ERIC S. SPOONER, R.P.L.S.
June 27, 2024

_____
Eric S. Spooner, R.P.L.S. Date
Texas Registration No. 5922

*** GENERAL NOTES ***

- The bearings, distances and coordinates shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone, and are based on the North American Datum of 1983, 2011 Adjustment.
- According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency, Department of Homeland Security, and by graphic plotting only, the subject property appears to be located in Zone "X" (areas determined to be outside the 0.2% annual chance floodplain) as shown on Map No. 48139C0180G; map revised October 19, 2023, for Ellis County and Incorporated areas. This flood statement does not imply that the property and/or structures located in Zone "X" will be free from flooding or flood damage. This flood statement shall not create liability on the part of the Surveyor.
- Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law and is subject to fines and withholding of utilities and building permits.

OWNER/APPLICANT:
VICTRON STORES, L.P.
105 YMCA DRIVE
WAXAHACHIE, TX 75165
PH: 469) 517-2000
ATTN: WALID ALAMEDDINE
EMAIL: alamedwt@victrongroup.com

ENGINEER:
JDJR
2500 TEXAS DRIVE, SUITE 100
IRVING, TX 75062
PH: (972) 252-5357
ATTN: DEBRA COX

SURVEYOR:
SPOONER & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
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309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 6854448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900 ~ S&A 24000.p

REPLAT
LOT 2R, BLOCK A
CSP1 ADDITION
BEING A REPLAT OF LOT 2, BLOCK A, CSP1 ADDITION, BEING AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
1 LOT ~ ZONE C (COMMERCIAL) AND LI-2 (LIGHT INDUSTRIAL)
CASE NO. _____
JUNE ~ 2024

Planning & Zoning Department
Plat Staff Report

Case: SUB-144-2024

MEETING DATE(S)
Planning & Zoning Commission: July 23, 2024

CAPTION
Present a request by James Johnston, for a **Plat** of *Lots 1 and 11X, Block A WOC addition* of the Official Map of Waxahachie, being 4.394-acres, located at Highway 287 N access road approx. 1-mile West of Ovilla road, (Property ID 295243) – Owner: Montclair development a series of EIS development II LLC., (SUB-144-2024) Staff: Harper Lindamood

RECOMMENDED MOTION
"I move to disapprove SUB-144-2024, a Plat of the WOC Addition."

APPLICANT REQUEST
The applicant requests to plat the property into one (1) commercial lot and one (1) HOA maintained X-lot as part of the WOC Addition.

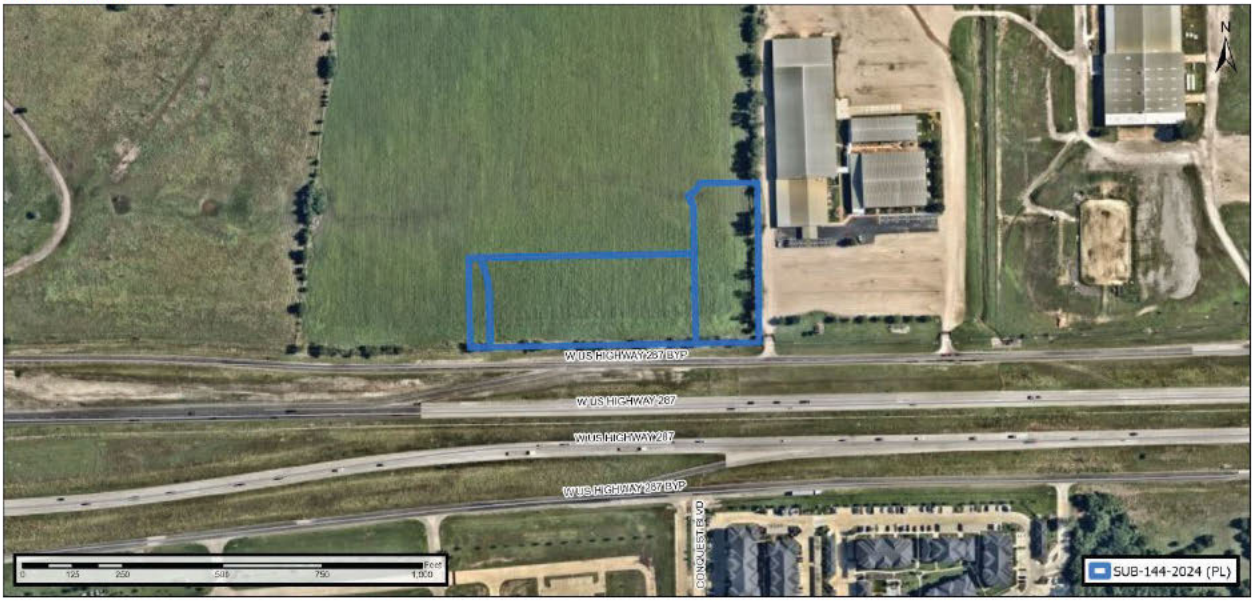
CASE INFORMATION

Applicant:	James Johnston
Property Owner(s):	Montclair Development a Series of EIS Development II LLC
Site Acreage:	4.394 acres
Number of Lots:	2 lots
Number of Dwelling Units:	0 units
Park Land Dedication:	The cash in lieu of park land dedication for this case is estimated at **$2,491.20** ($600.00 per acre for non-residential lots).
Adequate Public Facilities:	Adequate public facilities are available to the subject property via the extension of off-site water and sanitary sewer lines.

SUBJECT PROPERTY

General Location:	Highway 287 N access road approx. 1-mile West of Ovilla road
Parcel ID Number(s):	295243
Current Zoning:	Planned Development-Mixed Use Residential (PD-MUR – Ord. 3315)
Existing Use:	The subject property is currently undeveloped.
Platting History:	A plat for the subject property (SUB-23-2022) was approved on May 10, 2022. Approval of the plat expired on May 10, 2024, due to lack of action to file the plat by the property owner.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to plat the subject property into one (1) commercial lot and one (1) HOA maintained X-lot as part of the WOC Addition. The subject property is located in the Montclair Heights Planned Development zoning district (Ord. 3315). The layout of the proposed subdivision adheres to the concept plan included in the Montclair Heights Planned Development. The proposed plat includes right-of-way (ROW) dedication for Fisher Way.

As part of the review of the plat application, staff identified multiple items, including technical errors and a lack of ownership of the subject property, that conflict with the requirements of the Waxahachie Subdivision Ordinance. Each of these items have been identified as reasons of disapproval in the staff recommendation section below.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends disapproval of the Plat request due to the items in non-compliance with the Waxahachie Subdivision Ordinance listed below.

Items in non-compliance:

1. Per Section 2.2.a of the Waxahachie Subdivision Ordinance, compliance with the existing zoning of the subject property is required for all plats. In this case, the Single-Family-2 (SF-2) zoning of the subject property requires a minimum lot size of 12,500 square feet. Adjust the size the size of Lot 4, Block A accordingly.
2. Per Section 2.3.a.2 of the Waxahachie Subdivision Ordinance, perform a title search to locate all easements on the property. Label the existing easement width and recording information.
3. Per Section 1.3 of the Waxahachie Subdivision Ordinance, an embossed hard copy of the Tax Certificate for the subject property (dated within 90-days of your filing date) will need to be provided with your plat at the time of filing.
4. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, all easements proposed to be dedicated by this plat are required to be labeled.

Items in non-compliance (continued):

5. Per Section 2.4.c.25.VI of the Waxahachie Subdivision Ordinance, please remove City Council Mayor certificate of Approval.
6. Per Section 2.4. c.19 of the Waxahachie Subdivision Ordinance, the names of all adjoining subdivisions, the dimensions of all abutting lots, lot and block numbers and accurate reference ties to courses and distances of at least one (1) recognized abstract line or existing subdivision corner shall be shown. A location map drawn to scale shall also be shown. A listing of the lots and their correlating lot areas in square feet shall be provided.
7. Per Section 7.6.a.b.(i)(ii)(iii)(iv) of the Waxahachie Subdivision Ordinance,
   (a)Setback measurements: All setback measurements shall be made in accordance with Article IX.(b)Front yard:(i)On all corner lots, the front yard setback shall be observed along the frontage of both intersecting streets, unless approved specifically otherwise on a final plat. Where single-family and duplex lots have double frontage, extending from one street to another, or are on a corner, a required front yard shall be provided on both streets unless a side or rear yard building line has been established along one frontage on the plat, in which event only one required front yard need be observed. The side and/or rear yards in the case of single-family and duplex uses shall be identified and the front of the structure shall not face the side or rear yard (see Article IX).(ii)Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage (see Article IX).(iii)The front yard shall be measured from the property line to the front face of the building, covered porch, covered terrace or attached accessory building. Eaves and roof extensions or a porch without posts or columns may project into the required front yard for a distance not to exceed four (4) feet, and subsurface structures, platforms or slabs may not project into the front yard greater than thirty (30) inches above the average grade of the yard (see Article IX) and (iv)Minimum lot widths for lots with predominate frontage on the curved radius of a dedicated cul-de-sac street shall be as followed.
8. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, please provide case number.
9. Per Section 2.4. of the Waxahachie Subdivision Ordinance, iii. A statement signed by the owner and acknowledged before a Notary Public as to the authenticity of the signatures, saying that the owner adopts the plat as shown, described and named, and that they do dedicate to the public use forever the streets, alleys, and all other rights of way shown on the plat. The owner further reserves any easement areas shown for mutual use of all public utilities desiring to use the same. Any public utility shall have the right to remove and keep removed all or any part of any vegetative growth for construction or maintenance, or efficiency of its respective system in these easements and all or any part of, any growth or construction which in any way hinders or interferes with the right of ingress and egress to these easements for any necessary use without asking anyone's permission. iv. The registered public surveyor's certificate, with a place for signatures.
   This needs to be signed, thank you.
10. Per Section 2.4.c.3 of the Waxahachie Subdivision Ordinance,
    3.The name, location and recording information of all adjoining subdivisions (or property owners of unplatted property) shall be drawn to the same scale and shown in dotted lines adjacent to the tract proposed for subdivision in sufficient detail to show accurately the existing streets, alleys and other features that may influence the layout of development of the proposed subdivision; adjacent unplatted land shall show property lines, the names of owners of record, and the recording information.
11. Per Section 3.10.a of the Waxahachie Subdivision Ordinance. NOTE: plat that the detention area shall be maintained by the property owner.
12. Per Appendix C, V, sections 5.6 and 5.7 of the City's subdivision ordinance: fences, retaining walls, and screening walls shall not be placed in utility easements.
13. Per section 2.4.C This FEMA panel was updated in October 19, 2023.

Items in non-compliance (continued):

14. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance,
    The location and width of all streets, alleys and easements, existing or proposed, within the subdivision limits and adjacent to the subdivision; a list of proposed street names shall be submitted for all new streets (street name approval is required at the time the plat is approved); Drainage Detention Easement.
15. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, this label to a 25ft water and wastewater easement since this is for the future lines.
16. Per Appendix C, V, Section 2.3 of the City's Subdivision ordinance: Perform a title search to locate all easements on the property.
17. Per Appendix C, V, section 3.9 of the City's subdivision ordinance:
    Water and sewer services are required for each lot prior to filing the plat.
18. Per Appendix C, V, Section 3.5 of the City's subdivision ordinance: Sidewalks are required along the road frontage.
19. Per Appendix C, V, Section 3.1, add the TIA to this plat submittal.
20. Per Section 5.7.a.8 of the Waxahachie Subdivision Ordinance, screening fences/walls shall not be constructed parallel to and within any portion of a utility easement unless written provisions are made and approved by the Public Works and Engineering Director for access and maintenance of the utility easement. Add a note to the plat documenting this requirement.
21. Per Section 7.1.h of the Waxahachie Subdivision Ordinance, Plat Application ($1,250.00) and Filing fees ($100.00) are required to be paid with your Replat application at the time of filing. This fee can be paid via check to the City of Waxahachie or via the invoice on our Citizen Self Service (CSS) Portal.

ATTACHED EXHIBITS

1. Plat

APPLICANT REQUIREMENTS

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

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.
3. Installation and acceptance of a Traffic Signal at the intersection of the W US Highway 287 Business Service Road and W US Highway 287 Bypass Service Road is completed, as required by the Development Agreement for the subject property.

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



CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

VICINITY MAP

NOT TO SCALE

NORTH

GRAPHIC SCALE: 1" = 50'

50 0 50 100 150 Feet

SURVEYOR'S NOTES:

1. BEARINGS AND DISTANCES ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202 NORTH AMERICAN DATUM OF 1983 (NAD 83) (U.S. FOOT) WITH A COMBINED SCALE FACTOR OF 1.0000734449.
2. SUBJECT PROPERTY IS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 48139C0175F, COMMUNITY-PANEL NO. 480798, EFFECTIVE DATE: JUNE 03, 2013. ALL OF THE SUBJECT PROPERTY IS SHOWN TO BE LOCATED IN ZONE "X" UNSHADED, ON SAID MAP. THE LOCATION OF THE SAID FLOODZONES IS BASED ON SAID MAP, IS APPROXIMATE AND IS NOT LOCATED ON THE GROUND.
3. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES.
4. THE PURPOSE OF THIS PLAT IS TO CREATE ONE COMMERCIAL LOT FROM A UNPLATTED TRACT OF LAND.

STATE OF TEXAS §

COUNTY OF DENTON §

THIS IS TO CERTIFY THAT I, MARK N. PEEPLES, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVE PLATTED THE SUBDIVISION FROM AN ACTUAL SURVEY ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION.

MARK N. PEEPLES, R.P.L.S.
NO. 6443

STATE OF TEXAS §

COUNTY OF DENTON §

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED MARK N. PEEPLES, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____DAY OF _____ 20_____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS §

COUNTY OF ELLIS §

WHEREAS **WAXAHACHIE OFFICE CONDOS LLC** ARE THE OWNERS OF A 4.394 ACRE TRACT OF LAND SITUATED IN THE W. IRWIN SURVEY, ABSTRACT NUMBER (NO.) 545 & 546, ELLIS COUNTY, TEXAS, BEING A PORTION OF THAT TRACT OF LAND DESCRIBED TO MONTCLAIR DEVELOPMENT IV SPECIAL WARRANTY DEED RECORDED IN DOCUMENT (DOC.) NO. 2125896, DEED RECORDS, ELLIS COUNTY, TEXAS (D.R.E.C.T.) AND BEING ALL OF THAT TRACT OF LAND DESCRIBED TO WAXAHACHIE OFFICE CONDOS LLC IN SPECIAL WARRANTY DEED RECORDED IN DOCUMENT (DOC.) NO. 2318571, D.R.E.C.T., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS AND DISTANCES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM 83 (NAD83)(US FOOT) WITH A COMBINED SCALE FACTOR OF 1.0000734449.

COMMENCING AT 1/2 INCH REBAR FOUND FOR THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED TO METTLE INVESTMENTS, L.P. IN SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 2226198, D.R.E.C.T., SAID POINT LYING ON THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 287 (VARIABLE WIDTH RIGHT-OF-WAY);

THENCE, NORTH 88 DEG. 55 MIN. 18 SEC. EAST, WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 287, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

THENCE, OVER AND ACROSS SAID MONTCLAIR TRACT THE FOLLOWING COURSES AND DISTANCES;

NORTH 01 DEG. 04 MIN. 42 SEC. WEST, A DISTANCE OF 225.00 FEET TO A POINT FOR CORNER;

NORTH 88 DEG. 55 MIN. 18 SEC. EAST, A DISTANCE OF 565.00 FEET TO A POINT FOR CORNER;

NORTH 01 DEG. 04 MIN. 42 SEC. WEST, A DISTANCE OF 117.99 FEET TO A POINT FOR CORNER;

NORTH 26 DEG. 23 MIN. 53 SEC. WEST, A DISTANCE OF 30.00 FEET TO THE BEGINNING OF A CURVE TO THE LEFT;

WITH SAID CURVE TO THE LEFT, HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 42 DEG. 08 MIN. 46 SEC., AN ARC LENGTH OF 44.14 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 43 DEG. 31 MIN. 44 SEC. EAST, -- 43.15 FEET;

NORTH 89 DEG. 30 MIN. 33 SEC. EAST, A DISTANCE OF 144.75 FEET TO A POINT FOR CORNER ON THE WEST LINE OF LOT 2R, ELLIS COUNTY YOUTH EXPO, AN ADDITION TO THE CITY OF WAXAHACHIE ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET (CAB.) G, PAGE (PG.) 309, PLAT RECORDS ELLIS COUNTY, TEXAS (P.R.E.C.T.);

THENCE, SOUTH 00 DEG. 29 MIN. 27 SEC. EAST, WITH THE WEST LINE OF SAID LOT 2R, A DISTANCE OF 399.58 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 88 DEG. 55 MIN. 18 SEC. WEST, WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S HIGHWAY NO. 287, A DISTANCE OF 723.59 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.3942 ACRES OR 191,410 SQUARE FEET OF LAND MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT **WAXAHACHIE OFFICE CONDOS** LLC ACTING HEREIN BY AND THROUGH IS DULY AUTHORIZED OFFICERS, DOES HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS WINDMILL CROSSING, AN ADDITION TO THE CITY OF WAXAHACHIE, AND DO HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED, PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULARLY UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WAXAHACHIE'S USE THEREOF. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCE, TREE, SHRUB OR OTHER IMPROVEMENT OR GROWTH WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SNID EASEMENTS. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING THE PERMISSION FROM ANYONE.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHIE, TEXAS.

WITNESS MY HAND THIS THE _____ DAY OF _____, 20____

BY: WAXAHACHIE OFFICE CONDOS LLC

_____
AUTHORIZED SIGNATORY

_____
PRINTED NAME/TITLE

_____
DATE

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____DAY OF _____ 20____

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 88°55'18" E	50.00'
L2	N 26°23'53" W	30.00'

ROW LINE TABLE		
LINE	BEARING	DISTANCE
RT	N 01°04'42" W	131.32'

ROW CURVE CHART					
CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
RC1	200.00'	19°31'23"	68.15'	N 10°50'25" W	67.82'
RC2	200.00'	7°59'14"	27.88'	N 16°36'32" W	27.86'

CURVE CHART					
CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	60.00'	42°08'46"	44.14'	N 43°31'44" E	43.15'

LEGEND OF ABBREVIATIONS

- D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
- O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
- ROW RIGHT OF WAY
- IRS 1/2 INCH CAPPED REBAR STAMPED "WINEROSE" SET
- C.M. CONTROLLING MONUMENT
- APPROX. APPROXIMATE
- P.O.C. POINT OF COMMENCING
- P.O.B. POINT OF BEGINNING

CERTIFICATE OF APPROVAL:

APPROVED BY: PLANNING AND ZONING COMMISSION– CITY OF WAXAHACHIE

BY: _____
CHAIRPERSON DATE

BY: _____
ATTEST DATE

CERTIFICATE OF APPROVAL:

APPROVED BY: THE CITY COUNCIL OF THE CITY OF WAXAHACHIE

BY: _____
CHAIRPERSON DATE

BY: _____
ATTEST DATE

ENGINEER
MACATEE ENGINEERING
4144 N. CENTRAL EXPRESSWAY, SUITE 340
DALLAS, TEXAS 75204

OWNER/DEVELOPER
WAXAHACHIE OFFICE CONDOS LLC
21 TRANQUIL POND
FRISCO, TX 75034

WINDROSE
LAND SURVEYING | PLATTING
1951 LAKEWAY DRIVE, SUITE 220 | LEWISVILE, TX 75057 | 214.217.2544
FIRM REGISTRATION NO. 10194331 | WINDROSESERVICES.COM
DRAWN BY: SS DATE: 05/07/2024 CHECKED BY: M.N.P. JOB NO.: 057383
POC: STEPHEN SALCIDO PHONE: 972-370-5871

ZONING: GENERAL RETAIL (GR)

CASE NO._____

PLAT

WOC ADDITION

LOT 1 AND 11X, BLOCK A

BEING 4.394 ACRES
SITUATED IN THE
W. IRWIN SURVEY
ABSTRACT NO. 545 AND
THE IRWIN SURVEY
ABSTRACT NO. 546

-- 2024 --

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-131-2024

MEETING DATE(S)

Planning & Zoning Commission: July 23, 2024
City Council: August 5, 2024

CAPTION

Public Hearing on a request by Jose Perez, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single-Family Dwelling-2 (SF-2) zoning district located at 131 Vanderbilt Lane (Property ID 172836) - Owner: Jose & Maria Perez (ZDC-131-2024)

RECOMMENDED MOTION

- *"I move to recommend denial of ZDC-131-2024, a Specific Use Permit (SUP) for Short-Term Rental use."*
- *"I move to recommend approval of ZDC-131-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."*

APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 131 Vanderbilt Lane.

CASE INFORMATION

Applicant:	Jose Perez
Property Owner(s):	Jose & Maria Perez
Site Acreage:	0.239 acres
Current Zoning:	Single-Family Dwelling-2 (SF-2)
Requested Zoning:	SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location:	131 Vanderbilt Lane
Parcel ID Number(s):	172836
Existing Use:	Residential use
Development History:	The subject property is platted as Lot 16, Block 2 of the College Hills #2 Addition

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Residential
East	SF-2	Residential
South	SF-2	Residential
West	PD-GR	School, Vocational

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood hearkens 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 Vanderbilt Lane.

Site Image:



PLANNING ANALYSIS

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

The applicant requests a SUP for short-term rental use at 131 Vanderbilt Lane because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 2,040 square feet, built in 1969 with three (3) bedrooms, two (2) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles. The subject property is situated on an approximately 0.239 acres (10,410 square feet) lot. The applicant has been operating a short-term rental since approximately July 2021. The applicant 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 submitted the SUP application on June 12, 2024.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered two (2) noise and disturbance-related calls had been made regarding the subject property and its current use in the past 12 months. The first call was made on December 18, 2023, regarding a civil matter. The second call was made on December 25, 2023, regarding noise disturbance.

The applicant's local emergency contact is Xochitl Cantu (972) 251-3725, 611 Cardinal Drive, Red Oak, TX. 75154, xxcantu5@gmail.com, which is located approximately 9.8 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 three (3) letters of support were received by staff, with one (1) letter of opposition and one (1) letter of support being inside 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 applicant shall provide an updated Certificate of Insurance or the Declaration page of the insurance policy to reflect the subject property's address and the minimum coverage amount of $1,000,000 per occurrence.
2. 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.
3. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
4. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
5. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces.
6. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
7. 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. City of Waxahachie Police Department Reports
3. Location Map (Exhibit A)
4. Zoning Map (Exhibit B)
5. Floorplan (Exhibit C)
6. Survey (Exhibit D)
7. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
Oanh Vu
Senior Planner
oanh.vu@waxahachie.com

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

Item 5&6

Your response to this notification is optio[illegible] choose to respond, please return this form by 5:00 P.M. on *July 17, 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 will help create local jobs for people helping this business. AND bring unique people to town.

Signature

July 9, 2024
Date

A Potts
Printed Name and Title

110 Dartmouth dr
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-131-2024

ROBINSON M TODD
312 MAGNOLIA DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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 Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 131 Vanderbilt Lane (Property ID 172836) – Owner(s): Jose & Maria Perez (ZDC-131-2024) Staff: Oanh Vu

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-131-2024 **City Reference: 172911**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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: oppose ---

M Todd Robinson
Signature

7/15/24
Date

M Todd Robinson
Printed Name and Title

111 Dartmouth.
Address Wax. Tx. 75165

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-131-2024

<>

HARRIMAN WYMAN & KATHRYN
118 VANDERBILT LN
WAXAHACHIE, TX 75165-1744

RECEIVED JUL 1 1 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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-131-2024 **City Reference: 172920**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 because if you let one come into the neighborhood, then there will be others to come and we don't need that to happen.

Kathryn Harriman
Signature

7-9-24
Date

KATHRYN HARRIMAN, Neighbor
Printed Name and Title

118 Vanderbilt Lane
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-131-2024

STARKS HEATHER R
129 VANDERBILT LN
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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 Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 131 Vanderbilt Lane (Property ID 172836) – Owner(s): Jose & Maria Perez (ZDC-131-2024) Staff: Oanh Vu

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-131-2024 **City Reference: 172835**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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:

Heather Starks
Signature

7.11.24
Date

Heather Starks
Printed Name and Title

129 Vanderbilt Ln.
Address
WAX, TX 75165

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-131-2024

<>◇◇◇>

RECEIVED JUL 1 1 2024

YEE DUANE C
130 VANDERBILT LN
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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-131-2024 **City Reference: 172915**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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:

Stacey Yee
Signature

Date

Stacey Yee
Printed Name and Title

130 Vanderbilt Ln Wax
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-131-2024

◇◇◇

RECEIVED JUL 16 2024

FARMER LINDA J
139 VANDERBILT LN
WAXAHACHIE, TX 75165-1743

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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-131-2024 **City Reference: 172830**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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:

Linda J. Farmer
Signature

7-12-2024
Date

Linda J. Farmer
Printed Name and Title

139 Vanderbilt Ln.
Waxahachie, Tx. 75165
Address

WAXAHACHIE POLICE DEPARTMENT
A Recognized "Best Practices" Agency
630 Farley Street, Waxahachie, TX 75165
Phone: 469-309-4400 Fax: 469-309-4420

CFS Log — Printed on June 20, 2024

Date Range	between 6/21/2023 and 6/20/2024	**Status**	Any Status	**IR**	All Incidents
Call Taker	All Call Takers	**Responder Agency**	All Agencies	**Responder Unit**	All Units
Responder Personnel	All Personnel	**Incident Code**		**Street**	131 Vanderbilt
Name		**Phone #**		**CFS / IR #**	
Disposition		**Beat**	All Beats	**Plate #**	
Other					

12/25/23 23:17 [redacted] IR #s: P231225-4206

Primary Incident Code SHORT : SHORT TERM RENTALS
Additional Incident Code(s) NOISE : Noise Disturbance
Location 131 VANDERBILT LN, WAXAHACHIE, TX 75165
Names [redacted]

12/18/23 22:53 [redacted]

Primary Incident Code CIVIL : Civil Matter
Location 131 VANDERBILT LN, WAXAHACHIE, TX 75165
Names [redacted]

WAXAHACHIE POLICE DEPARTMENT
A Recognized "Best Practices" Agency
630 Farley Street, Waxahachie, TX 75165
Phone: 469-309-4400 Fax: 469-309-4420

CFS - Command Log Printed on July 16, 2024

CFS #	[redacted]
Call Taker	[redacted]
Location	131 VANDERBILT LN, WAXAHACHIE, TX 75165
Location Details	
Primary Incident Code	CIVIL : Civil Matter
Mod	Routine
Priority	4
Use Caution	No
Primary Disposition	Civil Matter
Beat	A2
Call Time	12/18/23 22:53:02
Completed Time	12/18/23 23:20:38

Reporters

[redacted] (Initial Reporter)

Sex	
DOB	
Address	
Report Time	12/18/23 22:53:02
How Reported	911
From Phone	[redacted]
Contact Phone	[redacted]
Comments	

Other Names

[redacted] (Complainant)

Sex	Female
DOB	2/12/88
Address	[redacted]
Cell Phone	[redacted]
Comments	

[redacted] (Other)

Sex	Male
DOB	9/1/84
Address	[redacted]
Cell Phone	[redacted]
Comments	

Vehicles

[redacted] TX (Other)

Description	[redacted]
Owner	[redacted]

Responders

128 (Primary)	128 - [redacted]	WPD (Primary)
135	135 - [redacted]	WPD (Primary)
228	228 - [redacted]	WPD (Primary)

Response Times

Assigned	12/18/23 22:57:37
Enroute	12/18/23 22:58:05
Staged	
Arrived	12/18/23 23:03:38
Backup Requested	
Backup Arrived	
Leaving	
Arrived At	
Completed	12/18/23 23:20:38

IR / External Agency Numbers

Officer Addenda

Command Log Filter: All Commands | Details: Hidden | Units: All Units | Revised Entries: Shown

[redacted]

[redacted]

12/18/23 23:20:38 | [redacted] | 128 | clear (Location: In Service)

WAXAHACHIE POLICE DEPARTMENT
A Recognized "Best Practices" Agency
630 Farley Street, Waxahachie, TX 75165
Phone: 469-309-4400 Fax: 469-309-4420

CFS - Command Log Printed on July 16, 2024

CFS #	[redacted]
Call Taker	[redacted]
Location	131 VANDERBILT LN, WAXAHACHIE, TX 75165
Location Details	
Primary Incident Code	SHORT : SHORT TERM RENTALS
Additional Incident Code(s)	NOISE : Noise Disturbance
Mod	
Priority	3
Use Caution	No
Primary Disposition	Verbal Warning
Beat	A2
Call Time	12/25/23 23:17:31
Completed Time	12/25/23 23:33:44

Reporters

[redacted] **(Initial Reporter)**

Sex	
DOB	
Address	
Report Time	12/25/23 23:17:31
How Reported	Phone
From Phone	
Contact Phone	[redacted]
Comments	

Other Names

Vehicles

Responders

146 (Primary)	146 - [redacted]	WPD (Primary)
207	207 - [redacted]	WPD (Primary)
242	242 - [redacted]	WPD (Primary)

Response Times

Assigned	12/25/23 23:20:46
Enroute	12/25/23 23:21:16
Staged	
Arrived	12/25/23 23:31:29
Backup Requested	
Backup Arrived	
Leaving	
Arrived At	
Completed	12/25/23 23:33:44

IR / External Agency Numbers

[redacted] PO: 146 - [redacted]

Officer Addenda

Command Log Filter: All Commands | Details: Hidden | Units: All Units | Revised Entries: Shown

12/25/23 23:17:31 | [redacted] | New CFS
12/25/23 23:18:47 | [redacted] | AIR BNB WITH LOUD MUSIC PLAYING IN THE BACK YARD
12/25/23 23:19:36 | [redacted] | WOULD JUST LIKE THEM TO TURN IT DOWN, NO CONTACT NEEDED
12/25/23 23:20:15 | [redacted] | CALLER BELIEVES IT TO BE AN AIR BNB
12/25/23 23:20:46 | [redacted] | 146, 207, 242 | Dispatch
12/25/23 23:21:16 | [redacted] | 207 | Enroute
12/25/23 23:21:45 | [redacted] | 146, 242 | Enroute
12/25/23 23:26:43 | [redacted] | 242/WE WILL ADV
12/25/23 23:26:49 | [redacted] | 207 | clear (Location: In Service)
12/25/23 23:31:29 | [redacted] | 146, 242 | On Scene
12/25/23 23:33:44 | [redacted] | 146, 242 | clear (Location: In Service)


Item 5&6
ALLEY
DARTMOUTH DR
N
SOLON RD
ALLEY
VANDERBILT LN
N GRAND AVE
BRUMMETT DR
ALLEY
ALLEY
ALLEY
EXHIBIT A - LOCATION MAP
0
75
150
300
450
600
Feet
ZDC-131-2024 (SUP)

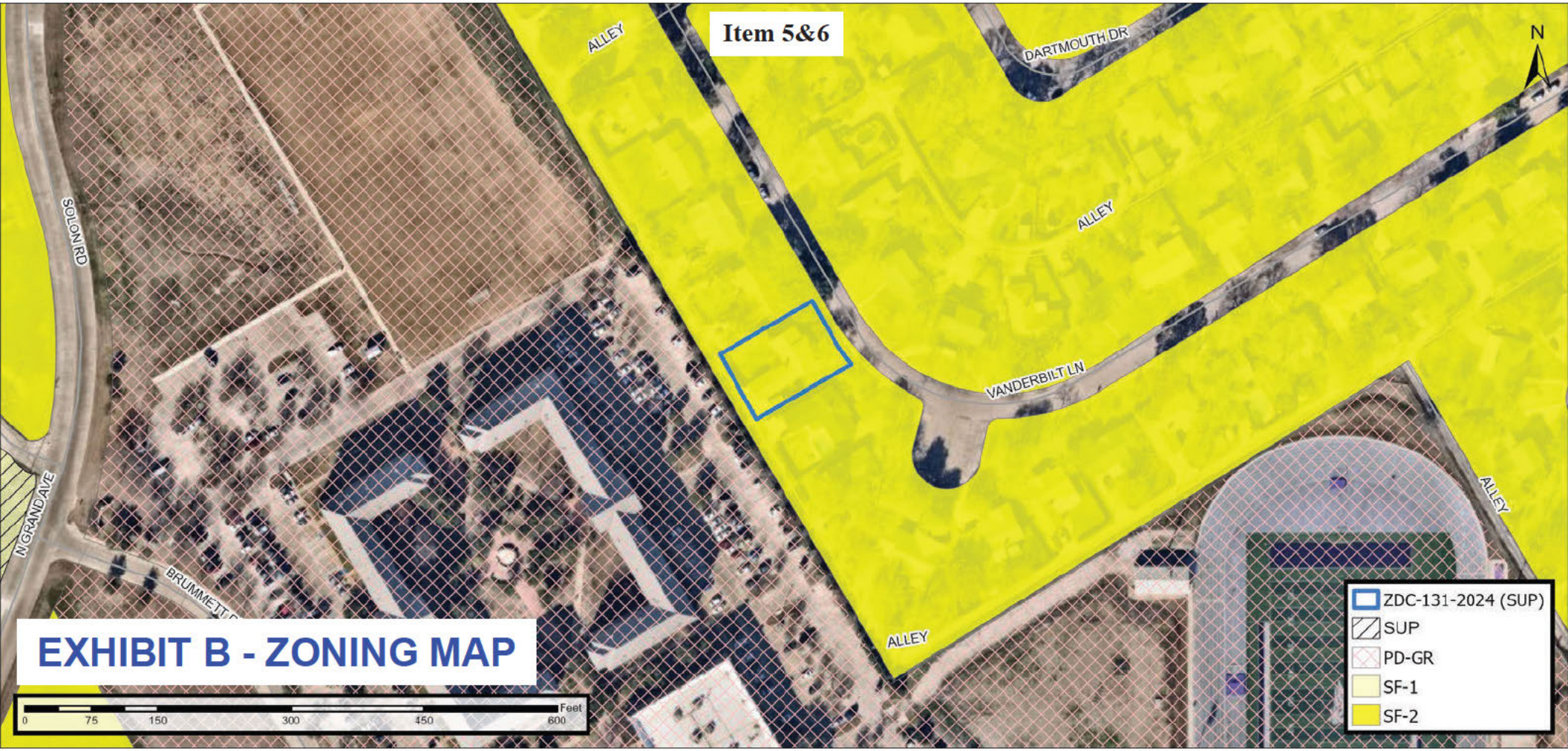

Item 5&6
ALLEY
DARTMOUTH DR
N
SOLON RD
ALLEY
VANDERBILT LN
N GRAND AVE
BRUMMETT
ALLEY
ALLEY
ZDC-131-2024 (SUP)
SUP
PD-GR
SF-1
SF-2
EXHIBIT B - ZONING MAP
Feet
0
75
150
300
450
600

EXHIBIT C - FLOORPLAN

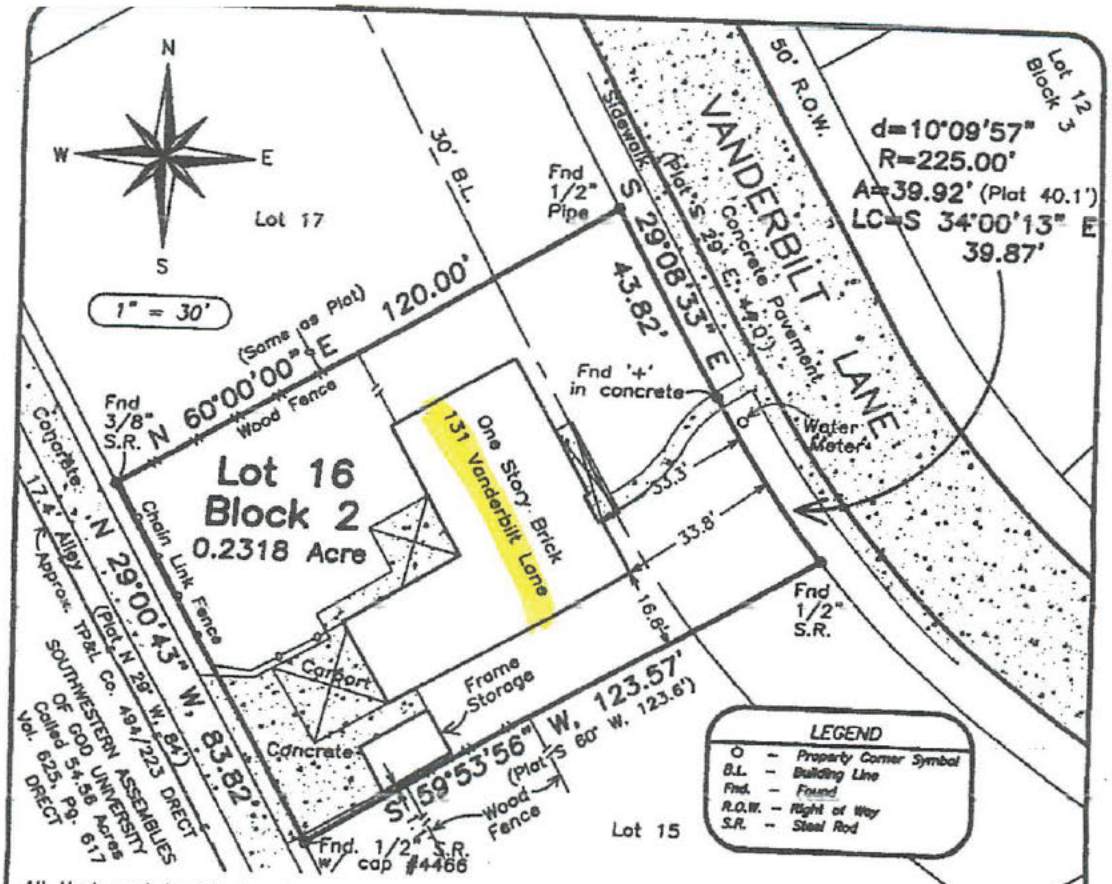
ALLEY

Item 5&6



EXHIBIT D - SURVEY

Item 5&6



All that certain lot, tract or parcel of land being known and designated as LOT 16, BLOCK 2, COLLEGE HILLS ADDITION, UNIT 2, an addition to the City of Waxahachie, Ellis County, Texas, according to the Final Plat thereof recorded in Cabinet A, Slide 341, Plat Records, Ellis County, Texas.

(also known as 131 Vanderbilt Lane)

The plat hereon reflects a survey made on the ground and is true, correct and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon, if any, and as to the other matters shown hereon, and correctly shows the location of all visible easements and rights-of-way. This survey reflects the above ground (visible) location of utilities. The surveyor makes no guarantees that the utilities shown compromise all such utilities in the area, either in service, or abandoned. Further, the surveyor does not warrant that the underground utilities shown are in the exact location indicated. Underground utilities which may affect this property were not located during the course of this survey. Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets or alleys by any improvements on the subject property and there are no conflicts or protrusions. I further declare that no portion of the said tract lies within a Special Flood Hazard Boundary according to the Flood Insurance Rate Map for Ellis County, Texas. Map # 48139C0095 D, Zone X Unshaded. This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition 2 Survey. This survey was prepared for title purposes in conjunction with Ellis County Abstract & Title Company, Inc. Commitment for Title Insurance, G.F. No. 1101074W, dated: November 23, 2010. The easements, rights-of-way, or other exceptions noted herson are according to the Schedule B provided. The surveyor has not abstracted the property. Based on the easements and/or deeds provided by the title company, the following do not appear to affect the subject property:

T.P. & L. Co.	339/321, 494/223, 495/133, 509/452, 546/65 & 546/109 DRECT
Lone Stort Gas Co.	494/457 DRECT
Southwestern Bell Telephone	494/479 DRECT
Drainage Easement	531/356 DRECT

Walter Keven Davis 2/9/11

STATE OF TEXAS
REGISTERED
WALTER KEVEN DAVIS
4466
PROFESSIONAL
LAND SURVEYOR

ENGINEERS
D&M
SURVEYORS

Walter Keven Davis
Registered Professional Land Surveyor #4466

DAVIS & McDILL, Inc.

(A Texas licensed surveying firm # 101504-00)
P.O. BOX 428, Waxahachie, Texas 75168
Phone: Metro 972-938-1185 Fax: 972-937-0307

Description Survey Plat Client: Ellis County Abstract and Title Co. G.F.# 1101074W
Drawn by: Kevin Huber Scale: 1" = 30' Date: February 9, 2011 Job# 211-0037
Revised: 2-9-11

Marie Davis Gene Davis

EXHIBIT E - HOST RULES

Item 5&6

House rules

You'll be staying in someone's home, so please treat it with care and respect.

Checking in and out

Check-in after 3:00 PM

Checkout before 11:00 AM

Self check-in with lockbox

During your stay

6 guests maximum

No pets

Quiet hours
10:00 PM - 7:00 AM

No parties or events

No smoking

Additional rules
Quite time 10PM

Before you leave

Gather used towels

Throw trash away

Turn things off

Additional requests
we require no stripping of beds , that is the cleaning staff responsibility , Thank's for your booking and we hope you had an enjoyable stay.

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-129-2024

MEETING DATE(S)

Planning & Zoning Commission: July 23, 2024
City Council: August 5, 2024

CAPTION

Public Hearing on a request by Jose Perez, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single-Family Dwelling-2 (SF-2) zoning district located at 137 Vanderbilt Lane (Property ID 172839) - Owner: Jose Perez (ZDC-129-2024)

RECOMMENDED MOTION

- *"I move to recommend denial of ZDC-129-2024, a Specific Use Permit (SUP) for Short-Term Rental use."*
- *"I move to recommend approval of ZDC-129-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."*

APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 137 Vanderbilt Lane.

CASE INFORMATION

Applicant:	Jose Perez
Property Owner(s):	Jose Perez
Site Acreage:	0.239 acres
Current Zoning:	Single-Family Dwelling-2 (SF-2)
Requested Zoning:	SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location:	137 Vanderbilt Lane
Parcel ID Number(s):	172839
Existing Use:	Residential use
Development History:	The subject property was platted as part of the College Hills #2 Addition

Adjoining Zoning & Uses:

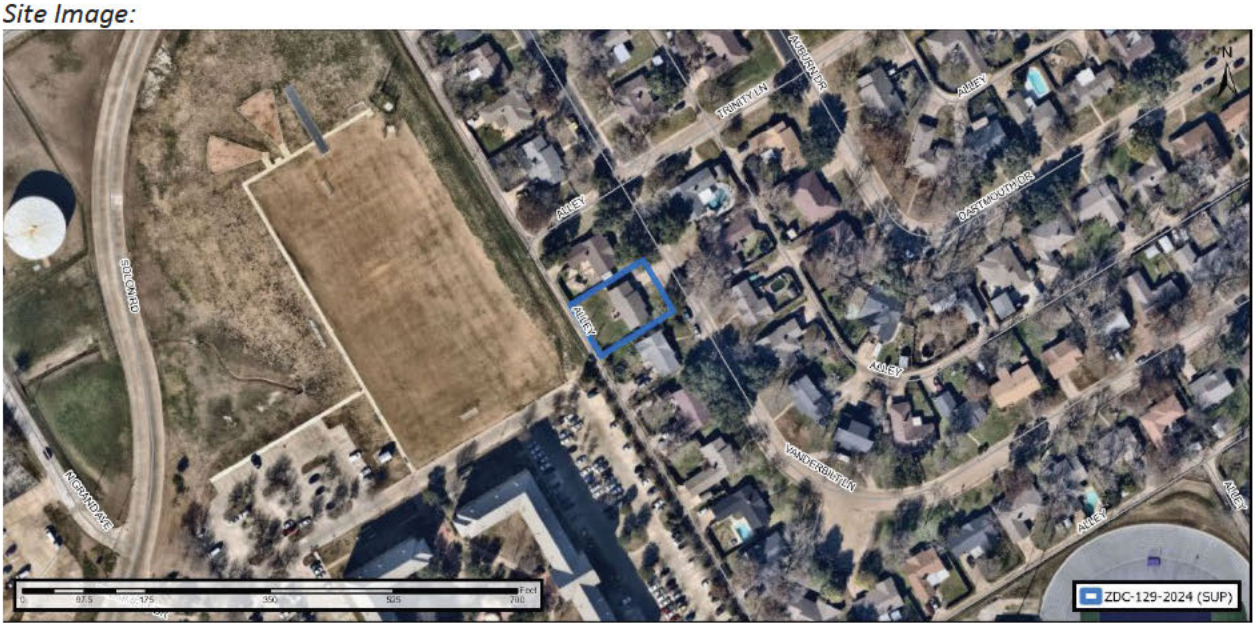
Direction	Zoning	Current Use
North	SF-2	Residential
East	SF-2	Residential
South	SF-2	Residential
West	PD-GR	School, Vocational

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood hearkens 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 Vanderbilt Lane.

Site Image:



PLANNING ANALYSIS

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

The applicant requests a SUP for short-term rental use at 137 Vanderbilt Lane because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,918 square feet, built in 1969 with three (3) bedrooms, two (2) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles. The subject property is situated on an approximately 0.239 acres (10,410 square feet) lot. The applicant has been operating a short-term rental since approximately April 2021. The applicant 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 submitted the SUP application on June 12, 2024.

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

The applicant's local emergency contact is Xochitl Cantu (972) 251-3725, 611 Cardinal Drive, Red Oak, TX. 75154, xxcantu5@gmail.com, which is located approximately 9.7 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, 50 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 two (2) letters of support were received by staff, with one (1) letter of opposition and no letters of support being inside 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 applicant shall provide an updated Certificate of Insurance or the Declaration page of the insurance policy to reflect the subject property's address and the minimum coverage amount of $1,000,000 per occurrence.
2. 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.
3. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
4. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
5. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces.
6. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
7. 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. Survey (Exhibit D)
6. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
Oanh Vu
Senior Planner
oanh.vu@waxahachie.com

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

5:00 P.M. on *July 17, 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.

Item 7&8

☑ SUPPORT ☐ OPPOSE

Comments:

This should bring unique visitors to the community to support local businesses.

Signature

July 9, 2024
Date

AJ Potts
Printed Name and Title

110 Dartmouth dr
Address

Case Number: ZDC-129-2024 **Item 7&8** **City Reference: 172840**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 JUL 11 2024

Fay Rogers
Signature

Date

Fay Rogers Owner
Printed Name and Title

117 Vanderbilt
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-129-2024

RECEIVED JUL 1 1 2024

YEE DUANE C
130 VANDERBILT LN
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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 Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 137 Vanderbilt Lane (Property ID 172839) – Owner(s): Jose Perez (ZDC-129-2024) Staff: Oanh Vu

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-129-2024 **City Reference: 172915**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 _____ Date _____

DUANE YEE — 130 VANDERBILT LN WAX

Printed Name and Title — Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-129-2024

HARRIMAN WYMAN & KATHRYN
118 VANDERBILT LN
WAXAHACHIE, TX 75165-1744

RECEIVED JUL 1 1 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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 Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 137 Vanderbilt Lane (Property ID 172839) – Owner(s): Jose Perez (ZDC-129-2024) Staff: Oanh Vu

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-129-2024 **City Reference: 172920**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 are having so many problems in our neighborhood of people not maintaining their property and this would add to the situation

Wyman Harriman
Signature

7-9-24
Date

Wyman Harriman
Printed Name and Title

118 Vanderbilt Lane
Address

Item 7&8

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-129-2024

STARKS HEATHER R
129 VANDERBILT LN
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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 Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 137 Vanderbilt Lane (Property ID 172839) – Owner(s): Jose Perez (ZDC-129-2024) Staff: Oanh Vu

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-129-2024 **City Reference: 172835**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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:

Heather Starks
Signature

7.11.24
Date

Heather Starks
Printed Name and Title

129 Vanderbilt Ln.
Address Wax, TX 75165


Item 7&8
N
TRINITY LN
AUBURN DR
ALLEY
DARTMOUTH DR
ALLEY
SOLON RD
ALLEY
ALLEY
VANDERBILT LN
ALLEY
ALLEY
N GRAND AV
EXHIBIT A - LOCATION MAP
Feet
0
87.5
175
350
525
700
ZDC-129-2024 (SUP)

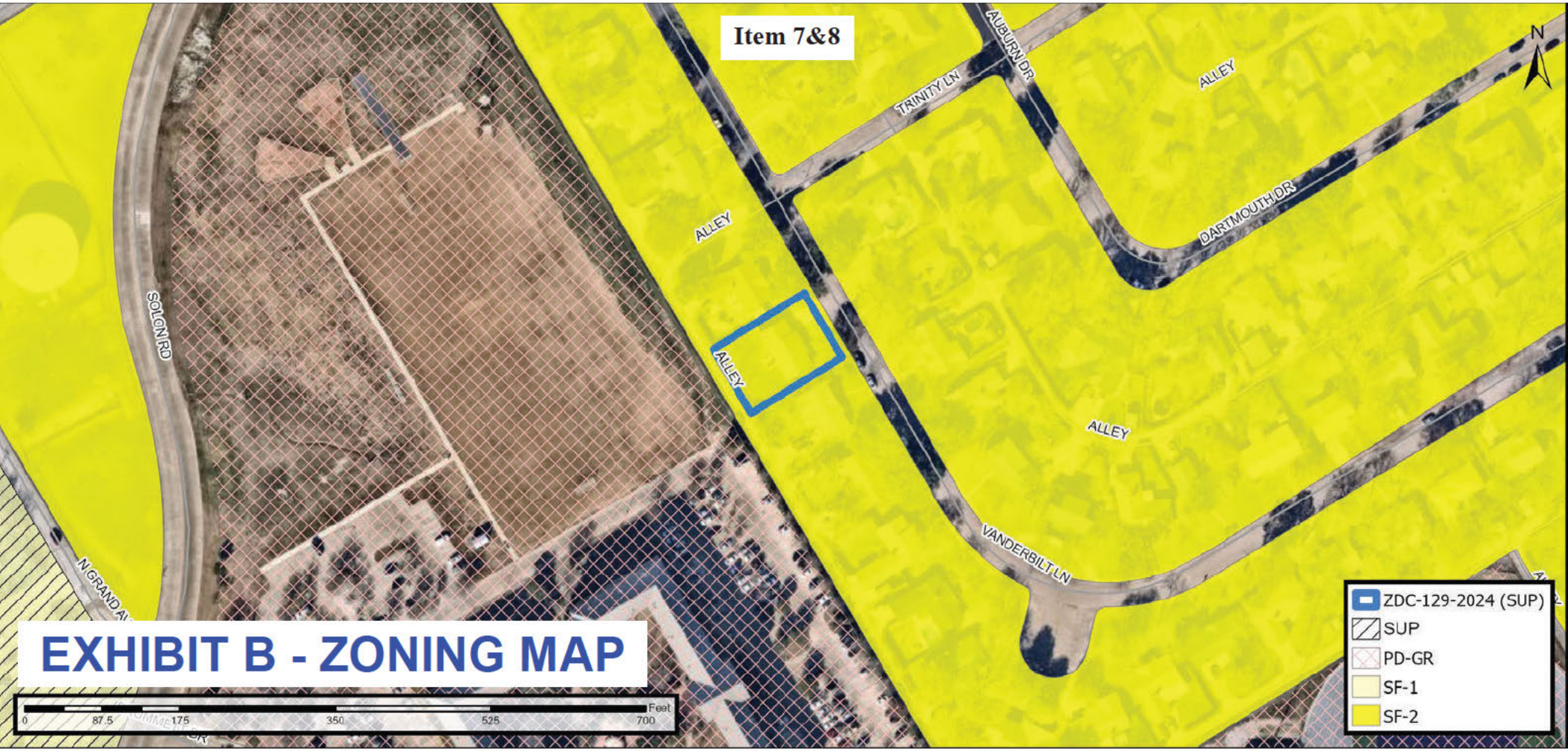
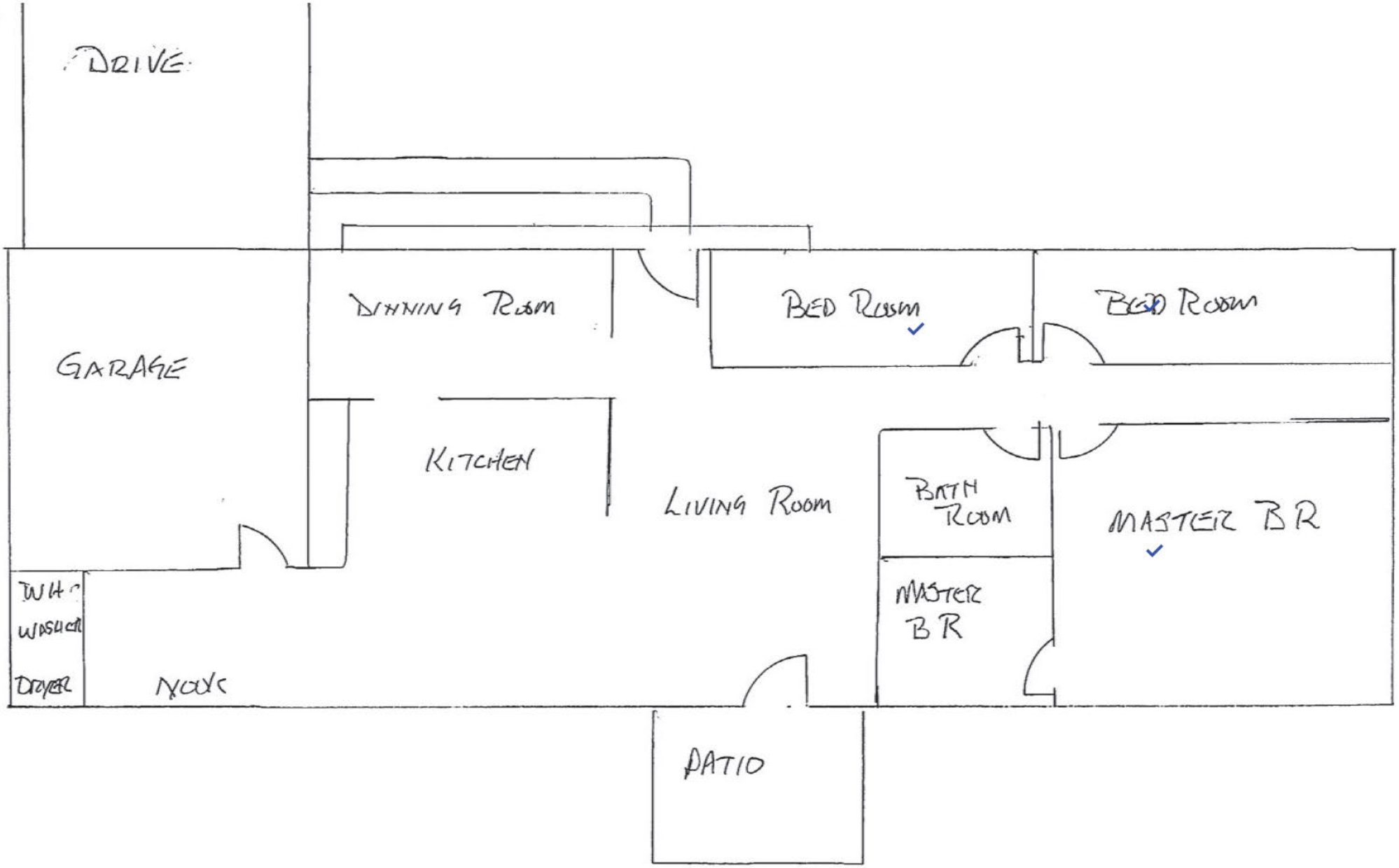


EXHIBIT B - ZONING MAP

EXHIBIT C - FLOORPLAN

VAN Item 7&8 CT BLVD



ALLEY

EXHIBIT D - SURVEY

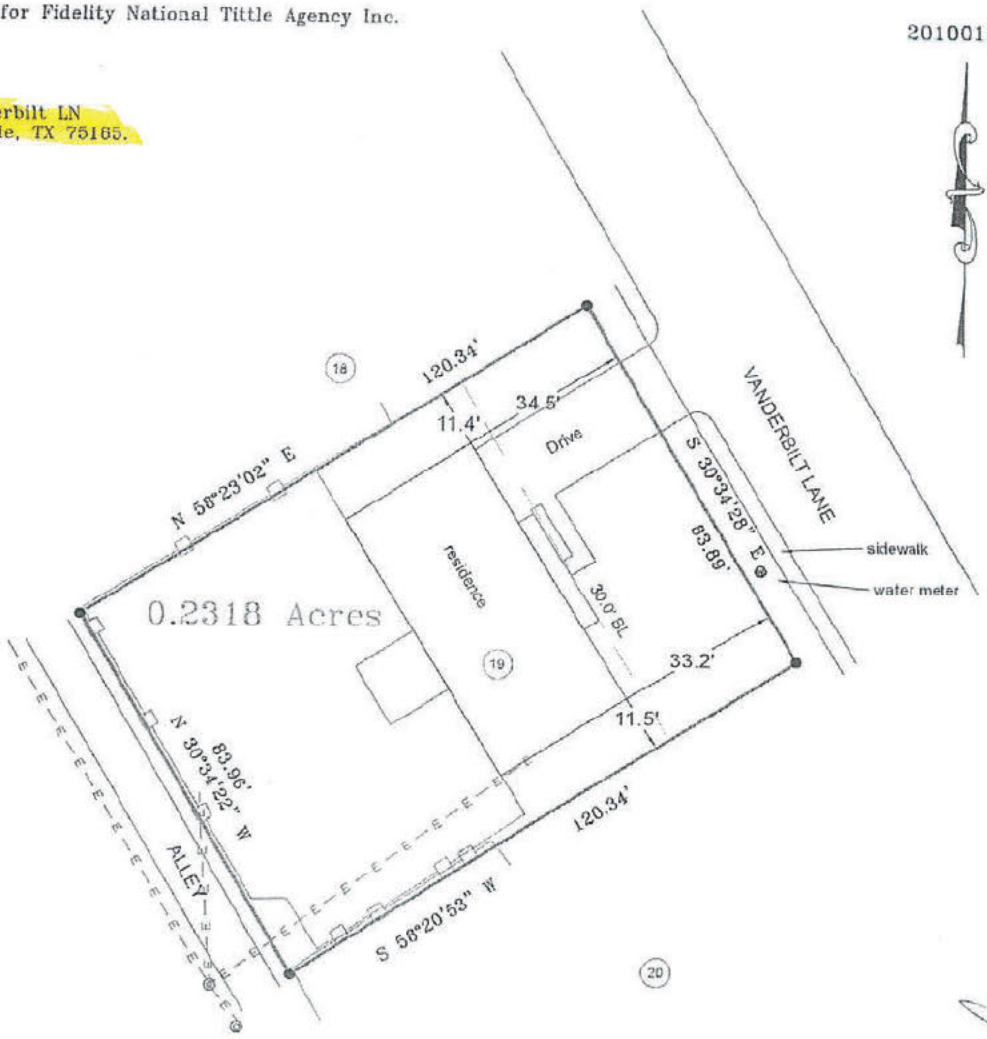
Item 7&8

Surveyed for Fidelity National Tittle Agency Inc.

2010013

Address

137 Vanderbilt LN
Waxahachie, TX 75165.



PLAT OF SURVEY SHOWING
LOT 19, BLOCK 2, UNIT II,
COLLEGE HILLS ADDITION
CITY OF WAXAHACHIE
CABINET A, SLIDE 341
ELLIS COUNTY, TEXAS
SURVEYED OCTOBER 2020
SCALE 1 INCH = 30.00 FEET

I, RUBEN GREGG SAXON, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5669, do hereby certify to Fidelity National Title Agency Inc. that the plat shown hereon was prepared from an actual survey made on the ground under my direction and supervision during the month of October 2020. Apparent, above ground, conflicts, protrusions or encroachments, if any, are as shown.

GIVEN UNDER MY HAND AND SEAL, this the 19th day of October 2020.

Bearing Source: (TX NC NAD83)

This survey is Copyrighted and Warranted for one transaction involving the party certified to. Use of this survey for another transaction or when the certified party is not a party to is a violation of copyright law and will void any warranty expressed or implied.

STATE OF TEXAS
REGISTERED
RUBEN GREGG SAXON
5669
PROFESSIONAL
LAND SURVEYOR

Surveyor's Note:

PLEASE KEEP ORIGINALS IN A SAFE PLACE. AFTER 30 DAYS MY RECORDS ARE ARCHIVED AND NO COPIES WILL BE PULLED. NO EXCEPTIONS.

Date	Revision

— E — E — E — E — E — Overhead Power Line
— x — x — x — x — x — Barbed Wire Fence
Chain link Fence
Wood Privacy Fence
— P — P — P — P — Pipeline
— T — T — T — T — Telephone

⊙ = Railroad Spike Fnd.
◇ = Railroad Spike Set
Φ = point for corner
● = ½" Iron Rod Fnd.
▲ = ½" Iron Pipe Fnd.
⊗ = ⅜" Iron Rod Fnd.
⊞ = 1" Iron Pipe Fnd.
■ = Con. Mrkr. Fnd.
○ = ½" Iron Rod Set
◎ = utility pole
⌅ = "X" cut
⊡ = ⅝" Iron Pipe Fnd.
⊕ = 60D Nail Fnd.
□ = 60D Nail Set

Drawn by: R.G.S.
Field Work by:
Book/Page:

Bent Pine Surveying, Inc.
P.O. Box 503
Lillian Tx, 76061
BentPineSurveying.com
gregg@BentPineSurveying.com
FIRM # 10194326

EXHIBIT E - HOST RULES

Item 7&8

House rules

You'll be staying in someone's home, so please treat it with care and respect.

Checking in and out

Check-in after 3:00 PM

Checkout before 11:00 AM

Self check-in with lockbox

During your stay

6 guests maximum

No pets

Quiet hours
10:00 PM - 7:00 AM

No parties or events

No smoking

Additional rules
Quite time 10PM

Before you leave

Gather used towels

Throw trash away

Turn things off

Additional requests
we require no stripping of beds , that is the cleaning staff responsibility , Thank's for your booking and we hope you had an enjoyable stay.

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-130-2024

MEETING DATE(S)

Planning & Zoning Commission: July 23, 2024
City Council: August 5, 2024

CAPTION

Public Hearing on a request by Jose Perez, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single-Family Dwelling-2 (SF-2) zoning district located at 103 Johnston Boulevard (Property ID 174978) - Owner: Jose & Maria Perez (ZDC-130-2024)

RECOMMENDED MOTION

- *"I move to recommend denial of ZDC-130-2024, a Specific Use Permit (SUP) for Short-Term Rental use."*
- *"I move to recommend approval of ZDC-130-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."*

APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 103 Johnston Boulevard.

CASE INFORMATION

Applicant:	Jose Perez
Property Owner(s):	Jose & Maria Perez
Site Acreage:	0.177 acres
Current Zoning:	Single-Family Dwelling-2 (SF-2)
Requested Zoning:	SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location:	103 Johnston Boulevard
Parcel ID Number(s):	174978
Existing Use:	Residential use
Development History:	The subject property is platted as Lot 10, Block 5 of the Northgate II Addition

Adjoining Zoning & Uses:

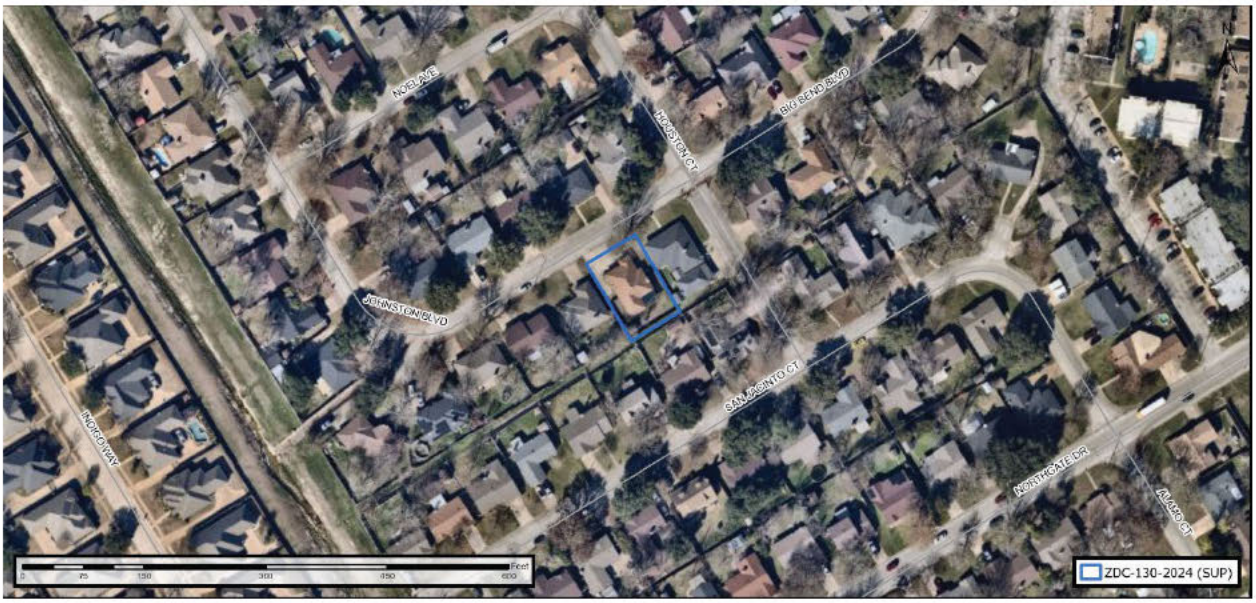
Direction	Zoning	Current Use
North	SF-2	Residential
East	SF-2	Residential
South	SF-2	Residential
West	SF-2	Residential

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood hearkens 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 Johnston Boulevard.

Site Image:



PLANNING ANALYSIS

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

The applicant requests a SUP for short-term rental use at 103 Johnston Boulevard because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,538 square feet, built in 1983 with three (3) bedrooms, two (2) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles. The subject property is situated on an approximately 0.177 acres (7,710 square feet) lot. The applicant has been operating a short-term rental since approximately September 2022. The applicant 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 submitted the SUP application on June 12, 2024.

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

The applicant's local emergency contact is Xochitl Cantu (972) 251-3725, 611 Cardinal Drive, Red Oak, TX. 75154, xxcantu5@gmail.com, which is located approximately 9.5 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, 109 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 thirteen (13) letters of opposition and one (1) letter of support were received by staff, with three (3) letters of opposition and no letters of support being inside 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 applicant shall provide an updated Certificate of Insurance or the Declaration page of the insurance policy to reflect the subject property's address and the minimum coverage amount of $1,000,000 per occurrence.
2. 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.
3. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
4. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
5. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces.
6. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
7. 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. Survey (Exhibit D)
6. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
Oanh Vu
Senior Planner
oanh.vu@waxahachie.com

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

Item 9&10

Case Number: ZDC-130-2024

City Reference: 174936

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 pose a potential disturbance to t existing family-friendly neighborhood.

Joe Oscar Barrentine Lesa Barrentine
Signature

7- -2024
Date

Joe Oscar Barrentine
Printed Name and Title

101 San Jacinto Waxa.
Address

+ Lesa Barrentine

Case Number: ZDC-130-2024 **Item 9&10** ***City Reference: 174912***

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 1 02024

☐ SUPPORT ☑ OPPOSE

Comments:
People that are not residents have no respect for our property. I feel this will impact my property value as well.

Carol Elaine Cole
Signature

7-8-2024
Date

CAROL ELAINE COLE
Printed Name and Title

104 SAN JACINTO CT
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-130-2024

◇◇◇

MC NUTT BRENT A & BROOKSIE F
106 NOEL ST
WAXAHACHIE, TX 75165-1324

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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 Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 103 Johnston Boulevard (Property ID 174978) – Owner(s): Jose & Maria Perez (ZDC-130-2024) Staff: Oanh Vu

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-130-2024 **City Reference: 174947**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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

07-06-2024
Date

BRENT McNUTT – OWNER
Printed Name and Title

106 NOEL, WAXAHACHIE TX 75165
Address

Case Number: ZDC-130-2024 **Item 9&10** **City Reference: 174928**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 1 0 2024

Comments:
Due to heavy traffic I oppose, And Loud noise
this is a neighborhood, not a place for parties
And loud music, And ect.

Signature Sandra Gordon

Date July 7th.

Printed Name and Title

Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-130-2024

COLLINS SYLVIA M
PO BOX 2574
WAXAHACHIE, TX 75168-8574

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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 Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 103 Johnston Boulevard (Property ID 174978) – Owner(s): Jose & Maria Perez (ZDC-130-2024) Staff: Oanh Vu

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-130-2024 **City Reference: 174897**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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:

Sylvia Collins
Signature

7/15/2024
Date

Sylvia Collins
Printed Name and Title

110 Big Bend Blvd.
Address
Waxahachie Tx 75165

Venissat, Michelle

From: Sylvia Hastings <slhtwin@yahoo.com>
Sent: Wednesday, July 10, 2024 1:01 PM
To: Planning
Subject: Notice of Public Hearing Case Number ZDC-130-2024

We OPPOSE the request for a specific use permit for short term rental use at 103 Johnston Boulevard. We don't feel this would be a positive move for our neighborhood.

Dr. Ronnie J. and Sylvia Hastings
114 San Jacinto CT.
Waxahachie, TX 75165

July 10, 2024

Sent from Yahoo Mail on Android

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-130-2024

RECEIVED JUL 0 9 2024

VENABLE JUDY
119 JOHNSTON BLVD
WAXAHACHIE, ` 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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 Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 103 Johnston Boulevard (Property ID 174978) – Owner(s): Jose & Maria Perez (ZDC-130-2024) Staff: Oanh Vu

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-130-2024 **City Reference: 174976**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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:

Judy Sawyer (Venable)
Signature

7-9-2024
Date

Judy Venable Sawyer
Printed Name and Title

119 Johnston Blvd. Waxahachie TX 75165
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-130-2024

POPE DWAYNE D ETAL
124 BIG BEND BLVD
WAXAHACHIE, TX 75165-1321

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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 Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 103 Johnston Boulevard (Property ID 174978) – Owner(s): Jose & Maria Perez (ZDC-130-2024) Staff: Oanh Vu

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-130-2024 **City Reference: 174992**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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:

Dwayne Pope
Signature

07/09/2024
Date

Dwayne Pope
Printed Name and Title

124 Big Bend Blvd
Waxahachie Tx 75165
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-130-2024

WALLACE J RICHARD & SHEILA R
200 NORTHGATE DR
WAXAHACHIE, TX 75165-1315

RECEIVED JUL 16 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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 Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 103 Johnston Boulevard (Property ID 174978) – Owner(s): Jose & Maria Perez (ZDC-130-2024) Staff: Oanh Vu

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-130-2024 **City Reference: 174935**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 have no problem with people using their property as they choose. They do need to have rules about trash & a decent hour on noise. That can be handled with the agreement between Renter & Owner

Sheila Wallace
Signature

7-16-2024
Date

Sheila Wallace, neighbor
Printed Name and Title

200 Northgate Dr.
Address

Case Number: ZDC-130-2024 **Item 9&10** **City Reference: 174910**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 house is directly behind our house We "Do-Not" want the Short-Term Rental in our Neighborhood at all!!

Signature Ann Watson

Ann Watson
Printed Name and Title

7-5-23
Date

202 San Jacinto
Waxahachie, TX
75165
Address

RECEIVED JUL 08 2024

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-130-2024

TURNER RICHARD M
203 JOHNSTON BLVD
WAXAHACHIE, TX 75165-1343

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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 Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 103 Johnston Boulevard (Property ID 174978) – Owner(s): Jose & Maria Perez (ZDC-130-2024) Staff: Oanh Vu

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-130-2024 **City Reference: 174969**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 don't need more misc people wondering our neighborhood.

Richard Turner
Signature

7/8/24
Date

Richard Turner
Printed Name and Title

203 Johnston Blvd
Address

Property Owner

Case Number: ZDC-130-2024 **Item 9&10** **City Reference:** 174930

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 because of noise, parking issues, traffic & safety to myself & the neighborhood. I want to stay in the family neighborhood

Signature

7-12-24
Date

Rhonda Mabry
Printed Name and Title

203 So Jarvis
Address

RECEIVED JUL 12 2024

Case Number: ZDC-130-2024 **Item 9&10** **City Reference: 174916**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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: The negativety associated with this request far outweighs the benefits to city Coffers & causes much upheaval to Neighborhood.

Jerry Bell
Signature

7-9-24
Date

Jerry Bell, Mr.
Printed Name and Title

212 San Jacinto
Waxahachie, TX
Address

RECEIVED JUL 1 2 2024



Jerry Bell
212 San Jacinto St
Waxahachie TX 75165-1319

Case Number: ZDC-130-2024

City Reference: 174852

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 17, 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 do not approve of this request. May cause increase in traffic. Will parties be held? What about extra noise? Not a good idea for subdivisions.

Elaine Adams
Signature

7-6-2024
Date

Elaine Adams, Homeowner
Printed Name and Title

213 Northgate
Address

213 Northgate
Waxa., Tx 75165

EXHIBIT A - LOCATION MAP

Item 9&10



EXHIBIT B - ZONING MAP

Item 9&10

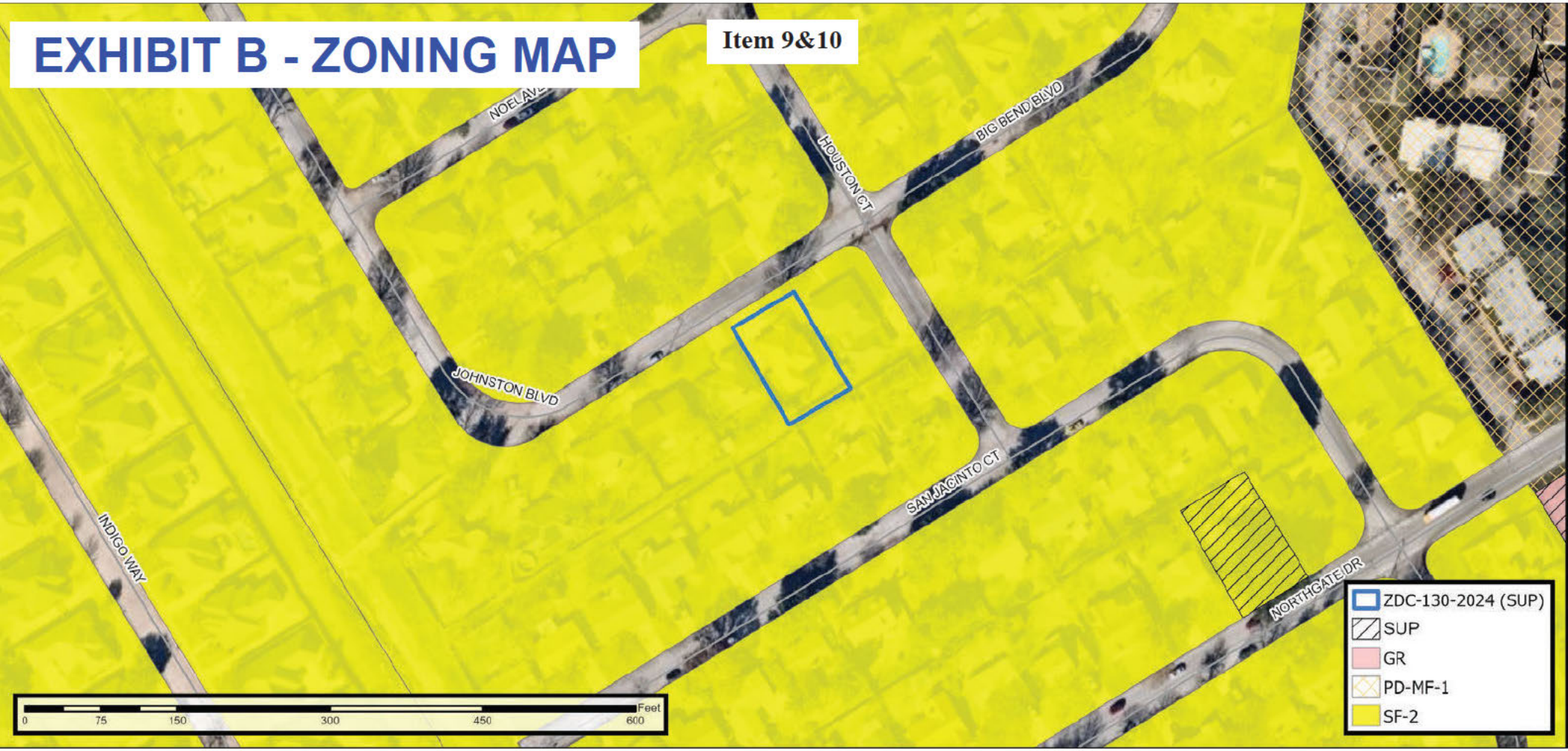


EXHIBIT C - FLOORPLAN

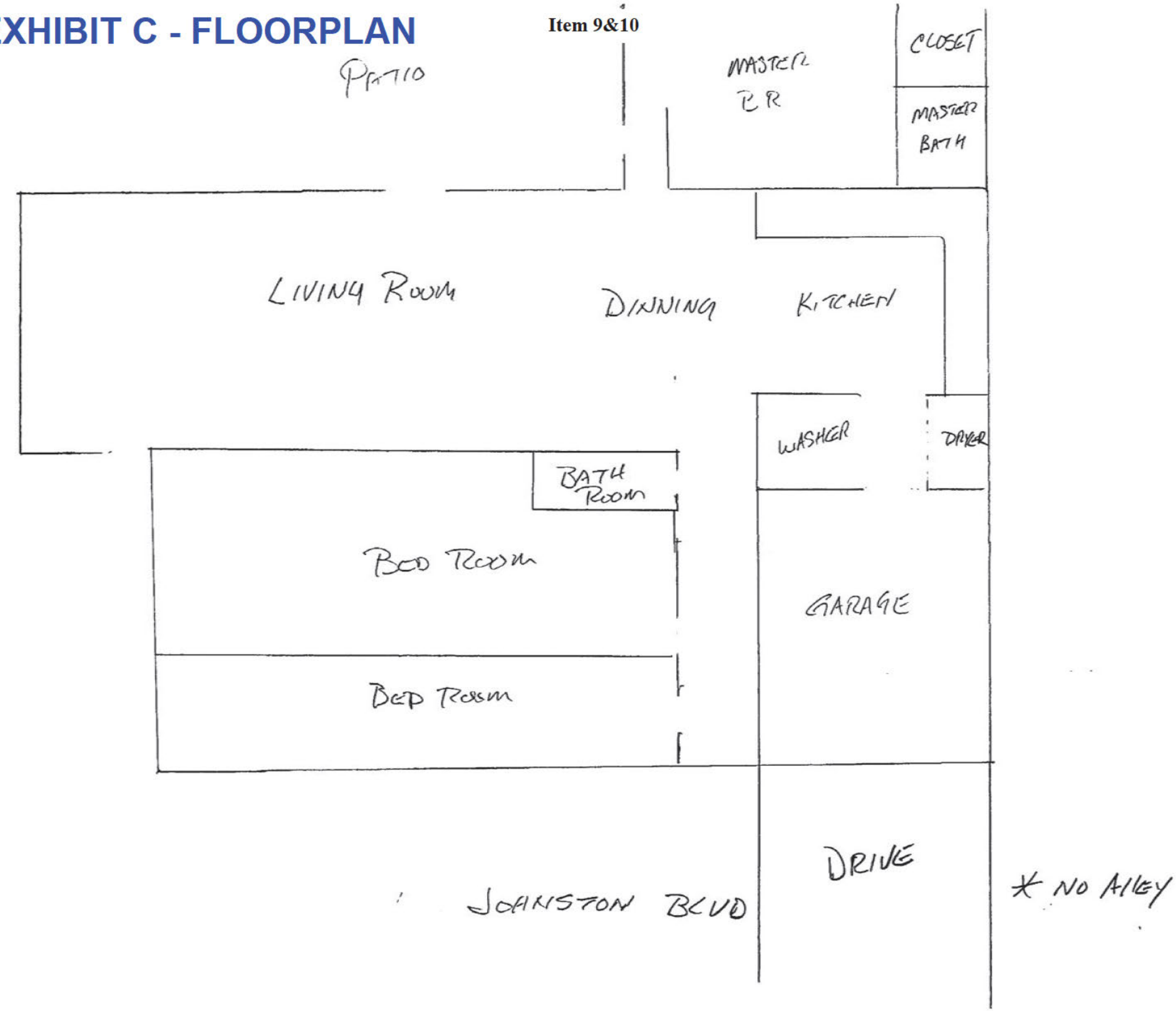


EXHIBIT D - SURVEY

PLAT

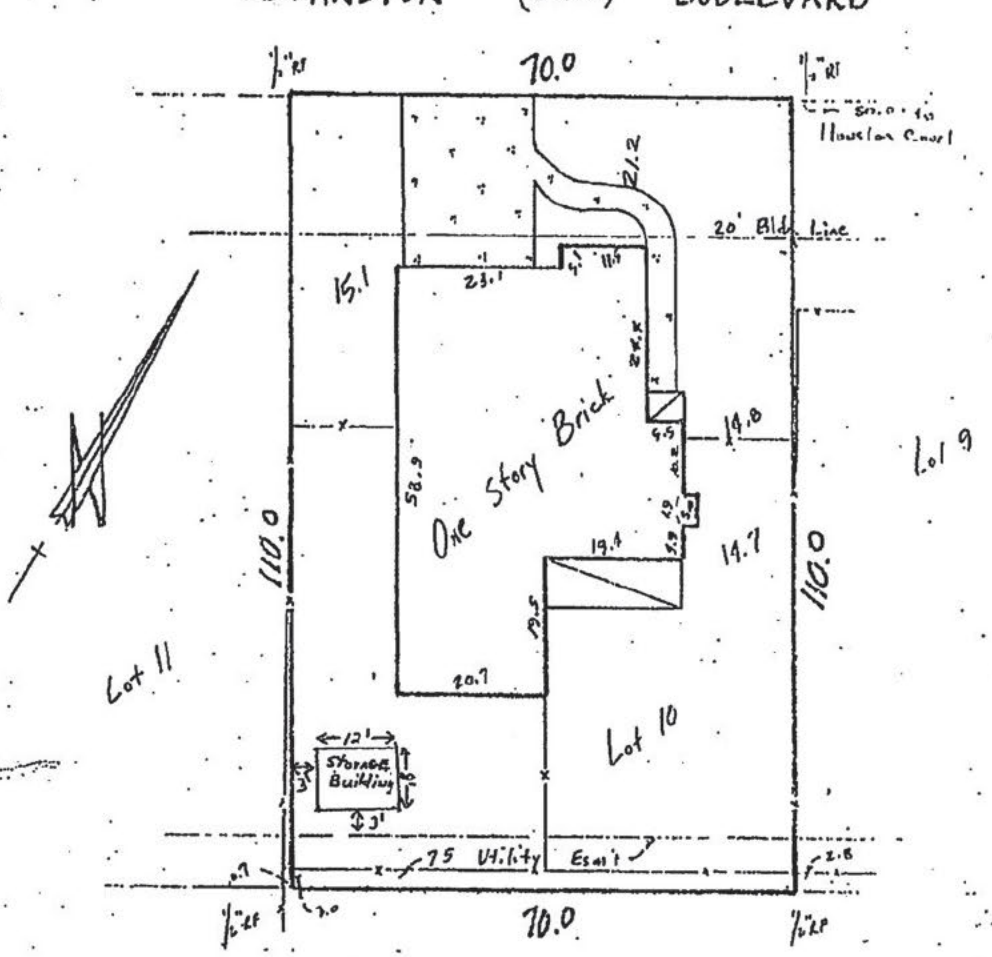
Item 9&10

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 103 JOHNSTON BOULEVARD
Lot No. 10 Block No. 5 City Block No. _____
of NORTHGATE TWO an addition to the City of WAXAHACHIE, ELLIS COUNTY, Texas, according to the Map or Plat thereof recorded in CABINET A SLIDE 664 Plat Records ELLIS County, Texas.
The Property shown hereon is located in Zone X according to Community Panel Number 480211 - 0005 - C of the U.S. Department of Housing and Urban Development Flood Hazard Boundary Map date 7-16-91

The survey is hereby accepted with the discrepancies, conflicts, or shortages in area of boundary lines, encroachments, protrusions, or overlapping of improvements shown.

x _____

x _____



Nancy E. Patton

This plat is a true, correct, and accurate representation of the property, as determined by an on the ground survey, the lines and dimensions of said property being indicated on the plat, the size and location of existing improvements are as shown. . .
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS EXCEPT AS SHOWN.

This survey was performed in connection with the transaction described in GF No. 94WO242 of TITLE RESOURCES Title Co.

JOB # 10985 DATE 4-14-94 SCALE 1" = 20'

STATE OF TEXAS REGISTERED MICHAEL L. COX 4003 SURVEYOR

231 Texas St. Cedar Hill, Texas 75104 291-7848

EXHIBIT E - HOST RULES

Item 9&10

House rules

You'll be staying in someone's home, so please treat it with care and respect.

Checking in and out

Check-in after 3:00 PM

Checkout before 11:00 AM

Self check-in with lockbox

During your stay

6 guests maximum

No pets

Quiet hours
10:00 PM - 7:00 AM

No parties or events

No smoking

Additional rules
Quite time 10PM

Before you leave

Gather used towels

Throw trash away

Turn things off

Additional requests
we require no stripping of beds , that is the cleaning staff responsibility , Thank's for your booking and we hope you had an enjoyable stay.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-124-2024

MEETING DATE(S)

Planning & Zoning Commission: July 23, 2024
City Council: August 5, 2024

CAPTION

Public Hearing on a request by Demi Oyerokun for a **Specific Use Permit (SUP)** for a **Minor Auto Repair Shop** use within a General Retail (GR) zoning district located at 1011 North US Highway 77 (property ID 173186) – Owner: Marline Six, LLC (ZDC-124-2024) Staff: Harper Lindamood

RECOMMENDED MOTION

"I move to recommend approval of ZDC-124-2022, a Specific Use Permit (SUP) for a Minor Auto Repair Shop use, subject to the conditions of the staff report."

APPLICANT REQUEST

The applicant requests approval of a SUP to allow for an Auto Repair, Minor or Automotive Care Center use at 1011 North US Highway 77.

CASE INFORMATION

Applicant:	Demi Oyerokun, Glass Doctor Auto
Property Owner(s):	Marline Six, LLC
Site Acreage:	2.969 acres
Current Zoning:	PD-13-GR
Requested Zoning:	Auto Repair, Minor or Automotive Care Center

SUBJECT PROPERTY

General Location:	1011 North US Highway 77
Parcel ID Number(s):	173186
Existing Use:	Auto Repair, Minor or Automotive Care Center
Development History:	The subject property was platted in October 2000 as Lot 3A, Block 1 of the Eason Properties II Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-GR	General Retail
East	PD-GR	General Retail
South	PD-GR	General Retail
West	PD-MF	Planned Development

Future Land Use Plan: Local Commercial

Comprehensive Plan: The local commercial placetype includes areas for restaurants, shops, grocery stores, offices and personal service establishments. This placetype was incorporated to pereserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments

Thoroughfare Plan: The subject property is accessible via North US Highway 77.

Site Image:



PLANNING ANALYSIS

The Applicant requests a Specific Use Permit for an Auto Repair, Minor or Automotive Center use (Glass Doctor Auto). The proposed business has been operating as an Auto Repair, Minor or Automotive Center use since 2022 without a certificate of occupancy. The applicant submitted a Certificate of Occupancy request on May 15, 2024. Planning staff determined that per the City of Waxahachie Zoning Ordinance, the use of an Auto Repair, Minor or Automotive Center, requires a Specific Use Permit to be approved by the City Council within the General Retail (GR) zoning district. At this time, the CO application is on hold until City Council approves the required SUP.

Glass Doctor Auto is a specialized service provider offering professional auto window repair, replacement, and various minor automotive repairs to car windows. All of the repairs take place at their client's locations or within the Glass Doctors interior suite 109.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 19 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. Applicant has only received one (1) letter of opposition, and no letters of support.

STAFF CONCERNS

1. Parking will be required only for employees not repairs.

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. At no time shall vehicles be stored or worked on in the on-site parking areas.
2. The Minor Auto Repair Shop use can only operate in Suite 109, and cannot expand beyond the existing footprint (2048 square feet) without amending the zoning on the subject property.
3. All exterior signage shall require a sign permit from the Building Department.

ATTACHED EXHIBITS

1. Floor plan (EXHIBIT A)
2. Site plan (EXHIBIT B).

STAFF CONTACT INFORMATION

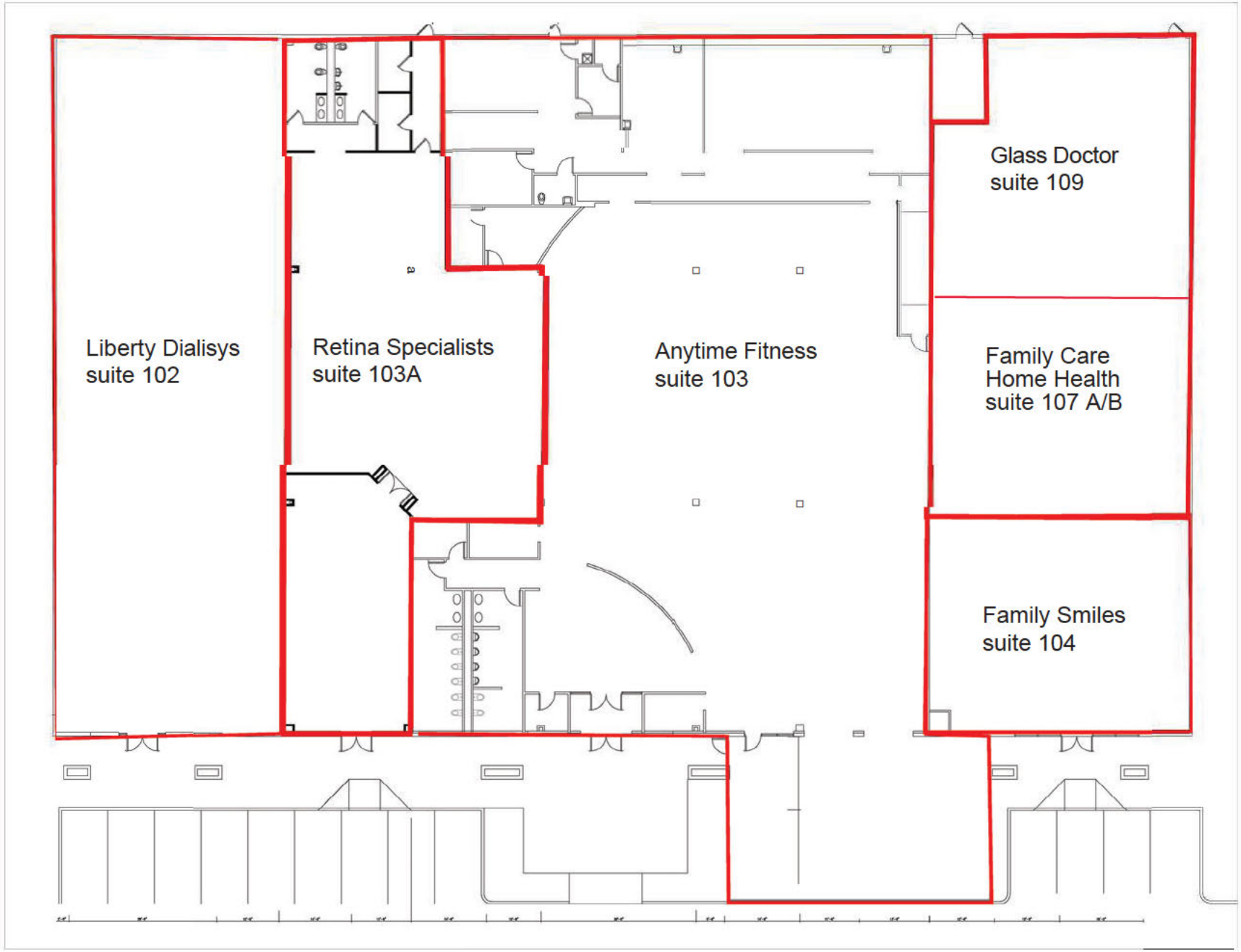
Prepared by:
Harper Lindamood
Planner
Harper.lindamood@waxahachie.com

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

FLOOR PLAN (EXHIBIT A)

Item 11&12

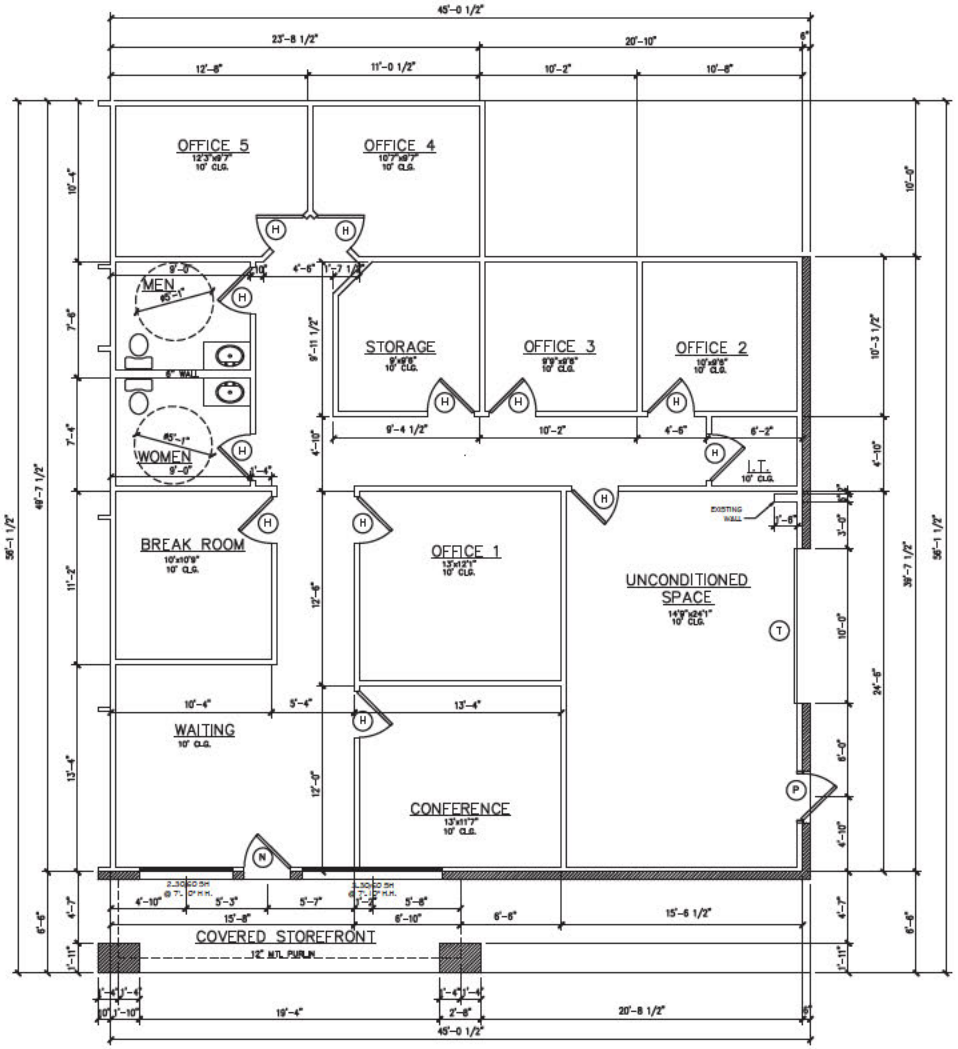
1011 N. Hwy 77, Waxahachie, TX



FLOOR PLAN (EXHIBIT A)

Item 11&12

DOOR SCHEDULE		
DOOR MARK	7'-0"	REMARKS
A	16/70	INT.
B	20/70	INT.
C	20/70	INT. DBL.
D	26/70	INT.
E	24/70	INT.
F	28/70	INT.
G	10/70	INT.
H	30/70	INT.
J	30/70	INT. DBL.
K	26/70	EXT. FRENCH
L	26/70	EXT. DBL.
M	28/70	EXT. S.C.
N	30/70	EXT. FULL LT.
P	30/70	EXT. S.C.
R	30/70	EXT. DBL.
S	14/70	INT.
T	100/70	O.H.
U	80/70	O.H.



1ST FLOOR PLAN

SCALE: 1/8" = 1'-0"

AREA	SQ. FT.
FIRST FLOOR	1655
UNCONDITIONED SPACE	393
TOTAL	2048
COVERED STOREFRONT	143
WIDTH	45' 0 1/2"
DEPTH	56' 1 1/2"

MKG HOMES
WAXHATCHIE
COMMERCIAL

PRINTED DATE:
10-25-19 MDS-SE

DRAWN BY:
McLaughlin

SCALE: 1/8" = 1'-0"

FLOOR PLAN

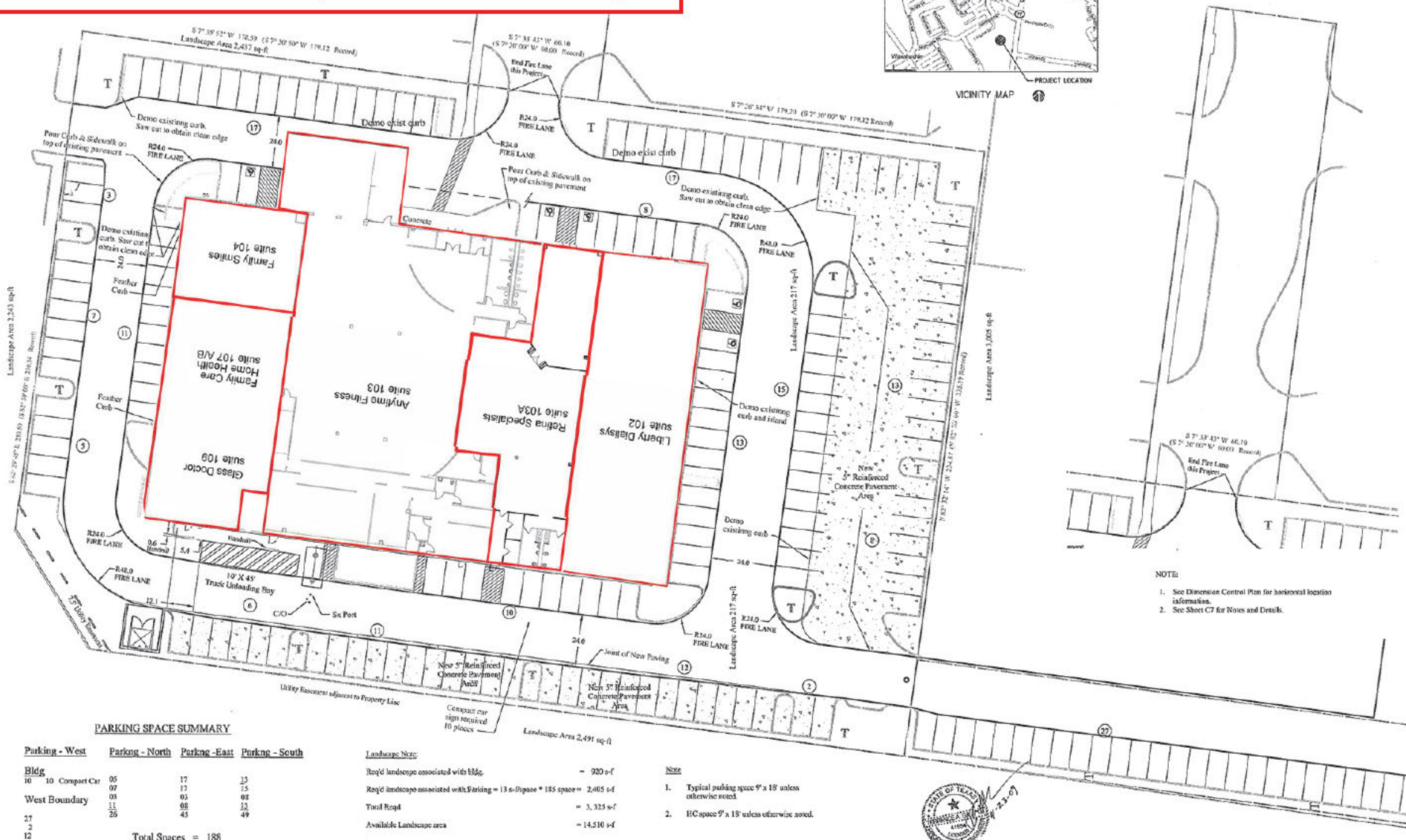
PAGE 1

SITE PLAN (EXHIBIT B)

Item 11&12



VICINITY MAP



NOTE:

1. See Dimension Control Plan for horizontal location information.
2. See Sheet C7 for Notes and Details.

PARKING SPACE SUMMARY

Parking - West	Parking - North	Parking -East	Parking - South
Bldg			
10 10 Compact Car	05	17	13
West Boundary	07	17	15
	09	09	08
	11	08	13
27	26	43	49
2			
12			
11			
62			

Total Spaces = 188

Total required = 185

Landscape Note:

Req'd landscape associated with Bldg.	= 920 s-f
Req'd landscape associated with Parking = 13 s-f/space * 185 space =	2,405 s-f
Total Road	= 3, 325 s-f
Available Landscape area	= 14,510 s-f

Note

1. Typical parking space 9' x 18' unless otherwise noted.
2. HC space 9' x 18' unless otherwise noted.

Scale: 1" = 20'

Contractor shall call 1-800-Dig-Tess (1-800-344-8377) 48 hours prior to excavation to locate Gas, Electric, Phone & Cable. Call City Of Waxahachie to locate Water & Sanitary Sewer Lines.

PAVING PLAN

DATE: 04/24/09
REVISION #:

DWN	JG	03/23/09
CHK	TG	04/08/09

Job no. 090114.01-05

Kimley-Horn and Associates, Inc.
Engineers - Surveyors
1200 West Magnolia #210
Fort Worth, Texas 76104
817-924-0969

FAT DADDY'S
RESTAURANT & BAR
1011 NORTH HWY-77, WAXAHACHIE, TEXAS- 75165

ROBERT W. KELLY
ARCHITECT INC.
124 SOUTH MAIN STREET
WAXAHACHIE, TEXAS 75165
817-937-5014 FAX: 817-937-8510

SHEET NO.
C3
OF

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-128-2024

MEETING DATE(S)

Planning & Zoning Commission: July 23, 2024
City Council: August 5, 2024

CAPTION

Public Hearing on a request by Erica Edwards, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 211 Pecan Street (Property ID 175135) - Owner: Seven Partners, LLC. (ZDC-128-2024)

RECOMMENDED MOTIONS

- *"I move to recommend denial of ZDC-128-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."*
- *"I move to recommend approval of ZDC-128-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."*

APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 211 Pecan Street.

CASE INFORMATION

Applicant:	Erica Edwards
Property Owner(s):	Seven Partners, LLC
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:	211 Pecan Street
Parcel ID Number(s):	175135
Existing Use:	Residential use
Development History:	The subject property is platted as Lot 8R, Block 3 of the Park Hill Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Residential
East	SF-2	Residential
South	SF-2	Residential
West	SF-2	Residential

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.

The Applicant is requesting a SUP for a short-term rental use located at 211 Pecan Street, it is located within an SF-2 zoning district. The subject property consists of a primary structure of approximately 1,073 square feet with three (3) bedrooms and enough improved surface to accommodate the maximum parking spaces of three (3) vehicles situated on an approximately 0.164-acre (7,143 square feet) lot.

The applicant submitted the SUP application on June 10, 2024. The applicant has not been operating a short-term rental. 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.

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

The local emergency contact provided by the applicant is Erica Edwards (214) 536-1820, 104 Sweetleaf Dr., Red Oak, Texas 75154, Erica.santoyoedwards@gmail.com located 12.8 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, 93 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 seven (7) letters of support and two (2) letters of opposition were received by staff, with two (2) 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 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

Item 13&14

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2024

ELM ST PROPERTIES LLC
200 S ELM ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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 Erica Edwards, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 211 Pecan St. (Property ID 175135) - Owner: Seven Partners, LLC (ZDC-128-2024)

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-128-2024 **City Reference: 175266**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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

7-5-24
Date

Printed Name and Title

200 S Elm Waxahachie
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2024

ELM ST PROPERTIES LLC
200 S ELM ST
WAXAHACHIE, TX 75165

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Case Number: ZDC-128-2024 **City Reference: 200771**

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☒ SUPPORT ☐ OPPOSE

Comments:

Signature

7-5-24
Date

Printed Name and Title

200 S Elm Waxahachie 75165
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2024

ELM ST PROPERTIES LLC
200 S ELM ST
WAXAHACHIE, TX 75165

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Case Number: ZDC-128-2024 **City Reference: 175270**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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

7-5-24
Date

Printed Name and Title

2005 Elm Way TX 75165
Address

Item 13&14

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2024

ELM ST PROPERTIES LLC
200 S ELM ST
WAXAHACHIE, TX 75165

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Case Number: ZDC-128-2024 **City Reference: 175229**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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

7-5-24
Date

Dusty Ayres/Owner
Printed Name and Title

200 S Elm Wax TX 75165
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2024

SCHOOLING JOSHUA S
306 PECAN ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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-128-2024 **City Reference: 171588**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 renters in the area not taking care of property (ie. overgrown yards...) We want homeowners that take pride in their property.

Signature

7/5/2024
Date

Joshua Schooling
Printed Name and Title

306 Pecan St
Address

Item 13&14

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2024

CODY GREGORY L & CAROL POPE-CODY
2035 TARTAN TRL
LEWISVILLE, TX 75077-3151

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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-128-2024 **City Reference: 171990**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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's an opportunity to visit the Beautiful City of Waxahachie.

Signature

7/8/24
Date

Gregory L. Cody, Owner
Printed Name and Title

~~203~~ 812 E. Ross St.
Address

Item 13&14

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2024

<>

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

RECEIVED JUL 17 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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-128-2024 **City Reference: 175162**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 should support + embrace tourism

Signature

7/12/24
Date

Brad Yates manager
Printed Name and Title

212 Aldridge
Address

Item 13&14

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2024

<>

RECEIVED JUL 17 2024

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

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Case Number: ZDC-128-2024 **City Reference: 223902**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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 places to stay + the ones we have are full on weekends

Signature

7/12/24
Date

Brad Yates manager
Printed Name and Title

215 Pecan
Address

Item 13&14

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2024

JOHNSON CAREN D
210 ALDRIDGE ST
WAXAHACHIE, TX 75165-4482

RECEIVED JUL 17 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 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-128-2024 **City Reference: 175161**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 17, 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:

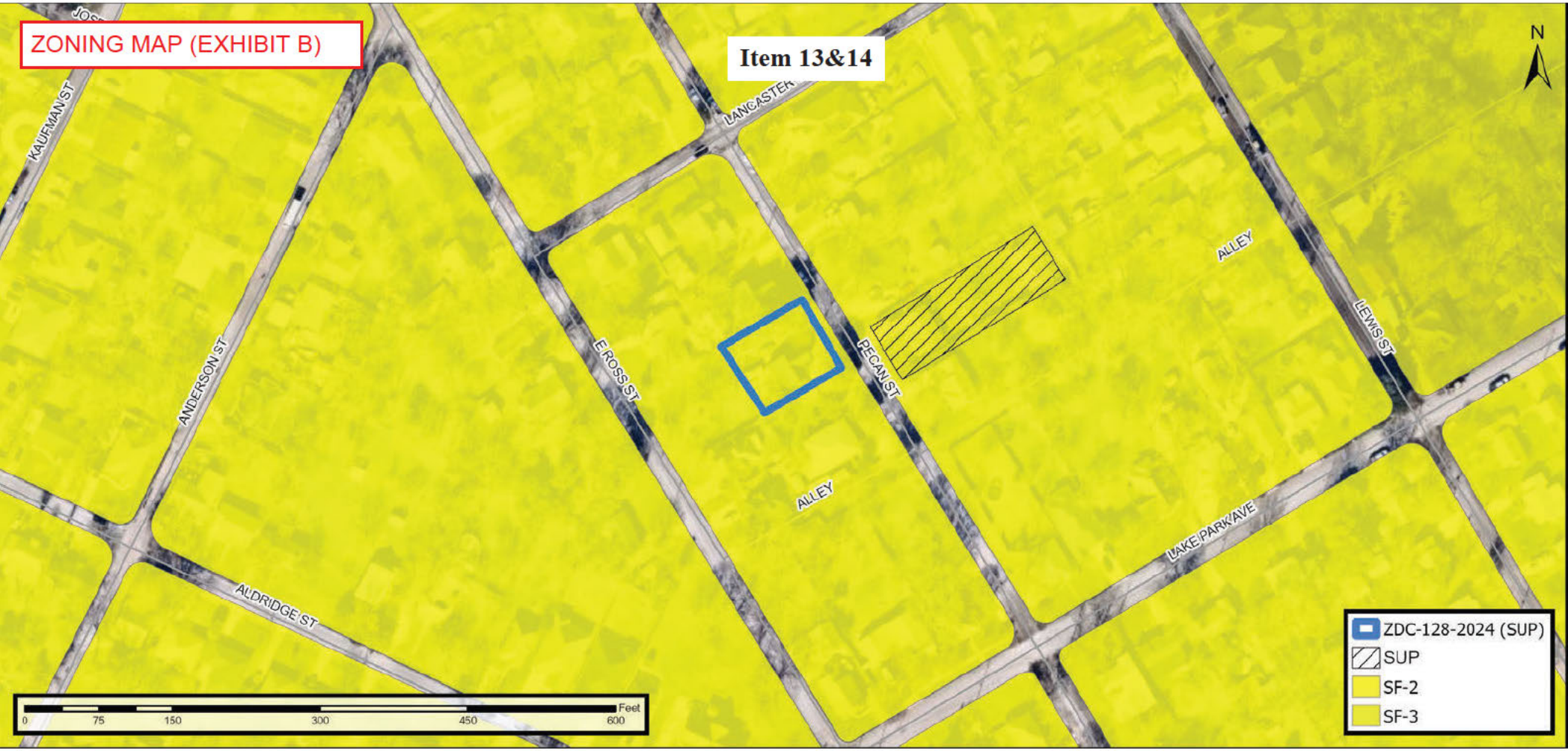
Caren D. Johnson
Signature

July 9, 2024
Date

Caren D. Johnson, Homeowner
Printed Name and Title

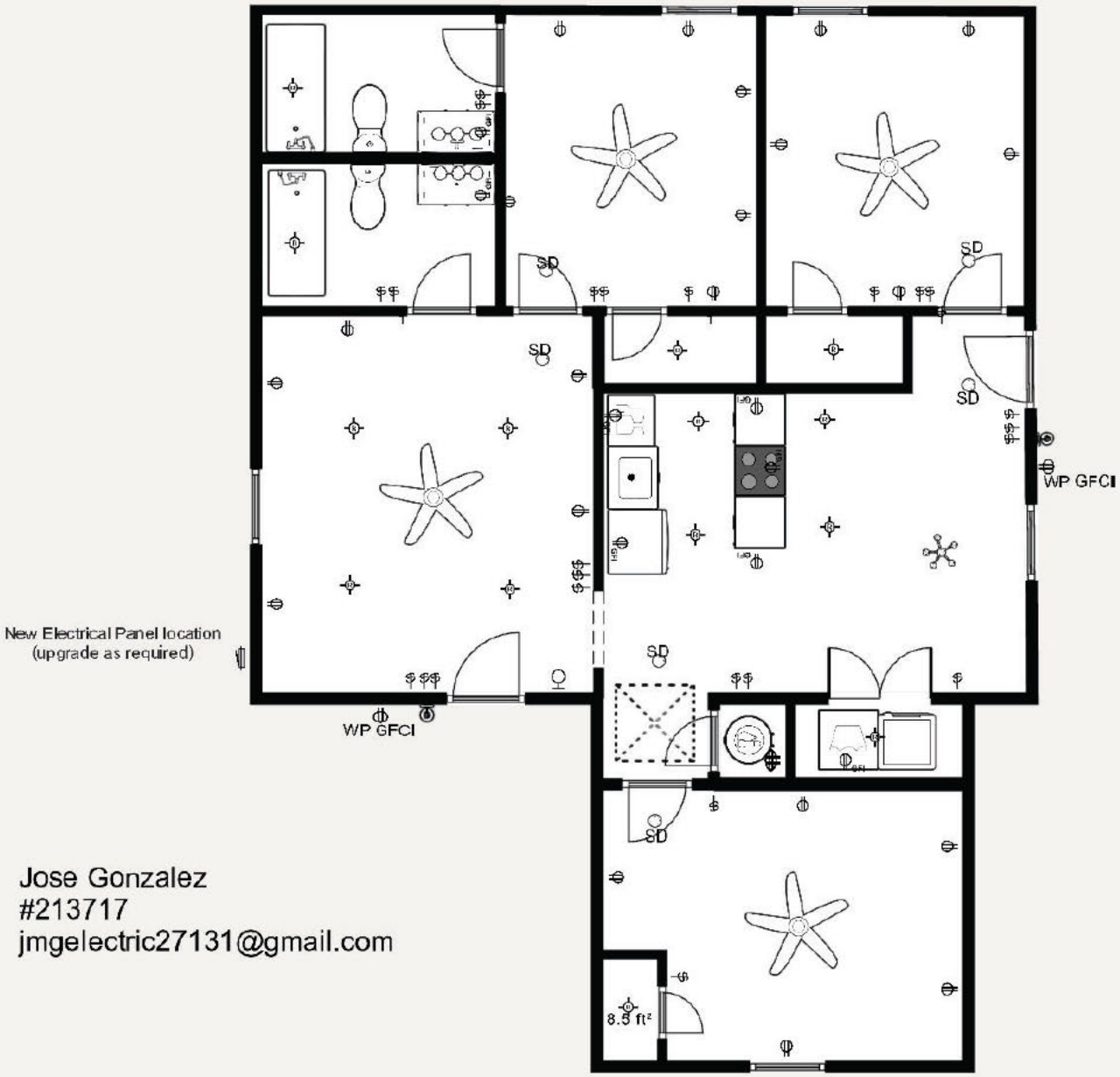
210 Aldridge St, Waxa, TX
Address


LOCATION MAP (EXHIBIT A)
Item 13&14
N
KAUFMAN ST
LANCASTER ST
ANDERSON ST
E ROSS ST
PECAN ST
ALLEY
LEWIS ST
ALLEY
LAKE PARK AVE
ALDRIDGE ST
0
75
150
300
450
600
Feet
ZDC-128-2024 (SUP)


ZONING MAP (EXHIBIT B)
Item 13&14
N
KAUFMAN ST
LANCASTER
ANDERSON ST
E ROSS ST
PECAN ST
ALLEY
LEWIS ST
ALLEY
LAKE PARK AVE
ALDRIDGE ST
0
75
150
300
450
600
Feet
ZDC-128-2024 (SUP)
SUP
SF-2
SF-3

FLOOR PLAN (EXHIBIT C)

Item 13&14



Jose Gonzalez
#213717
jmgelectric27131@gmail.com

211 Pecan Electrical Plan

Electrician must verify all fixture types and placement with home owner before electrical work commences*
Electrician to do all electrical work to local & state code
HARD WIRED SMOKE DETECTORS TO BE PLACED JUST INSIDE & OUTSIDE EACH SLEEPING ROOM
**BRING ALL ELECTRICAL UP TO LOCAL & STATE CODE

SITE PLAN (EXHIBIT D)

Item 13&14

1529 E I-30, STE. 103
GARLAND, TEXAS 75043

FIRM REGISTRATION NO. 10194366

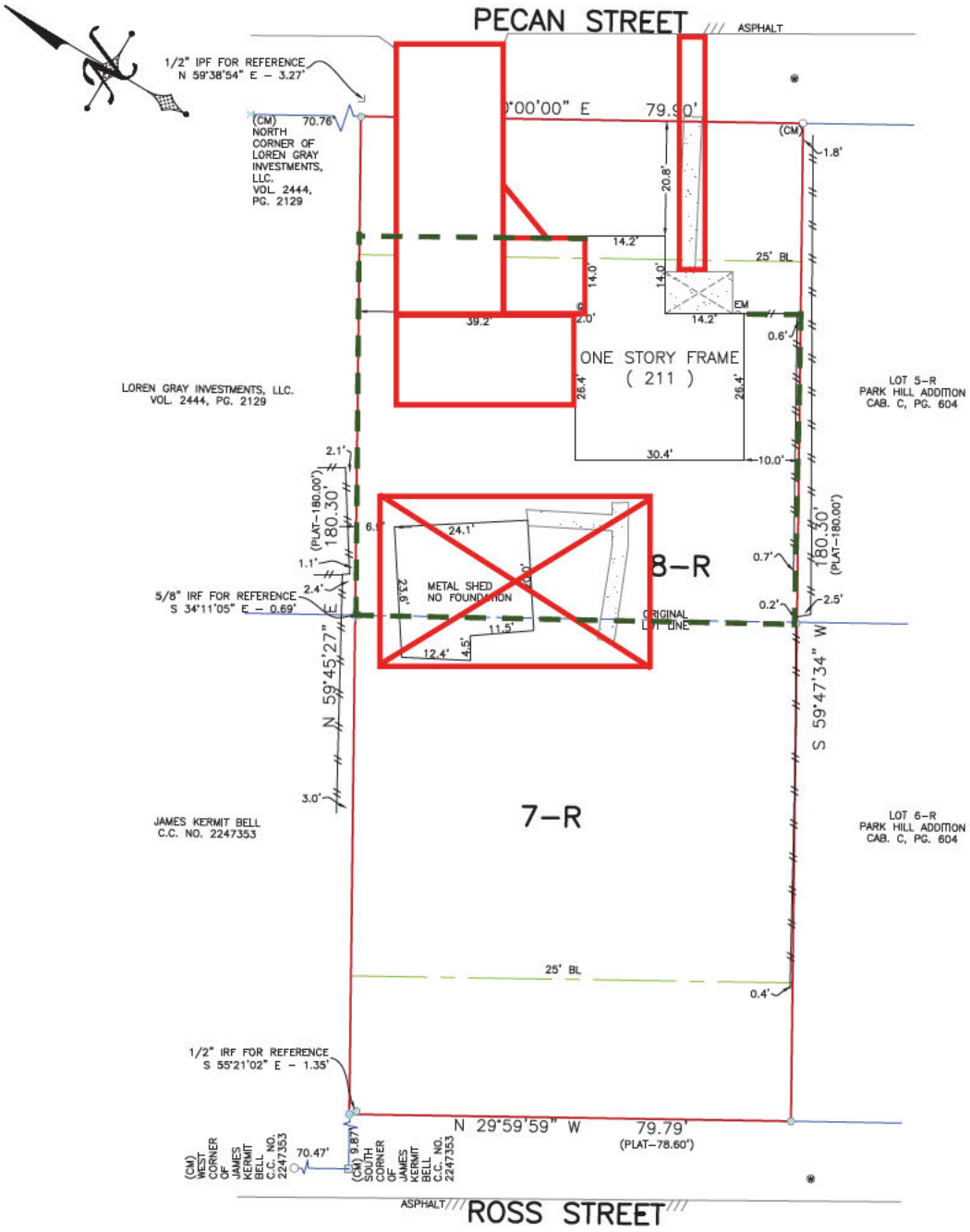
SURVEY PLAT

BURNS SURVEYING

BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 211 PECAN STREET in the City of WAXAHACHIE Texas.

BEING LOTS 7-R AND 8-R, BLOCK 3, REPLAT OF PARK HILL ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN CABINET B, SLIDE 395, OF THE MAP AND/OR PLAT RECORDS OF ELLIS COUNTY, TEXAS.



BEARINGS ARE BASED ON NAD 83 DATUM, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE

ACCEPTED BY: _____

KANETITLE, LLC

PROPERTY SUBJECT TO
EASEMENTS & RESTRICTIONS
Cabinet A, Slide 22, Cabinet A, Slide 132

The plat hereon is 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 as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements.

TITLE AND ABSTRACTING WORK FURNISHED BY KANE TITLE

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 20'
Date: 06/01/2023
G. F. No.: 2023030615BW
Job no.: 202304596
Drawn by: JSR

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR KANE TITLE

LEGEND

WOOD FENCE — IRON FENCE
CHAIN LINK — WIRE FENCE
BOUNDARY LINE — EM - ELECTRIC METER
EASEMENT/SETBACK
CM - CONTROLLING MONUMENT
MRD - MONUMENTS OF RECORD DIGNITY
1/2" IRON ROD FOUND
1/2" YELLOW-CAPPED IRON ROD FOUND
1/2" IRON PIPE FOUND
3/8" IRON ROD FOUND
5/8" IRON ROD FOUND
POINT FOR CORNER
FOUND 'X'
(C) - CABLE
(E) - ELECTRIC
CO - CLEAN OUT
PE - POOL EQUIP
GM - GAS METER
PP - POWER POLE
FH - FIRE HYDRANT
(T) - TELEPHONE
LP - LIGHT POLE
WM - WATER METER
MH - MANHOLE
WV - WATER VALVE
(UNLESS OTHERWISE NOTED)



STATE OF TEXAS
REGISTERED
BARRY S. RHODES
3691
PROFESSIONAL
LAND SURVEYOR

HOUSE RULES (EXHIBIT E)

Arrival Times: 4:00 PM-9:00 PM

Max Guest: 6

Property is monitored with a ring doorbell and a side ring camera.

Trash Day is early Tuesday morning. If you are staying on Monday evening please roll trash bins to the street for early pick up.

House Maintenance: PLEASE NOTE: that routine grounds men come to keep the yard great and safe for families to enjoy. We ask that you be aware of this as they may be on the property. They will only ever be outside of course and for less than an hour. *If you do not wish to have the them come by during your stay please notify us BEFORE your check-in* .

House RULES

*NO parties or social gatherings

*NO unregistered guest- Each unregistered guest is subject to a surcharge of $25 a day/ per extra guest.

*Please don't rearrange our furniture

*Don't eat in the bedrooms

*Smoking is NOT allowed inside the home or within 50 ft. of the property.

*Pets are NOT allowed.

*NO parking on empty lot; please park in the driveway.

*Damages exceeding the deposit amount will be billed to the guest and reported to Airbnb

*Quiet hours are between the hours of 10 pm- 8 am

EXTRA RULES

If requested by the host, guests are required to provide a copy of their government-issued ID and a list of full names of all guests staying at the property to the host. TRASH DAY: If you are staying on a Sunday evening please roll out the trash bins for collection; Trash comes by early in the morning Monday. SUPPLIES: We provide an initial amount of supplies during your stay. WE DO NOT replenish items during your stay. Bath towels and wash towels are left for the

HOUSE RULES (EXHIBIT E)

max. number of guests that can occupy the property (4) PLEASE NOTE: that routine grounds men come to keep the yard great and safe for families to enjoy. We ask that you be aware of this as they may be on the property. They will only ever be outside of course and for less than an hour. *If you do not wish to have the them come by during your stay please notify us BEFORE your check-in* . *NO parties or social gatherings *NO unregistered guest- Each unregistered guest is subject to a surcharge of $25 a day/ per extra guest. *Please don't rearrange our furniture *Don't eat in the bedrooms *Smoking is NOT allowed inside the home or within 50 ft. of the property. *Pets are NOT allowed. *NO parking on empty lot; please park in the driveway. *Damages exceeding the deposit amount will be billed to the guest and reported to Airbnb *Quiet hours are between the hours of 10 pm- 8 am Thank you for following our house rules. We hope your stay is comfortable! Any questions, just message us through the Airbnb app. **Important** By booking you agree that you have read & agree to comply with these rules and failure could result in being asked to leave the property without refund: No Parties: Zero tolerance policy for parties. $1000 fee if the police visit our home due to a neighborhood complaint. Occupancy Limit: No more than 6 guests in our home at any one time due to city occupancy regulation. Unregistered/Unauthorized guests are prohibited. Each unregistered/ Unauthorized guest is subject to a surcharge of $25 a day/ per extra guest. No Smoking: $1000 fee if a guest smokes inside our home or leaves ashes or pieces of tobacco or marijuana inside our home. If smoking outside, guests are required to do so 50 ft away from the home and dispose of any cigarette butts before checking out. Late Checkout: If housekeeping arrives after checkout and the guest has not vacated the home, the guest will be charged for housekeeping's time until they have vacated the home. This fee does not award the guest possession of the home after checkout. We strive to provide a great experience for guests. Unauthorized party, smoke, or pet requires an exhaustive process on short notice to ensure a great experience for the next guest. Thank you for your cooperation.