

APPLICATION REVIEW

Z-20-17

HEARING DATE: September 22, 2020

1. **CASE #** Z-20-17
Energov # SP-000008-2020
PROPERTY ADDRESS: 3621 Trice Avenue
LEGAL DESCRIPTION: Lot 15, Block 6, Sweetbriar Gardens Addition

2. **APPLICANT:** Lisa Price
MAILING ADDRESS: PO BOX 4094, WACO, TX 76708

OWNER: FWC Hands Across Waco, Inc. & Darrell Price, P.O. Box 4094, Waco, TX, 76708

3. REQUEST:

SPECIAL PERMIT FOR SHORT TERM RENTAL TYPE II IN AN R-1B DISTRICT

Short Term Rental Type II. A single family or duplex 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 property is not part of a multi-family residential use. The owner does not reside on the property or is not present at the property for the duration of any short term rental.

PLANNING SERVICES REVIEW

NEIGHBORHOOD CHARACTER:

This property is located along the west side of Trice Avenue, two blocks south of Dean Highland Elementary, and within the Dean Highland Neighborhood. There is an existing 3-bedroom single family home on the property. The applicant proposes to operate it as a short-term rental for only one group at a time. The property would be operated, managed, and monitored on a regular basis. There is enough space to park at least 3 vehicles on the property via an improved driveway and parking area that is accessed off Trice Avenue and leads to a gravel parking area at the rear of 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: 27 mailed;

CASE #Z-20-17

TRAFFIC OPERATIONS REVIEW

1. Description of the adjacent street system: Trice Avenue
Classification: Local Number of Lanes: 2 travel lanes
Estimated Capacity (at LOSD) 10,000 vpd Avg. Daily Traffic 500 vpd
2. Estimated increase in traffic on adjacent streets at full build out:
Immediate: 60 vpd Future: 60 vpd
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:
N/A. (CM)

ENGINEERING SERVICES REVIEW

1. Street condition: Good Acceptable Needs Reconstruction
2. Street width: Existing: ROW 58' Pavement 30'
Required: ROW 50' Pavement 28'
3. Curb and Gutter:
Needs to be installed Exists 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.
10. Engineering Department comments and recommendations: Adjacent drainage system is surface (curb & gutter); 6" Water serves site; 6" Sanitary Sewer serves site. (CM)

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: 6 minutes or less

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

Fire Department Comments and Recommendations:

None. (GL)

HEALTH DEPARTMENT REVIEW

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

DATE OF INSPECTION:

Health Department Comments and Recommendations:

No comment. (DL)

POLICE DEPARTMENT REVIEW

Comments

No comment received.

SPECIAL PROVISIONS & CONDITIONS FOR
SHORT TERM RENTAL TYPE II

1. The permit hereby granted is to, FWC Hands Across Waco, Inc., and may not be transferred or assigned.
2. Transfer of ownership or control of FWC Hands Across Waco, Inc., shall not be allowed. If transfer of ownership or control of FWC Hands Across Waco, Inc., occurs, then this permit shall become null and void.

Transfer of ownership or control means any of the following:

- (1) The sale, lease, or sublease of the company;
- (2) The transfer of securities which constitute an influential interest in the company, whether by sale, exchange, or similar means; or
- (3) The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the company, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

Influential interest means any of the following:

- (1) The actual power to operate the company, or control the operation, management or policies of the company or of the legal entity which operates the company;
- (2) Ownership of a financial interest of 30 percent or more of a company or of any class of voting securities of a company; or
- (3) Holding an office (e.g., president, vice president, secretary, treasurer, managing member, managing director, etc.) in a legal entity which operates the company.

3. 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.
4. This permit is for the specific location designated herein and shall not be transferred to another location.
5. That said short term rental type II 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.

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6. 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.
7. 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.
8. Permittee shall comply with all building, plumbing, electrical and other related construction codes of the City of Waco.
9. The structure and the grounds shall be maintained and shall be kept in good repair and condition.
10. 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.
11. 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.
12. A Short Term Rental Facility license must be acquired within 6 months of approval of the special permit.

Zoning Case Z-20-17
3621 Trice Avenue
Special Permit
Short Term Rental Type II
in R-1B
Property Location Map

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.

 Z-20-17
200 Property Notice Buffer



September 2020



Zoning Case Z-20-17
 3621 Trice Avenue
 Special Permit
 Short Term Rental Type II
 in R-1B
 Property Location Map
 and Surrounding
 Zoning Categories

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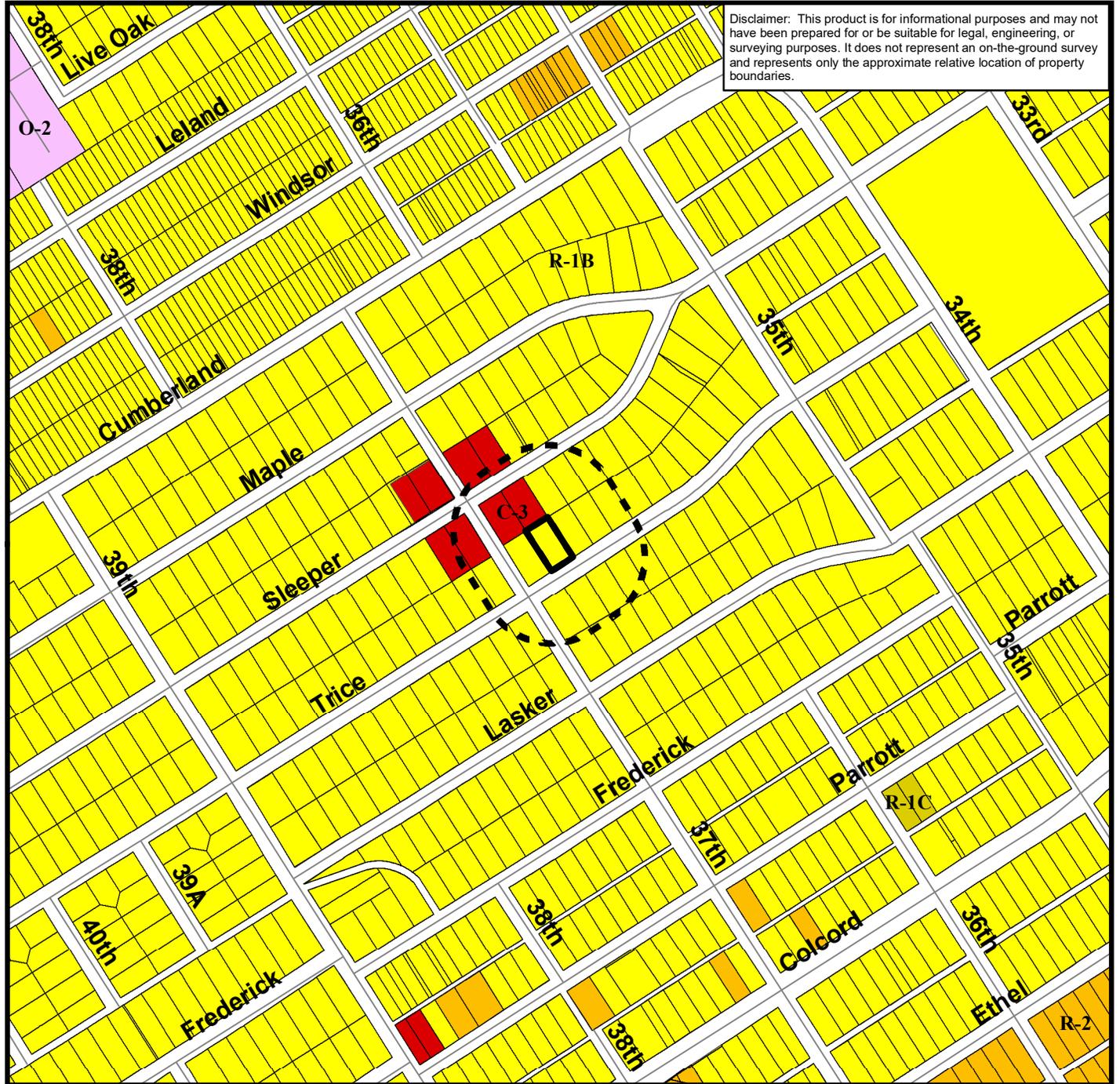
-  Z-20-17
-  200 Property Notice Buffer

Zoning Categories

-  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



September 2020



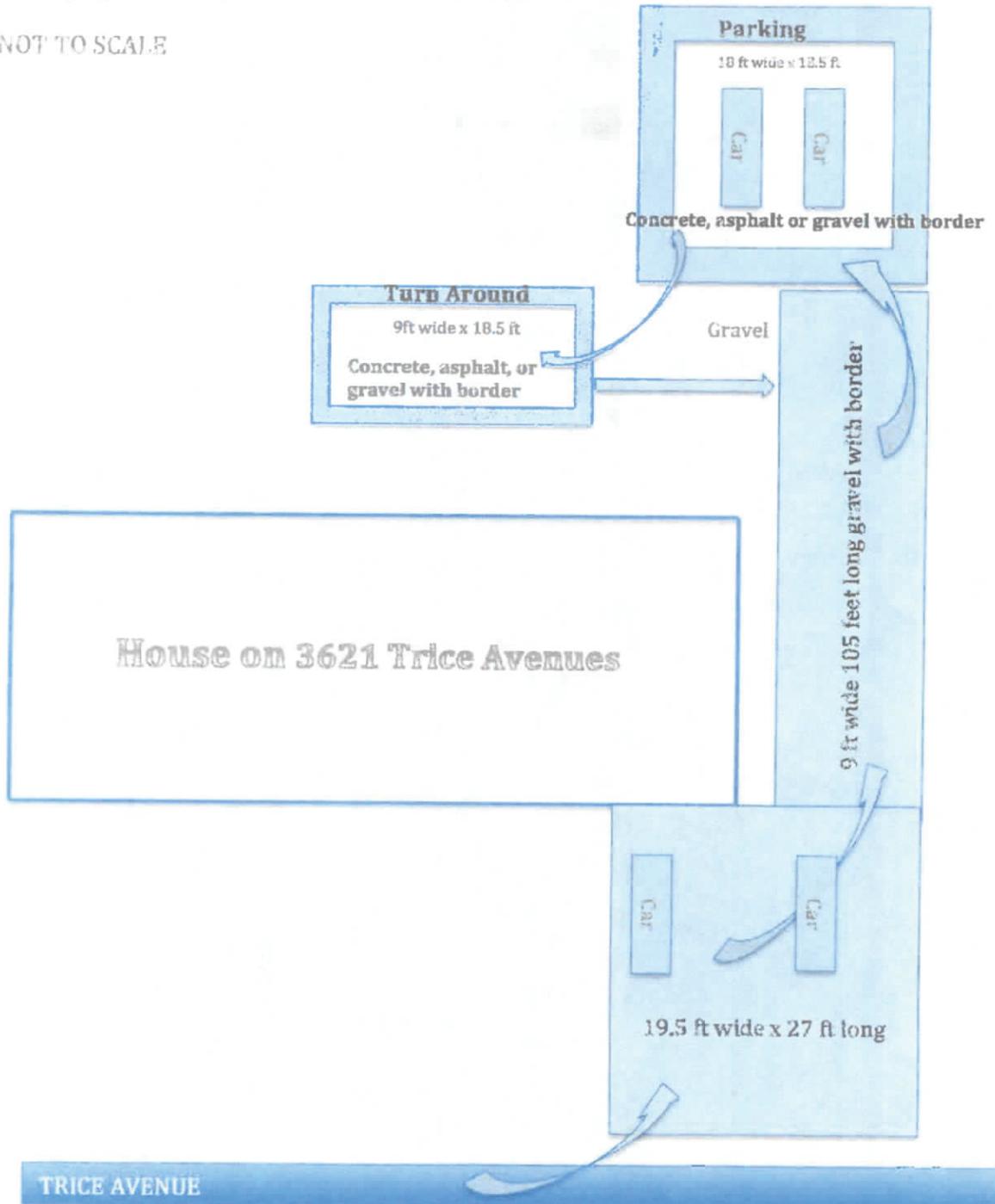
We can accommodate a single car in the drive and an additional car in the area next to the drive.

We will be supplying additional parking in the rear of the house. The access to the back of the house will be on the same side of the house as the driveway. The width of the drive leading to back of house will be 9 feet and the length will be 105 feet and will be marked clearly by gravel, which will be contained by borders.

Once in the back yard there will be parking for two cars an area of width 18 ft and length 18.5 feet.

There will be another area for backing out measuring length of 13.5 ft and width of 9ft making it possible to pull out of the house forward.

NOT TO SCALE



CORPORATION RESOLUTION
OF
FWC HANDS ACROSS WACO, INC.

We the undersigned, being all the Directors of FWC Hands Across Waco, Inc., organized and existing under the laws of Texas, and having its principal place at 1920 N. 25th Street, Waco, Texas 76707 (the "Corporation"), hereby certify that the following is a true and correct copy of a resolution duly adopted at a meeting of the Directors of the Corporation duly held and convened on January 2, 2020, as which a quorum of the Board of Directors was present and voting throughout, and that such resolution has not been modified, rescinded or revoked, and is at present in full force and effect:

Therefore, it is resolved:

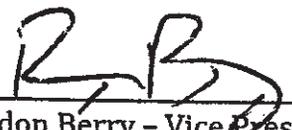
We the Board directors have called a meeting to approve that Jeremy LaBorde and Brandon Berry, on the board of directors acting as a director on behalf of FWC Hands Across Waco, Inc., has the authority to sign alone and act on behalf of all real estate transactions.

We further certify that the Corporation is duly organized and existing and has the power to take the action called for by the foregoing resolution.

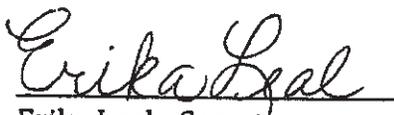
Directors:



Jeremy LaBorde - President



Brandon Berry - Vice President



Erika Leal - Secretary

**FWC Hands
Across Waco**

FWC Hands Across Waco
1920 N. 25th Street
Waco, TX 76707
254.756.1240

January 2, 2020

TO WHOM IT MAY CONCERN:

This letter is to verify Lisa Kim Price has the authority to sign on behalf of FWC Hands Across Waco, Inc.

Sincerely

Erika Leal

Erika Leal



Driveway/Parking improvements
for 3621 Juice

