

APPLICATION REVIEW

Z-22-66

HEARING DATE: October 25, 2022

1. **CASE #** Z-22-66
Energov # SP-000029-2022
PROPERTY ADDRESS: 4608 Bagby Avenue
LEGAL DESCRIPTION: Being a 1.00 acre tract of land out of the T.J. Chambers Grant, Abstract No. 7, McLennan County, Texas, and being all that certain called 1.0 acre tract of land to Judith P. Staples, recorded in document number 2015011496 of the Official Public Records of McLennan County, Texas

2. **APPLICANT/OWNER:** Jackson Luckin
MAILING ADDRESS: 4608 Bagby Avenue, Waco, TX 76711

3. REQUEST:

SPECIAL PERMIT FOR SHORT TERM RENTAL TYPE I IN AN R-1A DISTRICT

Short Term Rental Type I. An owner occupied residential property where short term lodging is provided to only one group at a time per dwelling unit. Non-conforming single family residential properties that contain more than one dwelling unit shall rent to only one group at a time. The owner must reside in the primary structure on the property and be present at the property for the duration of any short term rental.

PLANNING SERVICES REVIEW

NEIGHBORHOOD CHARACTER:

This property is located along Bagby Avenue, east of New Road, within the Kendrick Neighborhood and Council District II. There is an existing single-family home on the property with a guest cottage at the rear. The applicants propose to operate the 1-bedroom guest cottage as a short-term rental for only one group at a time. The owners would continue to reside in the main house during any short-term rental. There is enough space to park at least 4 vehicles on the property.

PLANNING SERVICES RECOMMENDATION:

Planning Services recommends ***APPROVAL*** of the special permit subject to the special provisions and conditions and based on the following findings*:

1. That the proposed use is consistent with the comprehensive plan.
2. That the proposed use is compatible with the appropriate and orderly development of the area in which it is located.
3. That the proposed use would not be more objectionable to neighboring properties because of traffic congestion, noise, fumes, vibrations or any other characteristics than any use permitted in the zoning district without the grant of a special exception.
4. That available community facilities and services, including the road system providing access to the proposed use, are adequate for the proposed use.

* These findings are required for the granting of a special permit as per Section 28-122 of the City of Waco Zoning Ordinance.

NOTICES: 21 mailed;

TRAFFIC OPERATIONS REVIEW

1. Description of the adjacent street system: Bagby Avenue
Classification: Collector Number of Lanes: 4 travel lanes
Estimated Capacity (at LOSD) 40,000 vpd Avg. Daily Traffic 5,600 vpd
2. Estimated increase in traffic on adjacent streets at full build out:
Immediate: N/A Future: N/A
3. Will the development's impact be of sufficient magnitude to require mitigation for:
 - a) Access problems: yes/no
 - b) Increased traffic congestion: yes/no
 - c) Pedestrian traffic: yes/no
 - d) Visibility problems: yes/no
4. Traffic Department comments and recommendations:
Sidewalk is required along Bagby Avenue at time of redevelopment. (CM)

ENGINEERING SERVICES REVIEW

1. Street condition: Good X Acceptable Needs Reconstruction
2. Street width: Existing: ROW 80' Pavement 44'
Required: ROW 68' Pavement 36'
3. Curb and Gutter:
Needs to be installed Exists X Needs Reconstruction
4. Offsite Drainage facilities are adequate to meet additional runoff resulting from the rezoning.
5. Water is available to the property, and it will serve the heaviest uses allowed under the requested zoning.
6. Sewer is available to the property, and it will serve the heaviest uses allowed under the requested zoning.
7. Engineering Department comments and recommendations: Drainage system is via curb & gutter; 8" Water & 6" Sewer serve site. (CM)

CASE #Z-22-66

INSPECTION SERVICES REVIEW

Comments:

No comment. (GD)

UTILITY SERVICES REVIEW

Comments:

No comment received.

LEGAL SERVICES REVIEW

Comments:

No comment received.

FIRE DEPARTMENT REVIEW:

ANTICIPATED FIRE RESPONSE TIME: _____
IS THE FIRE RESPONSE TIME ADEQUATE?: ___ (Y) YES (N) NO

Fire Department Comments and Recommendations:

No comment received.

HEALTH DEPARTMENT REVIEW

INSPECTION/PERMIT REQUIRED __N__ (Y) YES (N) NO

DATE OF INSPECTION: N/A

Health Department Comments and Recommendations:

No objections. (DL)

POLICE DEPARTMENT REVIEW



Comments:

No comment received.

SPECIAL PROVISIONS & CONDITIONS FOR
SHORT TERM RENTAL TYPE I

1. The permit hereby granted is to, Jackson Luckin, and may not be transferred or assigned.
2. At any time if the permittee(s) ceases to use the permit for the purpose for which it has been granted, this permit shall become null and void, and the lawful use of the property listed as the location for the permit shall conform to the use for which it is zoned under the City of Waco's Zoning Ordinance.
3. This permit is for the specific location designated herein and shall not be transferred to another location.
4. That said short term rental type I shall be operated in accordance with all applicable regulations, including Chapter 13, Article XIII Bed and Breakfast Facilities and Short Term Rental Facilities license ordinance. The permittee shall obtain all permits or licenses which may be required under the Ordinance of the City of Waco or other agencies of the County, State or Federal government. The property may be inspected by the Departments of Planning, Inspections Services, Fire Services, the Health District or any other responsible departments to ensure the building or premises complies with all applicable codes and special conditions.
5. This permit may be revoked for failure of the permittee to pay all taxes and/or fees due and owing the State or any political subdivision of the State, or for a violation of this special permit, or any ordinance of the City of Waco, or for good and sufficient cause, upon notice to the permittee and after a public hearing.
6. This permit shall automatically terminate if:
 - a. the Director of Planning Services denies the issuance or renewal of the Short Term Rental Facility license ("the license") to the permittee or revokes the license issued to the permittee; and
 - b. either (a) the permittee does not appeal the decision to deny or revoke the license to the City Council within the required time period, or (b) the permittee appeals the decision to deny or revoke the license to the City Council and the City Council upholds the decision to deny or revoke the license.
7. Permittee shall comply with all building, plumbing, electrical and other related construction codes of the City of Waco.
8. The structure and the grounds shall be maintained and shall be kept in good repair and condition.
9. A Short Term Rental Facility license is required and must be renewed every two years and comply with Chapter 13, Article XIII of the City of Waco code of ordinances.
10. A Short Term Rental Facility license must be acquired within 6 months of approval of the special permit.
11. The main house shall not be rented out as a short term rental type I.
12. Parking must be provided in accordance with Section 28-1019(d) of the Zoning Ordinance prior to issuance of a short term rental license for the property.

Zoning Case Z-22-66
4608 Bagby Ave
Waco TX, 76711
SP - STR Type I
Property Location Map

 Z-22-66
 200' Property Notice Buffer



October 2022

0 75 150 300
Feet





Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



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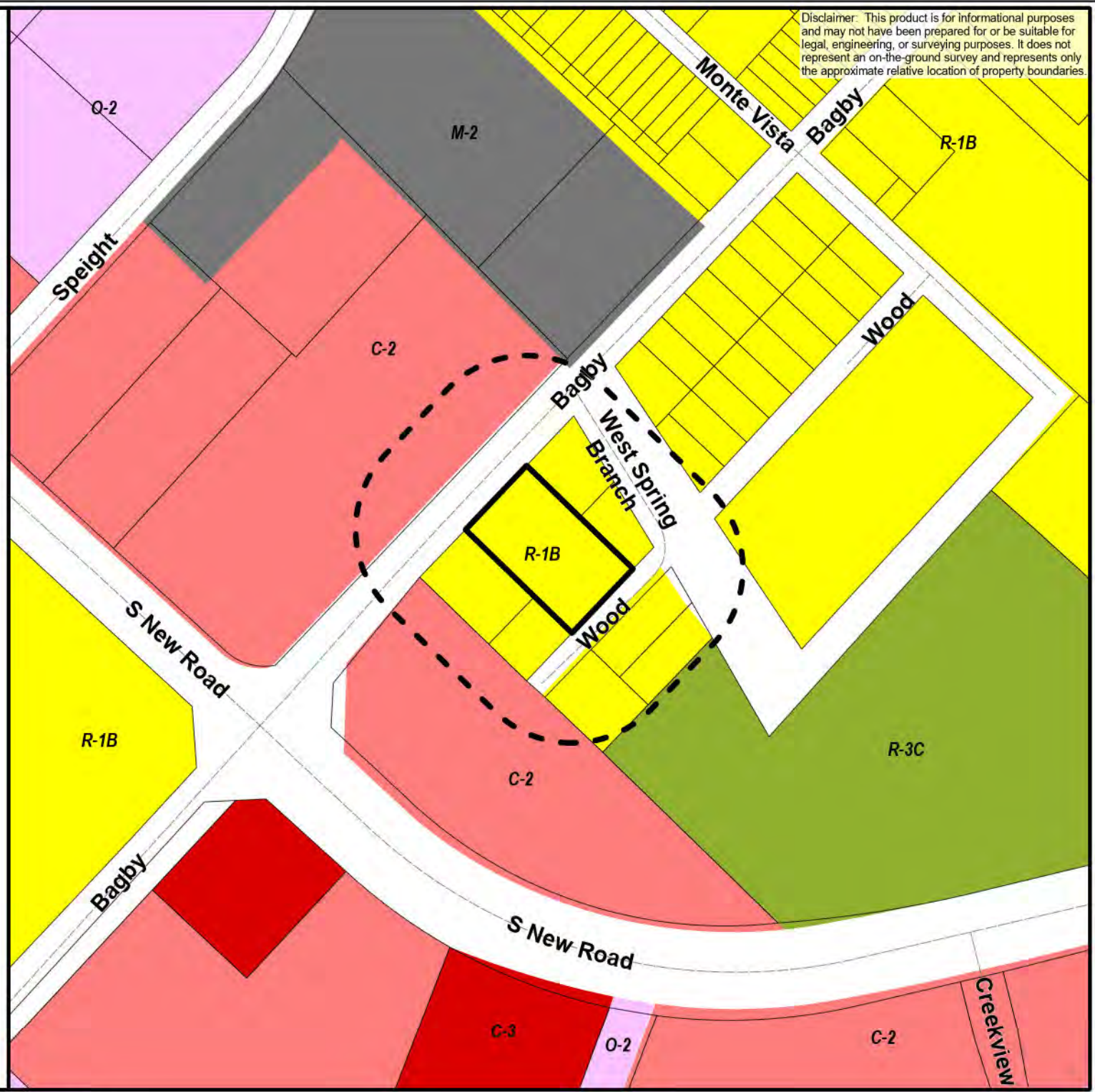
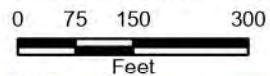
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 SP - STR Type I
 Location Map and
 Surrounding Zoning Categories

 Z-22-66
 200' Property Notice Buffer

-  R-1A
-  R-1B
-  R-1C
-  R-2
-  R-3A
-  R-3B
-  R-3C
-  R-3D
-  R-3E
-  O-1
-  O-2
-  O-3
-  C-1
-  C-2
-  C-3
-  C-4
-  C-5
-  M-1
-  M-2
-  M-3
-  PUD



October 2022



Special Permit Narrative
Request - STR Type I in R-1B District

Address: 4608 Bagby
Avenue
SP-000029-2022

Description: Short Term Airbnb stay 1 bedroom 1 bath for rent that will be owner occupied on site and managed by us. There are 2 off street driveway parking spaces and the property will be managed by us. This property is in center of Waco close to fire station, Central Texas Marketplace, and quite tucked away residential homes.





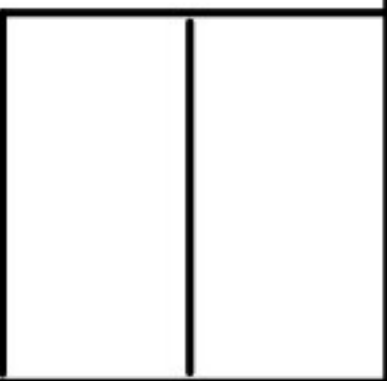
Bagby Ave.

161.26ft

Property Line



Primary Residence



Parking

Driveway



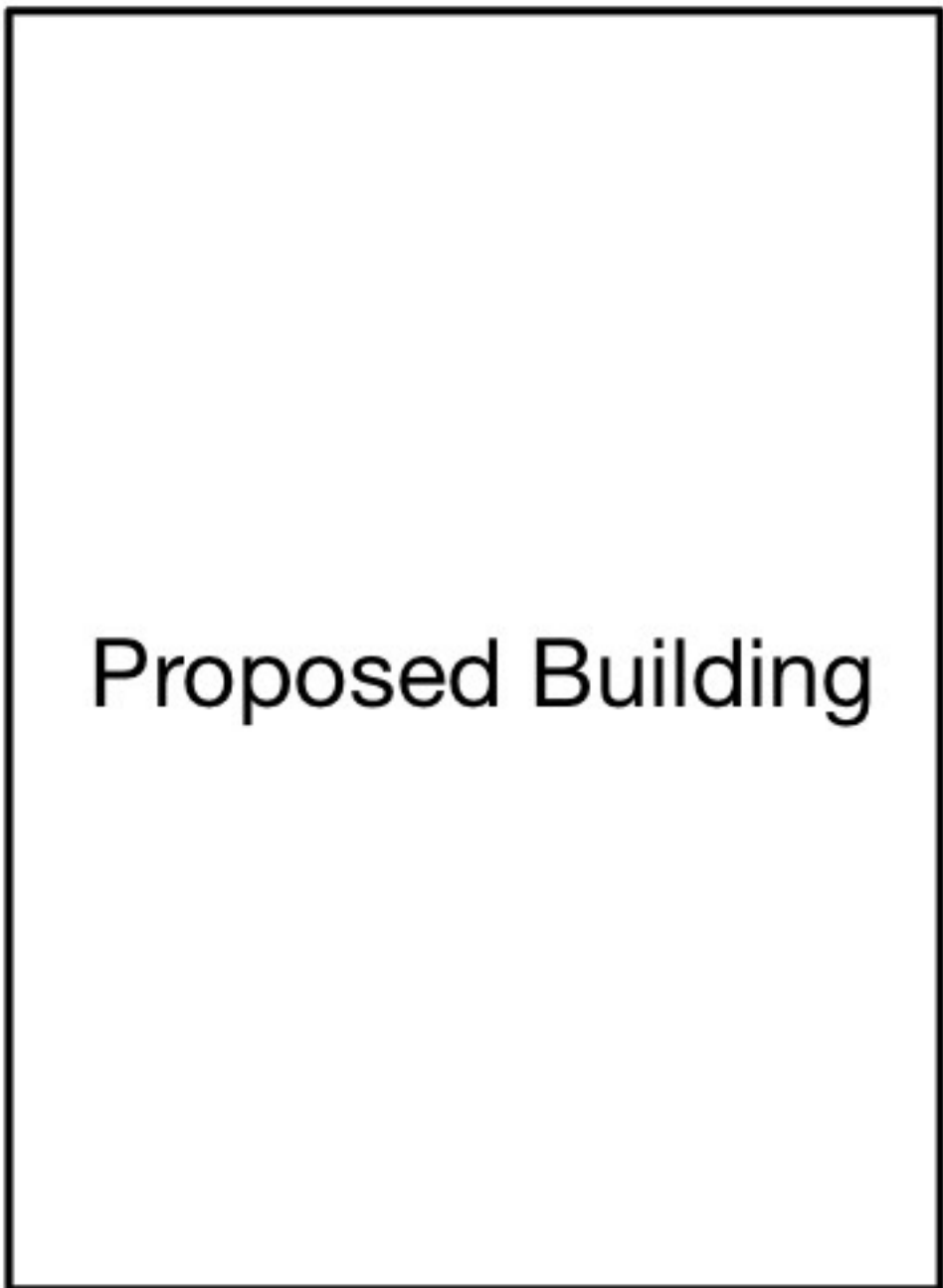
Shed

269.94ft

270.00ft.



Shed



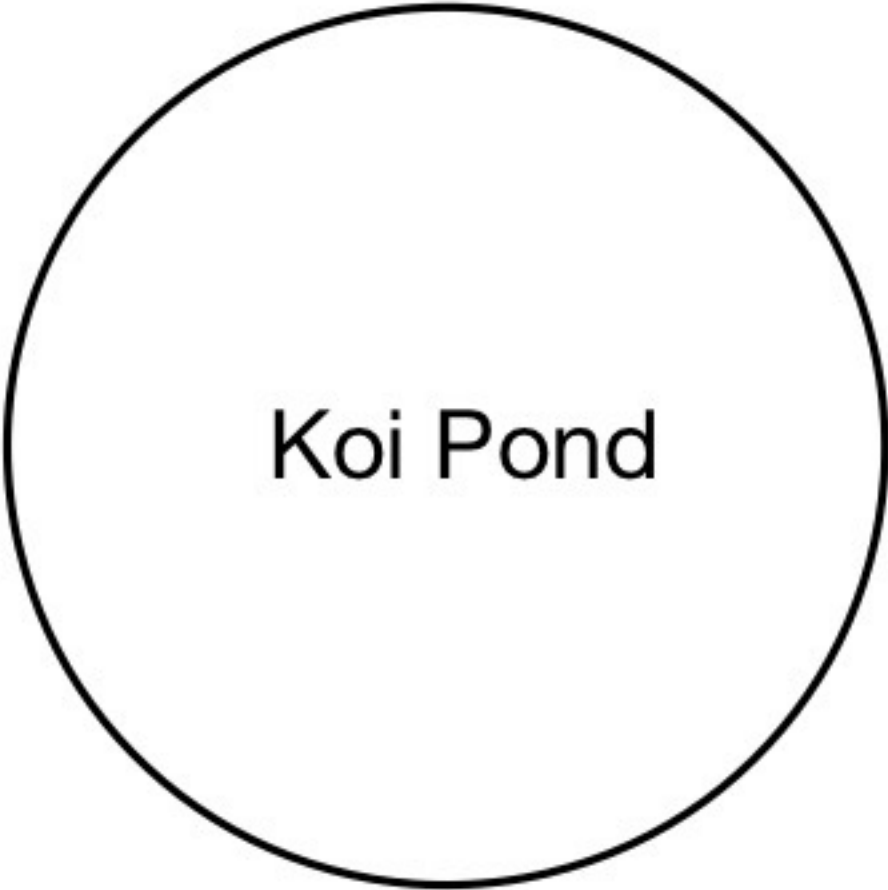
Proposed Building

Back Driveway

Property Line

161.21ft

Woods Ave.



Koi Pond

