Duncanville City Council Meeting Agenda

City Council Briefing Room and City Council Chamber
Videoconference via ZOOM
Duncanville City Hall
203 E. Wheatland Road
Duncanville, TX 75116
(972) 780-5017

amended

Tuesday, June 21, 2022
6:00 P.M. - Work Session/Briefing
7:00 P.M. - Regular Session
or immediately following the 6:00 pm Work Session/Briefing

City of Duncanville City Council meetings are available to all persons regardless of disability. The City of Duncanville offers Hearing Assistance Receivers for use during City Council Regular Sessions. If you require special assistance, please contact the City Secretary at (972)780-5017 or write 203 E. Wheatland Road, 75116, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

The City of Duncanville reserves the right to reconvene, recess or align the Regular Session or called Executive Session or order of business at any time prior to adjournment.

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO CONFERENCE

In accordance with an Order of the Office of the Governor issued on March 16, 2020, as extended, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting in person and by video conference at 6:00 pm on Tuesday, June 21, 2022 in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

This is an open meeting conducted by in person and video conference.

Due to limited seating in council chambers, persons or participants may attend by video conference in order to maintain safe social distance as provided in this notice.

To speak during Citizen Comments via ZOOM, you must register with the City Secretary before 4pm on Tuesday, June 21, 2022, email citysecretary@duncanville.com and title the email “Public Comment – June 21st”. You will need to register with the link below and attend the meeting. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow access to your microphone to provide your comments. Feel free to email your comment to the City Secretary for the Mayor to read into the record for any unexpected technical issues that may arise.

To submit a comment via email and for your comments to be read, the following information is required:

- Submit a comment by 4:00 p.m. on Tuesday, June 21, 2022.
- Email citysecretary@duncanville.com
- Email title: Public Comment – June 21st**.**
- First and Last Name; and address.
- State if you would like the Mayor to read your comment or if you would like to speak via ZOOM.
- *The City Secretary will still set a two-minute time limit on the comments as they are read.*

Register in advance for this webinar:
https://us02web.zoom.us/webinar/register/WN_PiHct8jkRZuPsqmHbxILDw

After registering, you will receive a confirmation email containing information about joining the webinar.

A recording of the video meeting will be made available to the public in accordance with the Open Meetings Act upon written request.

Page

WORK SESSION / BRIEFING
Citizen comments will not be heard during the Work Session/Briefing but will be heard during the Regular Session.

1. DISCUSS AGENDA ITEMS

2. BRIEFINGS / PRESENTATIONS

A. Funding Options for Fire Station and Other Bond Capital Projects
B. City Vehicles Presentation. 7
City Vehicles

EXECUTIVE SESSION

1. "City Council shall convene into closed executive session pursuant to Section 551.071, of the Texas Government Code to seek legal advice from City Attorney regarding legal issue for city facilities; and, Section 551.076 of the Texas Government Code to deliberate the deployment and implementation of security personnel on devices for city facilities."

REGULAR SESSION - CONVENE INTO THE COUNCIL CHAMBERS (7:00 P.M. OR IMMEDIATELY FOLLOWING THE 6:00 PM WORK SESSION/BRIEFING)

CALL TO ORDER
INVOCATION
PLEDGES - PLEDGE OF ALLEGIANCE; TEXAS PLEDGE OF ALLEGIANCE

1. REPORTS

A. Mayor's Report.

B. Councilmembers' Reports

C. City Manager's Report.

2. PROCLAMATIONS AND PRESENTATIONS

A. Mayor Gordon recognizes City Champion.

3. CITIZENS' INPUT

"Pursuant to Section 551.007 of the Texas Gov't Code, any member of the public has the opportunity to address the City Council concerning any matter of public business or any posted agenda item; however, the Act prohibits the City Council from deliberating any issues not on the public agenda and such non-agenda issues may be referred to City staff for research and any future action; all persons addressing are subject to council adopted rules and limitations permitted by law"

At this time, two-minute comments will be taken from the audience on any topic. To address the Council, please submit a fully-completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting. In accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decisions at this time. Issues may be referred to City Staff for research and possible future action.

To speak during Citizen Comments via ZOOM, you must register with the City Secretary before 4pm on Tuesday, June 21, 2022, email citysecretary@duncanville.com and title the email "Public Comment – June 21st". You will need to register with the link below and attend the meeting. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow access to your microphone to provide your comments. Feel free to email your comment to the City Secretary for the Mayor to read into the record for any unexpected technical issues that may arise.

To submit a comment via email and for your comments to be read, the following information is required:

- Submit a comment by 4:00 p.m. on Tuesday, June 21, 2022.
- Email citysecretary@duncanville.com
- Email title: Public Comment – June 21st**.**
- First and Last Name; and address.
- State if you would like the Mayor to read your comment or if you would like to speak via ZOOM.
- *The City Secretary will still set a two-minute time limit on the comments as they are read.*

4. CONSENT AGENDA

The following may be acted upon in one motion. A City Councilmember may request items be removed from the Consent Agenda for individual consideration.

A.	Consider a Resolution approving the award of IFB #22-0016 to Reynold's Asphalt & Construction Company for mill and overlay street improvements through the City's competitive bid process, with an estimated expenditure amount of $365,846.60. Mill and Overlay	8 - 13
B.	Consider a Resolution approving the award of IFB #22-0015 to Cam-Crete Contracting, Inc, for pavement replacement and curb/gutter repair services through the City's competitive bid process, with an estimated expenditure amount of $508,355.00. Cam-Crete Contracting	14 - 20
C.	Consider a Resolution approving the second contract renewal option for IFB #20-018 Pavement Markings Supply and Installation Services with Elite Striping, LLC in the estimated expenditure amount of $104,976.00. Pavement Markings	21 - 26
D.	Consider a Resolution approving an offer of a Hotel Occupancy Tax Grant for the FY 21-22 budget in an amount not to exceed $3,000 to the College Football Officials Developmental Conference Organization for ground transportation cost for attendees from and to the airport to the National Conference USA Football Official Developmental Conference Clinic held in Duncanville. Conference-USA Football Clinic	27 - 42

E. Consider a Resolution authorizing the procurement of two Osage ambulances from Lone Star Emergency Group, Ltd. located in Houston, Texas, through the Buy Board Contract #605-21 in the expenditure amount of $647,078.58, and authorizing procurement of two LifePak LP-15 cardiac defibrillator/monitors and a five year maintenance agreement for the LifePak LP-15 cardiac defibrillator/monitors from Stryker Corporation in the amount of $93,872.68. 43 - 60

Osage Ambulances

5. ITEMS FOR INDIVIDUAL CONSIDERATION

A. Conduct a Public Hearing (2022-12) for consideration and action regarding the request of Eric and Joanna Banda, Applicant, representing Monte Anderson of Main Commons Duncanville, Owner, to include a Specific Use Permit "SUP" for Self-Serve Pet Grooming Shop on Main Commons, Block 3, Lot 1AACS 0.617, more commonly known as 100 North Main Street, Duncanville, Dallas County, Texas. 61 - 95

100 North Main Street

To speak during the Public Hearing on Agenda Item 5A, 5B, 5C, 5D, and 5E via ZOOM, you must register with the City Secretary before 4pm. When the Mayor opens the Public Hearing, you will need to use the "raise your hand" option provided by ZOOM. Press *9 on your phone's dial pad to "raise your hand" if you are calling in and want to speak. You may also submit your comments in advance in accordance with the guidelines for "Public Comments."

B. Conduct a Public Hearing (2022-11) and consider an Ordinance amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by amending the existing SF-10 Single-Family Residential District to include a Specific Use Permit to allow for Short-Term Rental on Merribrook Estates instrument number 2, block J, lot 2, approximately 0.38 acres, more commonly known as 106 Willowbrook Drive. 96 - 144

106 Willowbrook Drive

To speak during the Public Hearing on Agenda Item 5A, 5B, 5C, 5D, and 5E via ZOOM, you must register with the City Secretary before 4pm. When the Mayor opens the Public Hearing, you will need to use the "raise your hand" option provided by ZOOM. Press *9 on your phone's dial pad to "raise your hand" if you are calling in and want to speak. You may also submit your comments in advance in accordance with the guidelines for "Public Comments."

C. Conduct a Public Hearing and consider an Ordinance granting a Specific Use Permit "SUP" for Short-Term Rental on Irwin Keasler Dev Red Bird 5, PT Lot 0006, Duncanville, Dallas County, Texas, more commonly known as 822 Sherrill Boulevard. 145 - 176

SUP - 822 Sherrill Boulevard

To speak during the Public Hearing on Agenda Item 5A, 5B, 5C, 5D, and 5E via ZOOM, you must register with the City Secretary before 4pm. When the Mayor opens the Public Hearing, you will need to use the "raise your hand" option provided by ZOOM.

Press *9 on your phone's dial pad to "raise your hand" if you are calling in and want to speak. You may also submit your comments in advance in accordance with the guidelines for "Public Comments."

D. Conduct a Public Hearing and consider an Ordinance amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by amending the existing SF-7 Single-Family Residential District to grant a Specific Use Permit to allow for Short-Term Rental on real property located on River Oaks, Block K, Lot 5, more commonly known as 350 Linklea Drive. 177 - 206

SUP - 350 Linklea Drive

To speak during the Public Hearing on Agenda Item 5A, 5B, 5C, 5D, and 5E via ZOOM, you must register with the City Secretary before 4pm. When the Mayor opens the Public Hearing, you will need to use the "raise your hand" option provided by ZOOM. Press *9 on your phone's dial pad to "raise your hand" if you are calling in and want to speak. You may also submit your comments in advance in accordance with the guidelines for "Public Comments."

E. Conduct a Public Hearing and consider an Ordinance amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by amending the existing SF-10 Single-Family Residential District to grant a Specific Use Permit to allow for Short-Term Rental on real property located on Duncanville Estates 1, Block C, Lot 4, more commonly known as 103 South Capri Drive. 207 - 230

SUP - 103 South Capri Drive

To speak during the Public Hearing on Agenda Item 5A, 5B, 5C, 5D, and 5E via ZOOM, you must register with the City Secretary before 4pm. When the Mayor opens the Public Hearing, you will need to use the "raise your hand" option provided by ZOOM. Press *9 on your phone's dial pad to "raise your hand" if you are calling in and want to speak. You may also submit your comments in advance in accordance with the guidelines for "Public Comments."

F. Take any necessary action as a result of the Executive Session.

6. STAFF AND BOARD REPORTS

A. Receive the Monthly Financial Report as of April 30, 2022. 231 - 262

Monthly Financial Report

B. Receive the Public Works Department Quarterly Report.

ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Duncanville City Hall, a place convenient and readily accessible to the general public, as well as to the City's website www.duncanville.com and said Notice was posted on the following date and time: **Friday, June 17, 2022 at 5:00 P.M.** and remained posted for at least two hours after said meeting was convened.

"Guns prohibited on these premises by state law unless licensed under Chapter 411, Tex. Gov. Code. Section 46.035 Texas Penal Code."

"Las armas de fuego están prohibidas en estas instalaciones por la ley estatal a menos que estén autorizadas bajo el Capítulo 411 del Código de Gobierno de Texas. Sección 46.035 del Código Penal de Texas."

STAFF REPORT

MEETING: City Council - 21 Jun 2022

TITLE:
City Vehicles Presentation.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
  - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:
Asa Low, Equipment Services Superintendent

BACKGROUND/HISTORY:
Discuss vehicle and equipment purchases, funding sources for purchases, lease vehicle options, electric and alternative fuel vehicle options, and vehicle servicing process.

POLICY EXPLANATION:
Inform the City Council of the state of City vehicles and equipment and the process for purchasing, funding, and servicing vehicles.

FUNDING SOURCE:

ORG and Object Number
N/A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:
N/A

STAFF REPORT

MEETING: City Council - 21 Jun 2022

TITLE:
Consider a Resolution approving the award of IFB #22-0016 to Reynold's Asphalt & Construction Company for mill and overlay street improvements through the City's competitive bid process, with an estimated expenditure amount of $365,846.60.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Develop: Infrastructure Improvement Strategy**
  - **Ensure the viability and adaptability of the city's infrastructure, facilities, and transportation network through thoughtful financial and long-term planning.**

STAFF RESPONSIBLE:
Jacqueline R. Culton, Managing Director of Public Works (Interim)
Kelly McChesney, Streets Superintendent

BACKGROUND/HISTORY:
Every year, the Public Works Streets Maintenance Division selects several roads for mill and overlay street improvements as part of the City's annual Street Maintenance Plan. The specific, deteriorated roads to be rehabilitated are chosen based on input from the City's pavement management software, Vueworks, on-site evaluation by the Streets Division, and coordination with the Utilities Division.

Hot mix asphalt mill and overlay is a cost-effective street maintenance strategy to prolong the life of certain public streets located within the City of Duncanville. This treatment involves milling the top few inches of damaged asphalt pavement and overlaying the street with fresh asphalt pavement. This creates a new driving surface estimated to last 20 years. The contract provides for the milling and removal of up to three inches of deteriorated asphalt pavement before new asphalt pavement is installed. Removal of the old pavement offers a more stable surface for new asphalt resurfacing and enhanced drainage of the roadway surface.

Four road segments have been selected for mill and overlay treatment: 1) Greentree Lane from Greenstone to Crescent Drive, 2) Briarmeade, 3) Greentree Place, and 4) Crescent Drive (Attachment 2).

The Invitation for Bid #22-0016 was advertised in the Focus Daily News on April 13, 2022, and April 20, 2022. The bid request was also publicized through the bidding notification system for PublicPurchase.com. The City received five (5) completed bids by the bid closing on May 12, 2022.

Reynolds Asphalt & Construction Company, a firm located in North Richland Hills, was the recommended vendor based on the evaluation criteria published in the bid.

POLICY EXPLANATION:
The lowest responsible and responsive bid was received from Reynolds Asphalt & Construction Company in the amount of $365,846.60. Staff has reviewed the bid, bidder qualifications, and references and recommends award to Reynolds Asphalt & Construction Company. This project was bid in compliance with Texas municipal purchasing statutes.

FUNDING SOURCE:

ORG and Object Number
01066200-700450

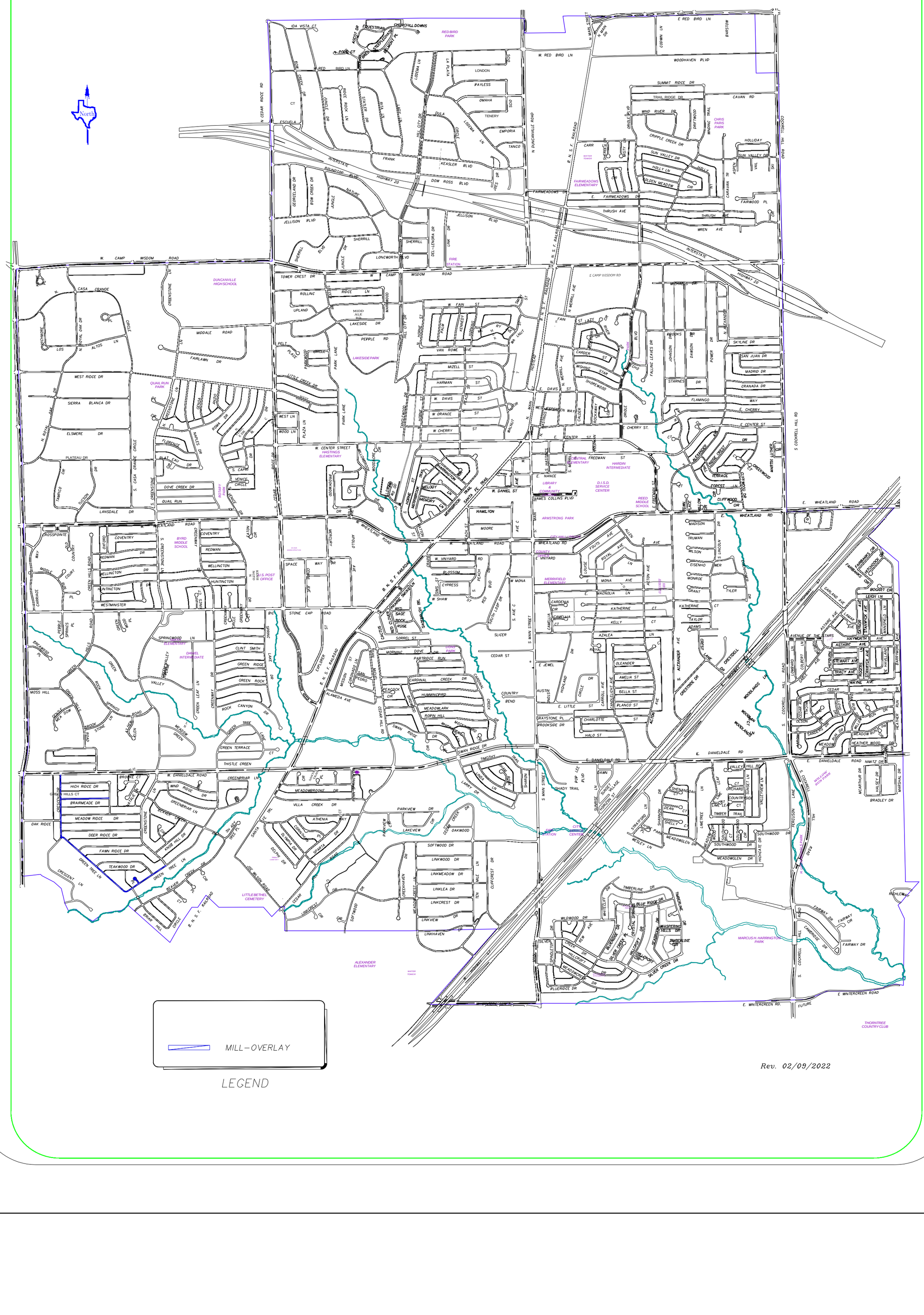
Available Budget	**Purchase Amount**	**After Encumber**
$600,000.00	$365,846.60	$234,153.40

ACTION ALTERNATIVES:
1. Approve funding in the amount of $365,846.60 to perform mill and overlay street improvements.
2. Do no approve funding.
3. Other actions as directed by Council.

ATTACHMENTS:
Attachment 1 - Mill and Overlay Map
Resolution No. - 2022-045 - Mill & Overlay Program - Pdf

Attachment 1

FY22 Street Maintenance - Mill and Overlay



MILL–OVERLAY

LEGEND

Rev. 02/09/2022

RESOLUTION NO. 2022-045

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AUTHORIZING THE AWARD OF IFB #22-0016 TO REYNOLDS ASPHALT & CONSTRUCTION COMPANY FOR MILL AND OVERLAY STREET IMPROVEMENTS THROUGH THE CITY'S COMPETITIVE BID PROCESS, WITH AN ESTIMATED EXPENDITURE AMOUNT OF $365,846.60; AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ISSUE AND EXECUTE THE APPROPRIATE PURCHASE AND/OR WORK ORDERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is necessary to purchase mill and overlay street improvements as a cost-effective street maintenance strategy to preserve City streets in the City of Duncanville; and

WHEREAS, the City of Duncanville has obtained competitive sealed bids for street mill and overlay improvements per IFB #22-0016 and recommends the award of the bid to the lowest responsible bidder meeting specifications in the amount bid; and

WHEREAS, the City Council of the City of Duncanville, Texas, desires to award the bid to Reynolds Asphalt & Construction Company and authorizes the execution of the necessary documents to procure said services; and

WHEREAS, this authorization will cover the purchase of mill and overlay improvements through September 30, 2022; with an estimated expenditure amount of $365,846.60; and

WHEREAS, the City of Duncanville estimates that its purchases through the contract term will exceed $50,000, and thus purchases through this contract require approval by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, THAT:

SECTION 1. The City Council of the City of Duncanville, Texas, hereby awards IFB #22-0016 to Reynolds Asphalt & Construction Company for the FY22 mill and overlay street improvements, with an estimated expenditure amount not to exceed $365,846.60, per the bid tabulation as set forth in Exhibit "A," attached hereto and incorporated herein.

SECTION 2. The City Council of the City of Duncanville, Texas, hereby authorizes the City Manager, or her designee, to execute the appropriate and necessary documents and/or purchase orders.

SECTION 3. This resolution shall become effective immediately upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 21st day of June, 2022.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

Exhibit A

Duncanville City of Champions

Bid # & Name: RFB 22-0016 STREET MILL & OVERLAY PROGRAM

Bid Opening Date: Thursday, May 12, 2022

Description & Coverage			Dimensions		Unit of Measure	SPI Asphalt Argyle, TX	Peachtree Construction, Ltd. Keller, TX	Reynolds Asphalt & Construction Co. North Richland Hills	Texas Materials Group Inc. Irving, TX	Anderson Asphalt & Concrete Paving, LLC Dallas, TX
NAME	FROM	TO	Length	Width	SY	Cost	Cost	Cost	Cost	Cost
Greentree	Greenstone	Crescent	4,390	23	11,218	$ 308,495.00	$ 246,796.00	$ 227,725.40	$ 251,283.20	$ 224,350.00
Briarmeade	High Ridge	Crescent	1,148	23	2,935	$ 80,712.50	$ 67,505.00	$ 59,580.50	$ 57,555.35	$ 62,300.00
GreenTree Place	Green Tree	Cul-de- Sac	185	23	475	$ 13,062.50	$ 19,712.50	$ 9,642.50	$ 12,825.00	$ 12,300.00
Crescent	Green Tree	Danieldale	1,328	23	3,394	$ 93,335.00	$ 77,213.50	$ 68,898.20	$ 65,164.00	$ 72,000.00
				TOTAL:		**$ 495,605.00**	**$ 411,227.00**	**$ 365,846.60**	**$ 386,827.55**	**$ 370,950.00**
				RANKING:		**5**	**4**	**1**	**3**	**2**

Note: The data contained in the bid tabulation is for information purposes only and does not constitute the award and/or execution of a contract.

STAFF REPORT

MEETING: City Council - 21 Jun 2022

TITLE:
Consider a Resolution approving the award of IFB #22-0015 to Cam-Crete Contracting, Inc, for pavement replacement and curb/gutter repair services through the City's competitive bid process, with an estimated expenditure amount of $508,355.00.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Develop: Infrastructure Improvement Strategy**
  - **Ensure the viability and adaptability of the city's infrastructure, facilities, and transportation network through thoughtful financial and long-term planning.**

STAFF RESPONSIBLE:
Jacqueline R. Culton, Managing Director of Public Works (Interim)
Kelly McChesney, Streets Superintendent

BACKGROUND/HISTORY:
Every year, the Public Works Streets Maintenance Division selects roads for pavement replacement as part of the City's annual Street Maintenance Plan. The specific, deteriorated roads to be rehabilitated are chosen based on input from the City's pavement management software, Vueworks, on-site evaluation by the Streets Division, and coordination with the Utilities Division.

This year's Pavement Replacement Program consists of:
1) removing selected concrete pavement slabs and replacing them with ten inches of reinforced concrete pavement along Wheatland between Apollo and Patton and Cockrell Hill between Danieldale and Cambridge,
2) replacing damaged curb and gutter within the Westpark subdivision, and
3) removing damaged pavement at Apple Corrugated, located at 1346 N Main, and replacing it with six inches of reinforced concrete pavement for $27,690.00. City water main breaks have occurred at this property, contributing to the pavement deterioration at this location. It is anticipated that Apple Corrugated will reimburse 50% of the cost for this work.

The Invitation to Bid #22-0015 was advertised in the Focus Daily News on April 13, 2022, and April 20, 2022. The bid request was also publicized through the bidding notification system for PublicPurchase.com. Twenty-eight vendors were notified of this publication. The City received one bid by the bid closing on May 12, 2022.

Cam-Crete Contracting, Inc, a contractor in Cedar Hill, was the recommended vendor based on the evaluation criteria published in the bid. The total budget shortfall for purchasing these services from Cam-Crete Contracting, Inc is $8,355.00. This can be alleviated by using available funding due to the mill and overlay project coming under budget. Apple Corrugated will reimburse a portion of this project.

Pending City Council approval, the contractor is tentatively scheduled to commence work in July 2022, with work to be completed by September 30, 2022.

POLICY EXPLANATION:
The lowest responsible and responsive bid was received from Cam-Crete Contracting, Inc in the amount of $508,355.00. Staff has reviewed the bid, bidder qualifications, and references and recommends award to Cam-Crete Contracting, Inc. This project was bid in compliance with Texas municipal purchasing statutes.

FUNDING SOURCE:

ORG and Object Number
01066200-700450

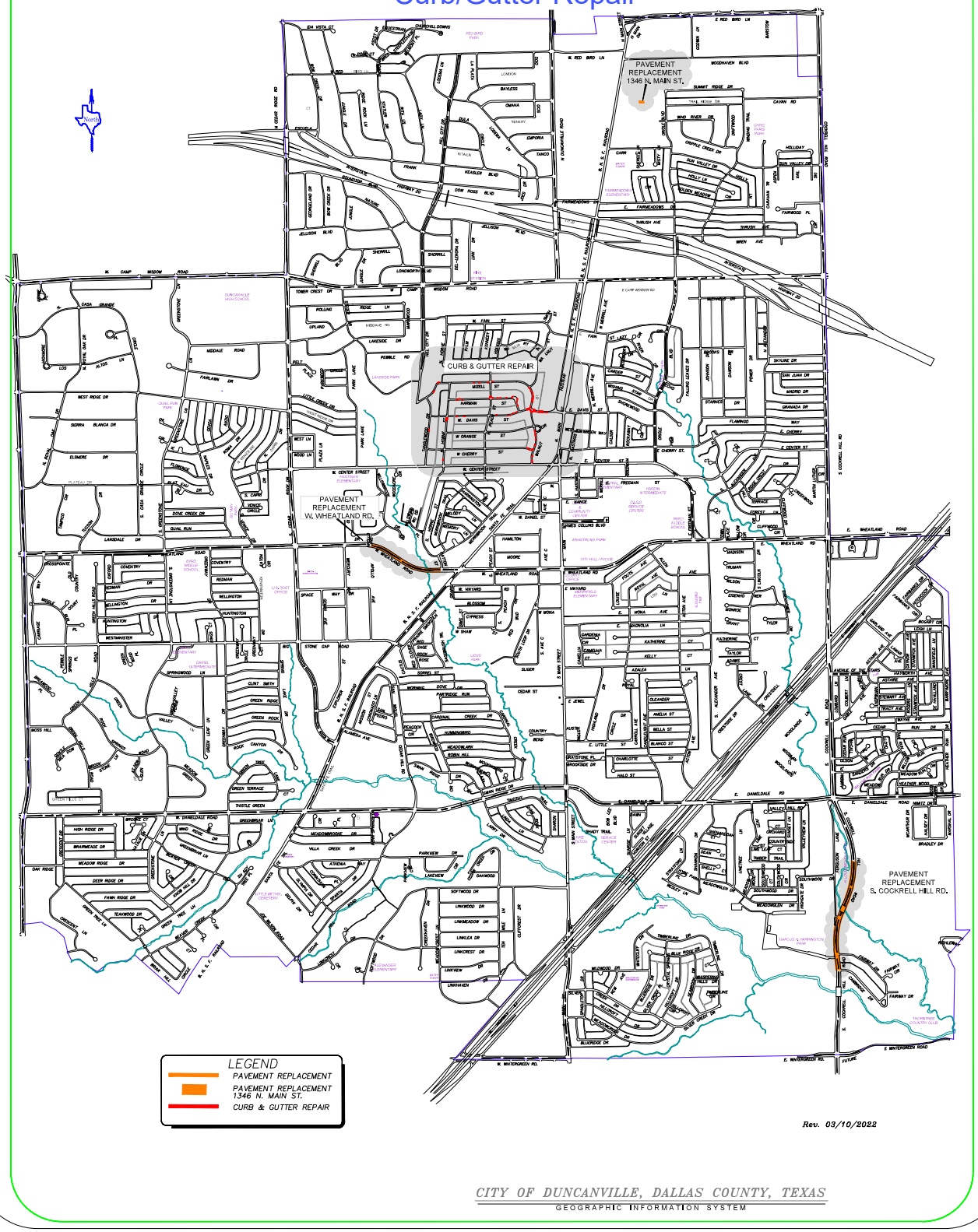
Available Budget	**Purchase Amount**	**After Encumber**
$500,000.00	$508,355.00	-$8,355.00

ACTION ALTERNATIVES:
1. Approve funding in the amount of $508,355.00 to perform pavement replacement services and approve an amendment to the FY22 budget to purchase these services from $500,000.00 to $508,355.00 in ORG/OBJ number 01066200-700450.
2. Do not approved funding.
3. Other actions as directed by Council.

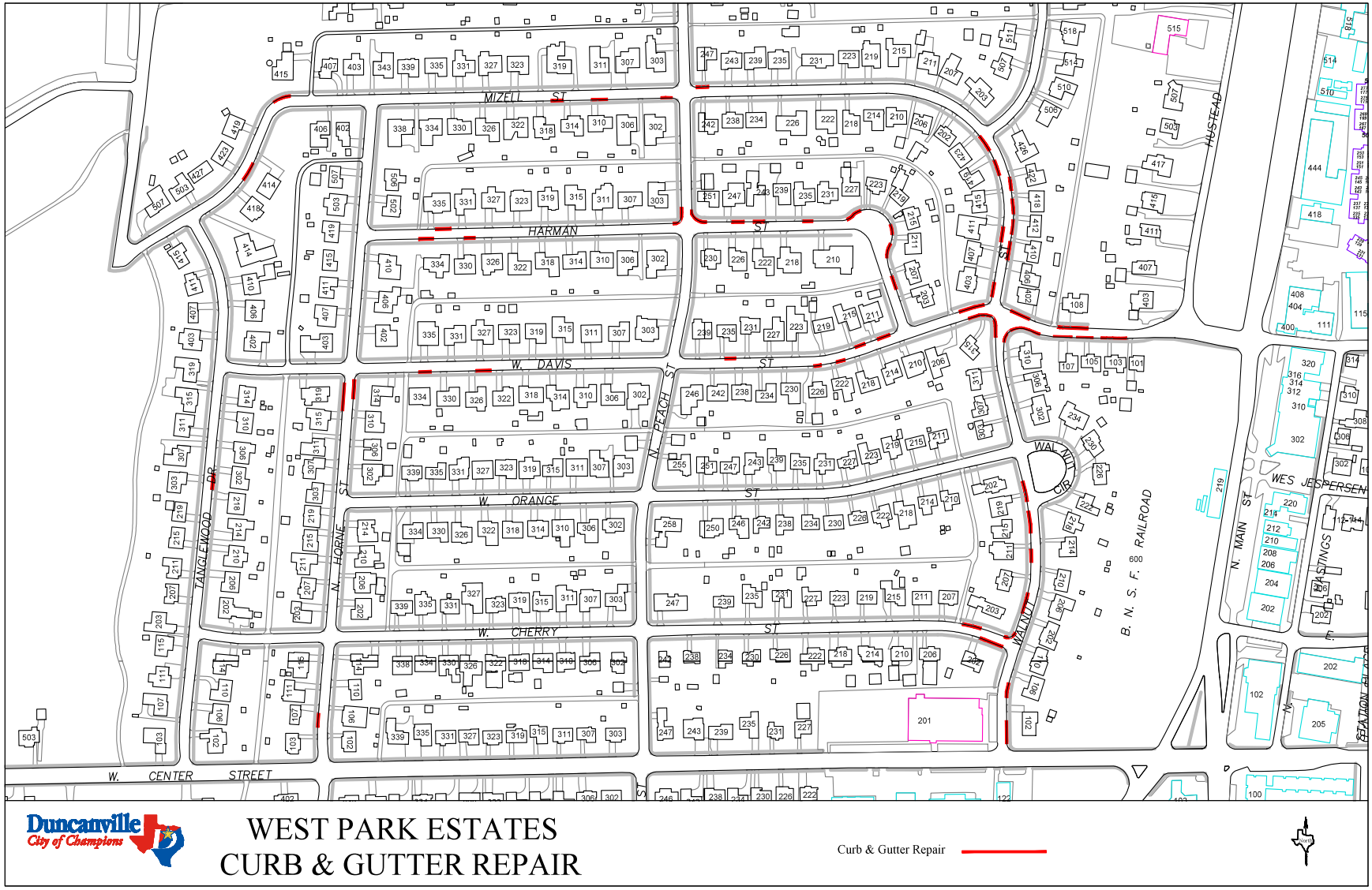
ATTACHMENTS:
Attachment 1 - Pavement Replacement Maps
Attachment 2 - Resolution No. - 2022-048 - Pavement Replacement Program with Exhibit

Attachment 1A

FY22 Street Maintenance - Pavement Replacement and Curb/Gutter Repair



Attachment 1B



RESOLUTION NO. 2022-048

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AUTHORIZING THE AWARD OF IFB #22-0015 TO CAM-CRETE CONTRACTING, INC, FOR PAVEMENT REPLACEMENT AND CURB/GUTTER REPAIR THROUGH THE CITY'S COMPETITIVE BID PROCESS, WITH AN ESTIMATED EXPENDITURE AMOUNT OF $508,355.00; AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ISSUE AND EXECUTE THE APPROPRIATE PURCHASE AND/OR WORK ORDERS; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is desired to continue the annual street maintenance program to provide and safeguard the City's infrastructure through pavement replacement and curb/gutter repair; and

WHEREAS, the City has obtained competitive sealed bids for pavement replacement and curb/gutter repair per IFB #22-0015 and recommends the award of the bid to the lowest responsible bidder meeting specifications in the amount bid; and

WHEREAS, the City Council of the City of Duncanville, TX desires to award the bid to Cam-Crete Contracting, Inc and authorizes the execution of the necessary documents to procure said services; and

WHEREAS, this authorization will cover the purchase of pavement replacement and curb/gutter repair through September 30, 2022; with an estimated expenditure amount of $508,355.00; and

WHEREAS, the City of Duncanville estimates that its purchases through the contract term will exceed $50,000, and thus purchases through this contract require approval by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, THAT:

SECTION 1. The City Council of the City of Duncanville, Texas, hereby awards IFB #22-0015 to Cam-Crete Contracting, Inc for the FY22 pavement replacement and curb/gutter repair, with an estimated expenditure amount not to exceed $508,355.00, per the bid tabulation as set forth in Exhibit "A," attached hereto and incorporated herein.

SECTION 2. The City Council of the City of Duncanville, Texas, hereby authorizes the City Manager, or her designee, to execute the appropriate and necessary documents and/or purchase orders.

SECTION 3. This resolution shall become effective immediately upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 21st day of June, 2022.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

Exhibit A

PART 6: BID SHEET

6.3 BID SHEET

ITEM	DESCRIPTION	UNIT	EST. PROGRAM QUANTITY	UNIT COST	TOTAL PROGRAM COST
1	REMOVE AND REPLACE 10" DEPTH REINFORCED 4,000 PSI CONCRETE PAVEMENT	SY	1,035	$ 125.00	$ 129,375.00
2	REMOVE AND REPLACE 10" DEPTH REINFORCED 5,000 PSI HIGH EARLY CONCRETE PAVEMENT	SY	1,250	$ 175.00	$ 218,750.00
3	REMOVE & REPLACE SEPARATE 6" CONCRETE CURB	LF	1,030	$ 8.00	$ 8240.00
4	REMOVE AND REPLACE CONCRETE CURB AND 18" GUTTER	LF	2,286	$ 50.00	$ 114,300.00
5	REMOVE AND REPLACE 6" DEPTH REINFORCED 4,000 PSI CONCRETE PAVEMENT	SY	355	$ 78.00	$ 27,690.00
6	FURNISH AND INSTALL EROSION CONTROL	LS		$ 4000.00	$ 4000.00
7	FURNISH AND INSTALL TRAFFIC CONTROL PLAN	LS		6000.00	6000.00
				TOTAL COST:	$508,355.00

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STAFF REPORT

MEETING: City Council - 21 Jun 2022

TITLE:
Consider a Resolution approving the second contract renewal option for IFB #20-018 Pavement Markings Supply and Installation Services with Elite Striping, LLC in the estimated expenditure amount of $104,976.00.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Develop: Infrastructure Improvement Strategy**
  - **Ensure the viability and adaptability of the city's infrastructure, facilities, and transportation network through thoughtful financial and long-term planning.**

STAFF RESPONSIBLE:
Jacqueline R. Culton, Director of Public Works (Interim)
John Borchardt, Traffic Operations Superintendent

BACKGROUND/HISTORY:
The City procures services to provide for the removal and application of reflective "hot-applied" thermoplastic markings and raised button pavement markers to be installed at various locations in the city on an as-needed basis. "Hot-Applied" thermoplastic markings are one of the most common types of applications used for pavement markings. This type of application creates wear and crack-resistant markings and is very durable. Additionally, the highly reflective quality of thermoplastic markings makes for an excellent choice for road marking, especially for nighttime visibility. Ceramic raised pavement marker buttons provide maximum durability and the ultimate daytime/nighttime visibility without using painting stripes. Lane markings are an essential aspect of traffic control as they provide a guidance system for motorists and pedestrians on city streets and contribute to the safety thereof.

POLICY EXPLANATION:
This annual term contract is for labor, materials, and equipment for the removal and installation of raised pavement markings and thermoplastic for the City on an as-needed basis.

FUNDING SOURCE:

ORG and Object Number
01066200-700450 and 01066300-700450

Available Budget	**Purchase Amount**	**After Encumber**
$104,976.00.	$104,976.00.	$0.00

ACTION ALTERNATIVES:

1. Approve funding in the amount of $104,976.00 for pavement markings supply and installation services.
2. Do not provide funding in the amount of $104,976.00 for pavement markings supply and installation services.
3. Other actions as directed by Council.

ATTACHMENTS:

Attachment 1 - Resolution No. - 2022-044 - Elite Striping, LLC Contract Renewal

RESOLUTION NO. 2022-044

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AUTHORIZING THE SECOND CONTRACT RENEWAL OPTION FOR IFB #20-018 PAVEMENT MARKINGS SUPPLY AND INSTALLATION SERVICES WITH ELITE STRIPING, LLC IN THE ESTIMATED EXPENDITURE AMOUNT OF $104,976.00; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Duncanville desires to provide pavement marking services at various locations within the City of Duncanville; and

WHEREAS, the City awarded IFB #20-018 to Elite Striping, LLC on July 21, 2020, for an initial one-year term, with four optional one-year renewal terms; and

WHEREAS, the City desires to exercise the second renewal option for pavement markings supply and installation services to Elite Striping, LLC; and

WHEREAS, this authorization will extend through July 22, 2023; with an estimated expenditure of $104,976.00; and

WHEREAS, the City of Duncanville estimates that its purchases through the contract term will exceed $50,000, and thus purchases through this contract require approval by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, THAT:

SECTION 1. The City Council authorizes the second renewal option of IFB #20-018 with Elite Striping, LLC for pavement marking supply and installation services in an estimated expenditure amount of $104,976.00.

SECTION 2. The City Council of the City of Duncanville hereby authorizes the City Manager to execute the necessary documents and/or purchase order to conform to this Resolution as appropriate.

SECTION 3. This resolution shall become effective immediately upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 21st day of June, 2022.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

Exhibit A

Duncanville
City of Champions

ELECTRONICALLY TRANSMITTED

May 25, 2022

Elite Striping, LLC dba Action Services
Attn: Tommy Samaniego
1007 S. Cedar Hill Rd.
Cedar Hill, TX 75104
tommy@actionservices.net;OfficeMGR@actionservices.net

Re: NOTICE OF CONTRACT RENEWAL:
19-014 Pavement Markings Supply and Installation Services Contract

Renewal Term No 2: July 22, 2022 – July 21, 2023

The above reference contract will expire on July 21, 2022. The contract contains a provision to extend the term for two additional one-year renewals. The City of Duncanville wishes to exercise the second annual renewal option term from July 22, 2022 to July 21, 2023. All other terms and conditions of Contract 19-014 remain unchanged.

Please return this signed acknowledgement letter, along with a **copy of your current insurance certificate if applicable and W-9,** to purchasing@duncanville.com acknowledging receipt of the Notice of Contract Renewal.

Should you have any questions, please contact me at (972) 780-5058.

Sincerely,

Osokale
Tayo Sokale CPPO, CPCM
Chief Procurement Officer
972-780-5058

May 24, 2022

203 E. Wheatland Road I Duncanville, Texas 75116 I 972.780.5058 P I omotayo.sokale@duncanville.com

Duncanville
City of Champions

Acknowledgement of Contract Renewal Option

Contract Renewal #2
Pavement Marking Supply and Installation Services
City of Duncanville Agreement IFB-19-014

By executing this document, contractor verifies:

1. That it desires to exercise the renewal option under the same terms, conditions, and pricing, beginning July 22, 2022 through July 21, 2023,

2. that it does not boycott Israel, and agrees that during the term of this Contract will not boycott Israel as that term is defined in Texas Government Code Section 808.001, as amended;

3. that, pursuant to Texas Government Code, Chapter 2252, Section 2252.152 and Section 2252.153, it does

4. Vendor certifies and verifies that: (1)neither Vendor, nor any affiliate, subsidiary, or parent company of Vendor if any (the "Vendor Companies"), does not have a written or unwritten internal practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association based solely on its status as a firearm entity or firearm trade association, and (2) Vendor agrees that Vendor and Vendor Companies will not discriminate during the term of the contract against a firearm entity or firearm trade association based solely on its status as a firearm entity or firearm trade association during the term of this agreement pursuant to the provisions of Texas Government Code Chapter 2274. For purposes of this Agreement, the term "Discriminate against a firearm entity or firearm trade association" shall have the meaning defined in Texas Government Code Chapter 2274

5. Vendor certifies and verifies that it is not a company identified on the Texas Comptroller's list of companies known to boycott energy companies, as defined in Texas Government Code Chapter 809. Vendor further certifies and verifies that neither Vendor, nor any affiliate, subsidiary, or parent company of Vendor, if any (the "Vendor Companies"), boycotts energy companies and Vendor agrees that Vendor and Vendor Companies will not boycott energy companies during the term of this agreement pursuant to the provisions of Texas Government Code Chapter 809. For purposes of this Agreement, the term "boycott energy company" shall have the meaning defined in the Texas Government Code.

Elite Striping, LLC dba Action Services

Signature 5-27-2022 Date

Tomas Samaniego Managing Member
Printed Name Title

City of Duncanville, Texas

Aretha R. Ferrell-Benavides, City Manager

203 E. Wheatland Road | Duncanville, Texas 75116 | 972.780.5058 P | omotayo.sokale@duncanville.com

STAFF REPORT

MEETING: City Council - 21 Jun 2022

TITLE:
Consider a Resolution approving an offer of a Hotel Occupancy Tax Grant for the FY 21-22 budget in an amount not to exceed $3,000 to the College Football Officials Developmental Conference Organization for ground transportation cost for attendees from and to the airport to the National Conference USA Football Official Developmental Conference Clinic held in Duncanville.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Advance: Marketing Strategy of the City and Community Engagement Plan**
  - **Strengthen communication and engagement within the community while championing the City of Duncanville regionally, nationally, and internationally.**
- **Re-Imagine: High Quality of Life**
  - **Develop, maintain, and encourage safe, attractive, viable family-oriented neighborhoods that embrace diversity and pride, promoting economic vitality.**

STAFF RESPONSIBLE:
Agustin 'Gus' Garcia, Managing Director of Development Services

BACKGROUND/HISTORY:
The City's Hotel Motel Tax revenues are generated from a seven percent tax paid by guests who rent a hotel room within Duncanville. This local tax is authorized by the State of Texas therefore, the expenditures of these funds are restricted and must be used according to state law.

There is a two-part test for every expenditure of local hotel occupancy tax.
Criteria #1: First, every expenditure must DIRECTLY enhance and promote tourism AND the convention and hotel industry. Under the Tax Code, every event, program, or facility funded with hotel occupancy tax revenues must likely do two things: 1) directly promote tourism; and 2) directly promote the convention and hotel industry.

"Tourism" is defined under Texas law as guiding or managing individuals who are traveling to a different, city, county, state, or country. A "direct" promotion of the convention and hotel industry has been consistently interpreted by the Texas Attorney General as a program, event, or facility likely to cause increased hotel or convention activity. This activity may result from hotel or convention guests that are already in town and choose to attend the hotel tax funded facility or arts or historical event, or it may

result from individuals who come from another city or county to stay in an area lodging property at least in part to attend the hotel tax funded event or facility. If the funded event or facility is not reasonably likely to directly enhance tourism and the hotel and convention industry, local hotel occupancy tax revenues cannot legally fund it.

Entities applying for hotel occupancy tax revenue funding should indicate how they will market the event to attract tourists and hotel guests. If an entity does not adequately market its events to tourists and hotel guests, it is difficult to produce an event or facility that will effectively promote tourism and hotel activity.

Criteria #2: Every expenditure of the hotel occupancy tax must clearly fit into one of nine statutorily provided categories for expenditure of local hotel occupancy tax revenues.

The nine categories for expenditure of the hotel occupancy tax are as follows:

1-) Funding the establishment, improvement, or maintenance of a convention center or visitor information center.
2-) Paying the administrative costs for facilitating convention registration.
3-) Paying for advertising, solicitations, and promotions that attract tourists and convention delegates to the city or its vicinity.
4-) Expenditures that promote the arts.

Under § 351.103(c), a city with a population of under 125,000 may expend up to 15% of the hotel occupancy tax revenue collected for art-related programs that also promote tourism and local hotel and convention activity. Specifically, it allows funding the encouragement, promotion, improvement, and application of the arts including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution and exhibition of these major art forms. However, it is not enough that a facility or event promotes the arts; Texas law requires that the arts related expenditure also directly promote tourism and the hotel and convention industry.

Section 351.101(a) of the Tax Code specifically states that “the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry.” The Texas Attorney General reaffirmed this standard when it held in Opinion GA-0124: “Under section 351.101 of the Tax Code, a municipality may expend its municipal hotel occupancy tax revenue only to promote tourism and the convention and hotel industry, and only for the specific uses listed in the statute.”

In order to comply with the hotel occupancy tax statute, THLA and TFA agree that to be eligible for municipal arts funding with HOT revenues, recipients must satisfy the following requirements:

The recipient presents, performs, promotes, encourages or otherwise makes possible, artistic events, cultural performances, programs, exhibitions or lectures involving the major art forms listed in the statute, or “other arts related to the presentation, performance, execution and exhibition of these major art forms.”
The hotel occupancy tax funded programs and events are advertised and open to the general public.
The recipient directly enhances and promotes tourism and the convention and hotel industry.

Criteria Examples:

•Recipient books hotel rooms for visiting artists and offers hotel related information to attendees of the organization's hotel occupancy tax funded events.
•The recipient promotes or markets its events outside of the local area through standard media promotion or advertising, websites, mailing lists, local, regional and national listings in publications and calendars and use of social media and where appropriate includes a link to information about area hotels.
•The recipient, either through audience or attendee questionnaires, polling, or hotel block booking codes, demonstrates that hotel guests, tourists, convention attendees or other out-of-town visitors have attended its hotel tax funded events.
•Funding historical restoration or preservation programs.
5-) Funding historical restoration or preservation programs.
6-) Funding certain expenses, including promotional expenses, directly related to a sporting event within counties with a population of fewer than 1 million.
7-) Funding the enhancement or upgrading of existing sports facilities or sports fields for certain municipalities.
8-) Funding transportation systems for tourists.
9-) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.

POLICY EXPLANATION:
The City Council has approval over the expenditure of Hotel Occupancy Tax (HOT) Funds. Based on City Council's prior direction, all Hotel Motel Tax Grants are paid on a reimbursement basis for approved expenditures.

The applicant's funding history is listed below.

There were no HOT grants requested for FY20-21, FY19-20, and FY18-19

The requested funds will be used towards transporting participating guest from the airport to the hotel.

FUNDING SOURCE:

ORG and Object Number
10011000/700450

Available Budget	**Purchase Amount**	**After Encumber**
$274,038.80	$3,000	$271,038.80

ACTION ALTERNATIVES:
1. Approve funding in the amount of $3,000.00 for an offer of a Hotel Occupancy Tax Grant for the FY21-22 Budget in the amount of $3,000 to the College Football Officials Developmental Camp Organization's Conference-USA Football Clinic.
2. Do not provide funding.
3. Other actions as directed by Council.

ATTACHMENTS:
Attachment 1- HOT Funds Application- CFODC
Attachment 1 - Resolution No. - 2022-046 - HOT Grant Fund Application

HOTEL OCCUPANCY TAX USE GUIDELINES
UNDER TEXAS STATE LAW
FUNDING APPLICATION FORM

State Law: As authorized by state law, the City of Duncanville collects a Hotel Occupancy Tax (HOT Funds) from hotels, bed & breakfasts, and other lodging facilities. Under state law, the revenue from the HOT Funds may be used only to directly promote tourism and the hotel and convention industry. **Chapter 351 of the Tax Code states that the use of HOT Funds is limited to:**

a) **Convention Centers and Visitor Information Centers:** the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing operation and maintenance of convention center facilities or visitor information centers, or both.

b) **Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants.

c) **Advertising, Solicitations and Promotions that Directly Promote Tourism and the Hotel and Convention Industry**: advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality.

d) **Promotions of the Arts that Directly Promote Tourism and the Hotel and Convention Industry:** the encouragement, promotion, improvement, and application of the arts that can be shown to have direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms.

e) **Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums.

f) **Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** expenses including promotional expenses, directly related to a sporting event in, which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city.

g) **Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:**
   1. the commercial center of the city;
   2. a convention center in the city;
   3. other hotels in or near the city; or

4. tourist attractions in or near the city.

The law specifically prohibits the use of the local hotel tax to cover the costs for general city transit costs to transport the general public.

h) **Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.**

City of Duncanville: The City of Duncanville accepts applications from groups and businesses whose program fits into one or more of the above categories. **In order to ensure funding consideration for your event, requests for funds should be submitted on this official application by August 31, 2022 .** The application will be reviewed by the City of Duncanville staff to ensure the funding requests meets state guidelines. Once the application has been reviewed and is determined it meets minimum state qualifications for funding, the applicant will be invited to provide a presentation on their funding request to City Staff. The request will then be analyzed to determine the event's total economic impact to the community. Staff will notify the applicant when their request and staff's recommendation will be presented to the City Council for consideration. The applicant is required to attend the City Council meeting in order for the request to be considered. The applicant may be asked to provide the City Council a presentation regarding their request as well.

Eligibility and Priority for Hotel Tax Funds: ***Priority will be given to those events and entities based on their ability to generate overnight visitors to Duncanville.*** The amount that you are requesting should consider the gross amount of hotel night revenue that you are predicting that will be created or sustained by your event. If an event will not generate any meaningful hotel night activity, it is not eligible for receipt of hotel occupancy tax funds. HOT Funds awarded will be based on the number of hotel rooms rented and the economic impact to the city. Events can prove this potential to generate overnight visitors by:

a) **historic information on the number of room nights used during previous years of the same events**;

b) **current information on the size of a room block that has been reserved at area hotels to accommodate anticipated overnight guests attending the funded event;**

c) **historical information on the number of guests at hotel or other lodging facilities that attended the funded event (through surveys, guest directories, or other sources); and/or**

d) **examples of the planned marketing of the programs and activities that will likely generate overnight visitors to local lodging properties from this event.**

Use of Revenues from Event: A portion of the revenues from any event and/or project receiving any type of funding assistance from the HOT Funds should be channeled back into the future costs of operating that same event or the continued operation of the project. No other outside event(s), project, charity, etc., sponsored by the host organization may profit from the City of Duncanville funding of a particular event.

Supplemental Information Required with Application: Along with the application, please submit the following:

_____ Proposed Marketing Plan for Funded Event
_____ Schedule of Activities or Events Relating to the Funded Project
_____ Past Marketing Materials used to promote the event

Please Submit to: Agustin Garcia, Director of Economic Development

Mail To:
P.O. Box 380280
Duncanville, TX 75138-0280

Drop Off:
Economic Development
203 E. Wheatland Rd.
Duncanville, TX 75116

For questions, please call 972.780.4997.

Duncanville
City of Champions

Hotel Occupancy Funding Application

Date: 6/2/2022

Organization Information

Name of Organization: College Football Officials Developmental Camp

Address: P.O. Box 3142

City, State, Zip: Bryan, TX 77805

Contact Name: Mark Haynes Contact Phone Number: 979-324-1118

Web Site Address for Event or Sponsoring Entity: www.collegefodc.com, www.officialsplus.com

Non-Profit or For-Profit Status: For-Profit Tax ID #: 82-3871334

Entity's Creation Date: 2002

Purpose of your organization: Football development camp for college referees to receive training. The College Football Officials Developmental Camp provides the best training opportunities for aspiring college football officials in the country.

Event Information

Name of Event or Project: Conference-USA Football Clinic

Date of Event or Project: 28 July- 31 July 2022

Primary Location of Event or Project: Hilton Garden Inn, Duncanville, TX

Amount Requested: $ 3000.00

How will the funds be used? The College Football Officials Developmental Camp previously ultilized airport properties to house the event but has since moved the event to Duncanville to be closer to schools for training. Funds will be used to transport participating members to the hotel from the airport.

Primary Purpose of Funded Activity/Facility:

To develop an environment that is conducive for growth to support the continued need for collegiate football officials. Each official will be equipped with the tools needed to establish a sound foundation based on proper mechanics provided at the developmental camp.

Percentage of Hotel Tax Support of Related Costs

100 Percentage of Total **Event Costs** Covered by Hotel Occupancy Tax

_____ Percentage of Total **Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

_____ Percentage of **Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities _____%

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

☐ **a) Convention Center or Visitor Information Center:** construction, improvement, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both. Amount requested under this category: $_____

In detail, describe how the funds will be used and include appropriate documentation.

_____

_____

_____

☐ **b) Registration of Convention Delegates**: furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: $_____

In detail, describe how the funds will be used and include appropriate documentation.

_____

_____

_____

☐ **c) Advertising, Solicitations, Promotional programs to attract tourists and convention delegates** or registrants to the municipality or its vicinity. Amount requested under this category: $_____

In detail, describe how the funds will be used and include appropriate documentation.

_____

_____

_____

☐ **d) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** the encouragement, promotion, improvement, and application of the arts that can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms: $_____

In detail, describe how the funds will be used and include appropriate documentation.

_____

_____

_____

☐ **e) Historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums**. Amount requested under this category: $_____

In detail, describe how the funds will be used and include appropriate documentation.

_____

_____

_____

☐ **f) Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity.** Amount requested under this category: $_____

How many individuals are expected to participate in the sporting related event? _____

How many of the participants at the sporting related event are expected to be from another city or county? _____

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

_____

_____

_____

_____

In detail, describe how the funds will be used and include appropriate documentation.

_____

_____

_____

☐ **g) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: 1) the commercial center of the city; 2) a convention center in the city; 3) other hotels in or near the city; and 4) tourist attractions in or near the city**. Amount requested under this category: $ 3000.00

What sites or attractions will tourists be taken to by this transportation? N/A

Will members of the general public (non-tourists) be riding on this transportation? No

What percentage of the ridership will be local citizens? None

In detail, describe how the funds will be used and include appropriate documentation.

The College Football Officials Developmental Camp is moving their event from airport properties to the Hilton Garden Inn in Duncanville, TX. Due to this, participating members require transportation from the airport to the hotel. Funds will be used for transportation from the airport to the hotel

☐ **h) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality**. Amount requested under this category: $_____

What tourist attractions will be the subject of the signs?

_____

_____

_____

In detail, describe how the funds will be used and include appropriate documentation.

_____

_____

_____

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: 20 yrs
2. Expected Attendance: 200 guests
3. How many people attending the Event or Project will use Duncanville hotels? 200

   Number of rooms rented for your event: 142
4. Did you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels? Rooms were blocked at the Hilton Garden Inn, Duncanville, TX

   _____

   _____

   _____

   _____
5. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from HOT and the number of hotel rooms used:

Month/Year Held	**Assistance Amount**	**Number of Hotel Rooms Used**
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

* **Documentation must be included from each Duncanville hotel that supported the number of rooms used for all years.**

6. How will you measure the impact of your event on area hotel activity (e.g.; room block usage information, survey of hoteliers, etc.)? Room Block usage, and direct payments to the Hilton Garden Inn

7. Please list other organization, government entities, and grants that have offered financial support to your project: _____

8. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?

   The participants will pay a workshop fee. There will be no net profit for this event. All funds will be used to pay Hotel fees.

9. Please list all promotion efforts your organization is coordinating and the amount financially committed to each media outlet:

   Newspaper: $ N/A
   Radio: $ N/A
   TV: $ N/A
   Other Paid Advertising: $ N/A

   Number of Press Releases/Media Alerts sent to the Media: N/A
   Number of Direct Mailings to out-of-town recipients: N/A

   Other Promotions: _____

10. Will you include a link to the City/CVB or other source on your promotional handouts and in your website for booking hotel nights during this event? Yes

11. Will you negotiate a special rate or hotel/event package to attract overnight stays? Yes

12. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

_____

_____

_____

13. What geographic areas does your advertising and promotion reach? _____

_____

14. How many individuals will your proposed marketing reach that are in another city or county? _____

15. If the funding requested is related to a permanent facility (e.g. museum, visitor center):

    Expected Attendance Monthly/Annually: _____

    Percentage of those in attendance that are staying at area hotels/lodging facilities: _____%

Please Submit To: Agustin Garcia, Director of Economic Development

Mail To:
P.O. Box 380280
Duncanville, TX 75138-0280

Drop Off:
Economic Development
203 E. Wheatland Rd.
Duncanville, TX 75116

For questions, please call 972.780.4997.

Duncanville
City of Champions

RESOLUTION NO. 2022-046

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, APPROVING AN OFFER OF A HOTEL OCCUPANCY TAX GRANT FOR THE FY 21-22 BUDGET IN AN AMOUNT NOT TO EXCEED $3,000 TO THE COLLEGE FOOTBALL OFFICIALS DEVELOPMENTAL CONFERENCE ORGANIZATION FOR GROUND TRANSPORTATION COST FOR ATTENDEES FROM AND TO THE AIRPORT TO THE NATIONAL CONFERENCE USA FOOTBALL OFFICIAL DEVELOPMENTAL CONFERENCE CLINIC HELD IN DUNCANVILLE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT AGREEMENT AFTER PROVIDING FOR APPROVAL AS TO FORM BY THE CITY ATTORNEY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is authorized by Chapter 351 of the Texas Property Tax Code to levy a hotel occupancy tax to be used to directly enhance and promote tourism and the convention and hotel industry; and

WHEREAS, the City has, by ordinance, imposed a local hotel occupancy tax; and

WHEREAS, the College Football Officials Developmental Camp Organization has applied for a grant to be utilized to promote Duncanville by hosting training camp opportunities for aspiring college football officials throughout the country, the grant will be utilized for transportation cost incurred for transporting participating members of the training camp from and to the airport to the Hilton Garden Inn in Duncanville, Texas; and

WHEREAS, the Duncanville City Council, after consideration of the application of the Applicant finds that expenditures of local hotel occupancy tax revenues for the grant as set forth herein, will directly enhance and promote tourism and the hotel industry in the City and its vicinity, and further finds that the expenditures are for one of the statutorily authorized categories.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, THAT:

SECTION 1. The City of Duncanville, Texas hereby approves a Hotel Occupancy Tax Grant in an amount not to exceed three thousand dollars ($3,000.00) and no cents to the College Football Officials Developmental Conference for ground transportation cost for attendees from airport to Duncanville for such National Conference; and authorizes the City Manager to execute the grant agreement after approval as to form by the City Attorney.

SECTION 2. This Resolution shall be effective upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 21st day of June, 2022.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

STAFF REPORT

MEETING: City Council - 21 Jun 2022

TITLE:
Consider a Resolution authorizing the procurement of a two Osage ambulances from Lone Star Emergency Group, Ltd. located in Houston, Texas, through the Buy Board Contract #605-21 in the expenditure amount of $647,078.58, and authorizing procurement of two LifePak LP-15 cardiac defibrillator/monitors and a five year maintenance agreement for the LifePak LP-15 cardiac defibrillator/monitors from Stryker Corporation in the amount of $93,872.68.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
  - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**
- **Re-Imagine: High Quality of Life**
  - **Develop, maintain, and encourage safe, attractive, viable family-oriented neighborhoods that embrace diversity and pride, promoting economic vitality.**

STAFF RESPONSIBLE:
Sam Rohde, Fire Chief
Greg Chase, Assistant Fire Chief
Kevin Bragg, EMS Division Chief

BACKGROUND/HISTORY:
One ambulance at Station 1 (M271) and one ambulance at Station 2 (M272) are due for replacement in the City's FY22 Fleet Replacement Program. The ambulance at Station 271 has been in service since 2017, and the reserve ambulance at Station 272 has been in service since 2019. Both of the proposed ambulance replacements include cab and chassis, ambulance module, a self-loading Stryker stretcher system, secure locking system with remote access, LifePak LP-15 cardiac defibrillator/monitor, lowered front module, and a liquid ride suspension system on the front and back of the chassis.

POLICY EXPLANATION:
The normal service life of an ambulance is a total of eight years – four years as a front-line apparatus and four years as a reserve apparatus. The Fire Department and City plan for this through the Fleet

Rotation Plan, as the Fire Department budgets funds towards the Fleet Rotation Plan each year in order to ensure funding is available when it is time to replace a front-line apparatus. Medic 271 has been in service since 2017 and Medic 272 has been in service since 2019, both serving as a front-line apparatus for over seven years when we receive the new ambulances, as the estimated build time from the ambulances is 18 months to 2 years.

Benefits included in this purchase are:

Stryker Self Loading Stretcher System, which should reduce common, frequent back injuries to Duncanville Fire Department employees by up to 60%.
Liquid Ride Suspension System on the front and back of the chassis, which will facilitate a much smoother ride for patients.

Secured Remote Locking System, a controlled system that secures and locks the entire ambulance, front and back.

LifePak 15 Cardiac Defibrillator/Monitor, by purchasing with the ambulance, it allows a necessary replacement program which ensures our cardiac defibrillator/monitoring systems don't extend past their recommended life span of 8 years.

The LifePak LP-15 Cardiac Defibrillator/Monitors and the maintenance agreement for the LifePak LP-15 and the power stretcher loading system will have to be purchased separately from Stryker Corporation, as they are the sole source vendor for the LifePak LP-15 and are the only authorized vendor to perform maintenance services on Lifepak LP-15 cardiac defibrillator/monitors.

FUNDING SOURCE:

ORG and Object Number
016-700885 ($370,475.64); 75800001-700885-ARPA2 ($370,475.64) *Requires budget amendment approval for ARPA funds

Available Budget	**Purchase Amount**	**After Encumber**
$740,951.28	$740,951.28	$0.00

ACTION ALTERNATIVES:
1. Approved funding in the amount of $740,951.28 to procure two new Osage ambulances.
2. Do not provide funding for Staff to procure two new ambulances.
3. Other actions as directed by Council.

ATTACHMENTS:
Duncanville Osage Proposal Letter 6.09.22
Osage - Itemized List
2022 Treatment Sole-Source Letter - dynamic date
Duncanville FD LP15 x2
Resolution No. - 2022-049 - Purchase of two new Osage Ambulances - Pdf
Duncanville FD Affidavit

LONE STAR
EMERGENCY GROUP

4553 Aldine Bender
Houston, TX 77032
833-777-FIRE (3473)

Ambulance Proposal

DATE: Monday June 09, 2022
The Proposal has been prepared for:
Duncanville Fire Department
Type I Ambulance

Lone Star Emergency Group is pleased to offer **Duncanville FD** two (2) 2024 Osage F550 Type 1 Ambulances on Ford chassis. This vehicle shall be in accordance with the attached specifications. The purchase price shall include all vehicle components equipment as detailed in the Lone Star Proposal.

Delivery will be F.O.B. Customer Location and will be made approximately **2024 TBD** Calendar days after receipt of Purchase Order. Delays due to component suppliers may affect delivery times. Terms of payment shall be pre-payment or payment on delivery.

Per unit Price	**$289,623.48**
Stryker Power Pro 2 Cot	**$50,493.22**
BuyBoard Fee - Contract 650-21	**$800.00**
Total Per Unit Cost	**$340,916.70**
3% Pre-Pay Unit Discount	**$8,688.70**
3% Multi Unit Discount	**$8,688.70**
Total Per Unit Cost w/Discounts	**$323,539.29**

Pricing provided is **exclusive** of all Federal, State and Local taxes and any other fees, which may apply unless specifically noted herein. Customer is responsible for all applicable Federal, State, and Local Taxes as well as associated Fees.

This quote is valid for 20 days unless extended in writing.

***Please note that with the current market environment, prices may increase due to manufacturing costs**.

Osage Ambulances

LONE STAR
EMERGENCY GROUP

4553 Aldine Bender
Houston, TX 77032
833-777-FIRE (3473)

Payment: Full payment shall be made prior to or upon delivery and acceptance of the apparatus. The vehicle(s) shall not be released to the BUYER until payment is made. If the selling price is subject to any taxes, the taxes added will be that which are prevailing at the time of delivery.

Late Fee: A late fee of .04% of the sale price will be charged per day for payments received ten (10) or more days after the payment is due for the first 30 days. On the 31st day the late fee shall increases to .05% per day until full payment is received.

Cancellation: By accepting this proposal and/or issuance of a purchase order or purchase contract Customer agrees to the following cancellation fee schedule. Lone Star Emergency Group may charge a cancellation fee for any order cancelled or terminated by Customer before completion. The following cancellation fee schedule based on costs incurred may be applied:

A. 10% of the Purchase Price after order is accepted and entered by Manufacturer.
B. 20% of the Purchase Price after completion of the approval drawings.
C. 30% of the Purchase Price upon any material requisition.
D. Customer shall be responsible for the full cost of all materials purchased and received by Lone Star Emergency Group or the manufacture.

Osage Ambulances

LONE STAR
EMERGENCY GROUP

4553 Aldine Bender
Houston, TX 77032
833-777-FIRE (3473)

This proposal is deemed acceptable by the undersigned. In witness whereof, The Company and the Purchaser shall execute and agreement to this proposal with signatures and authorizations representatives as of the date set forth by each.

Name

Customer Authorized Signature — Date

Charles Briscoe — 06/09/20202

Charles Briscoe – Ambulance Sales — Date

06/09/2022

Brad Fullington, CEO — Date

Osage Ambulances

Dealer Name:
Salesperson: Customer Name:
& Address
Shipping Address:
Fleet Number:
Contact Name:
Email: Phone:
Fax: Chassis Type:
Osage Unit #: VIN:

OSAGE AMBULANCE 2024 WARRIOR ORDER FORM

LAST UPDATED 04/07/2022

Lone Star Emergency Group

Charles Briscoe

Duncanville Fire Department

1530 S. Main St. Duncanville, TX 75137

1530 S. Main St. Duncanville, TX 75137

Greg Chase

gchase@duncanville.com

QTY			Price Each	Total
		FORD F-SERIES TYPE I - 2024 w/UREA - D.E.F. - CHASSIS ONLY		
		(Call for Chassis Availability)		
1		F-550, 193" WB, 4x4 EST	$76,781.10	$76,781.10
1		Option: Liquid Spring Suspension (Front: 110lbs, Rear: 150lbs)	$12,642.62	$12,642.62
		FORD F-SERIES TYPE I - 2024 CONVERSION ONLY		
1		Ford 2168 Super Warrior	$146,411.36	$146,411.36

MODULE

- •Warrior: 148"L x 68" Headroom
- •Super Warrior: 168"L x 72" Headroom
- •Aluminum Diamond Plate Running Boards
- •Rear Mud Flaps
- • Totally "Seamless" Body Construction
- • Exterior Side & Roof Panels .125" Aluminum
- • One-Piece Exterior Side Panels
- • All Body Openings "Seamless"
- • All Door Latches Mounted Behind Gaskets
- • Exterior Compartment @ Front Left for Storage of Oxygen Tank and Back Boards
- • Exterior Compartment Adjustable Shelving
- • Exterior Compartment Lighting
- • Cast "Grabber" Door Holders

- • One-Piece Crowned Roof
- • Frame Members 2" x 2" Aluminum Tubing
- • Frame Members on 12" Centers or Less
- • Diamond Plate Shields:
- - Across Lower Rear of Body
- - Across Lower Front of Body
- - Lower 1/3 of Entry Doors
- • Lower Body Impact Rub Rails
- • Polished Stainless Steel Fenderettes
- • Flip-up Rear Step Bumper w/ 4" x 18" Dock Bumpers
- • Automotive Undercoating
- • All Exterior Doors "Pan-Formed" / Extruded Double Break Construction

WARNING SYSTEM

- • Two Red Whelen ION-T Mounted in grill
- • Four Red Whelen ION-T Intersection Lights
- • Whelen 295 SLSA1 Siren
- • Eight Red LED Whelen 9x7 Modular Lights
- • One Clear LED Whelen 9x7 Front Modular Light
- • Two LED Whelen 9x7 Rear Load Lights
- • Primary / Secondary Switching Mounted In Front and Rear Fenders
- • Siren / Horn Switch
- • Cast Siren Speaker

• One Amber LED Whelen 9x7 Rear Modular Light
• Two LED Whelen 9x7 Scene Lights Per Side
• Rear DOT Lighting Whelen LED 4x6 w/ Chrome Flanges: Red Tail / Brake, Amber Arrow Turn
• Reverse are LED

PAINT & MARKINGS

• 8" Belt Line Paint Stripe
• Base Coat / Clear Coat Modular Paint
• "No Smoking" & "Fasten Seat Belt" Signs
• Ambulance / Star-of-Life Decals

ELECTRICAL

• Digital Voltmeter
• Audible Low-Voltage Alarm
• Weldon V-Mux Electrical System w/ Load Management & Sequencing System
• Whelen Dual Intensity LED Patient Compartment Dome Lights
• Wiring Color-Coded and Heat Embossed Every 6" w/ Function
• Power Distribution Panel Easily Accessible Via Hinged Access Door in Action Area
• Two Interior 12V Cigar Style Receptacles
• One Piece Molded Front Switch Console
• Hinge Mounted Attendant Switch Console
• Control Console Backlighting Dimmer
• R-29 Reflectics Insulation Through-out Module
• All Vertical Corners 1" Radii
• Stainless Steel Aisle Panel, Left Side, Full Length x 18" x .060"
• Lon-Plate, non skid Vinyl Flooring Moisture Drains Directly Through Floor
• EMT Seat, Pedestal Mounted Deluxe Seamless Vinyl Captains Chair w/3-Pt Belt
• CPR Seat, three piece, molded contoured cushions
• Squad Bench
• Retractable Seat Belts for All Locations
• Handicap Style, 1 ¼" Diameter, Full Length, Rail Coating.
• Handicap Style, 1 ½" Diameter, Stainless Steel Door Pulls on Patient Compartment Doors. These Bars shall be treated with Agion Anti-Bacterial Coating.
• Padded Bulk-Head Cabinet Doors
• ALS Compartment w/ In/Out Access
• Battery Switch Activated via Ignition Switch
• Open Door Warning Light
• Hand Held 300,000 CP Spotlight
• Exterior Weatherproof Shoreline Receptacle
• Two Interior 110V Duplex Receptacles
• One Pre-Wire Antenna Cable
• Electrical Back-up Alarm
• Thermostatically Controlled Patient Compartment Heat & Cool System
• 3-Speed Manual Fan Control
• Rear Heat & Cool Unit Mounted Floor Level; Rolled 3" Up Both Sides of the Aisle
• Short Coolant Circulation Distance
• Eliminates Vertical Circulation of Coolant
• Unit Easily Accessible for Maintenance
• Overhead Air Distribution w/ Floor Level Filtered Air Return for Optimum Circulation
• Two Recessed, Swing-up Dual IV Hangers, Stainless Steel Overhead Grab Rail. This Rail shall be treated with Agion Anti-Bacterial Coating.
• "Ziso" Retaining Bracket for Oxygen "M" Cyl
• Three "Ohio" Oxygen Outlets
• SSCOR Suction System
• Locking Sharps Container (Shipped Loose)
• Locking Drug Compartment
• Digital Clock
• Stryker "Performance Load" Cot Fastener
• Seamless Seat Cushions

		EMERGENCY & EXTERIOR LIGHTING & SIREN OPTIONS			
Qty		**Warning & Intersection Lights, Wig-Wag**			
22	W-01	Chrome Flanges for 9 x 7 (per light)		$24.43	$537.46
2	W-02	Chrome Flanges for 7 x 3 or 6 x 4 Lights		$24.43	$48.86
Qty		**LED Strip Lighting**			
				Price Each	**Total**
8	W-12	Red Innovative Strip Light, Dual Elements		$140.47	$1,123.79
		EMERGENCY & EXTERIOR LIGHTING & SIREN OPTIONS Continued			
Qty		**Whelen Smart Linear LED's**			
6	W-18	Additional 900 R/B or R/A LED		$396.99	$2,381.94
8	W-22	Upgrade 900 to Split R/B or R/A		$109.94	$879.49
2	W-28	Additional 700, R/B or R/A		$299.27	$598.54
2	W-52	Whelen ION-T, R, B, A		$183.23	$366.45
		EMERGENCY & EXTERIOR LIGHTING & SIREN OPTIONS Continued			
Qty		**Siren & Speakers**			
1	W-77	295 HFSC9 Dual Tone		$238.19	$238.19
1	W-81	Buell Dual Air Horns Mounted Under Front Bumper		$2,577.39	$2,577.39
1	W-92	Techniques E-41 LED Strip Lighting in all Compartments		$793.98	$793.98
		ELECTRICAL OPTIONS			
Qty		**Inverters, Chargers, Batteries, Shorelines & Outlets**			
1	E-02	Vanner Inverter / Conditioner w/ Remote Switch, Model LSC12-1100		$2,070.46	$2,070.46
		Choose One: Inverter on with ____Ignition____Switch in Rear Panel			
		NOTE: BATTERY CHARGER REQUIRED IN KKK-F			
1	E-09	Upgrade to Kussmaul Auto Eject Shoreline Plug, 20 Amp		$525.25	$525.25
1	E-11	Shoreline Indicator at Shoreline		$274.84	$274.84
Qty		**Outlets & Interior Lighting**			
1	E-12	110 V Outlet, Additional per Outlet		$158.80	$158.80

1	E-14	110/USB Outlet		$213.76	$213.76
2	E-15	Dual USB Outlet		$128.26	$256.52
1	E-21	Interior Cabinet Lighting w/On/Off Switch Mounted in Action Panel (Strip LED)		$977.21	$977.21
1	E-22	Power Door Lock Control Head		$732.91	$732.91
3	E-23	Power Door Lock Per Door		$195.44	$586.32
1	E-31	Heart of Chrome Customs UV Light		$3,603.45	$3,603.45
Qty		**Switches & Secure Idle**			
1	E-34	Hidden Switch in Grill for Door Locks		$213.76	$213.76
1	E-36	2nd Switch Panel on Curbside Wall		$1,099.36	$1,099.36
Qty		**Pre-wires, Radios, Intercom, & Clocks**			
1	E-37	Antenna Pre-Wire, (additional per Pre-Wire)		$61.08	$61.08
2	E-38	Pre-Wire & Ground for Radio, (additional per Pre-Wire)		$73.29	$146.58
1	E-39	Install Customer Radio Cable (each) **Note: Specify Brand of Radio Cable: _Motorola_____**		$183.23	$183.23
1	E-40	Install Customer Antenna (each)		$183.23	$183.23
1	E-41	Install Customer Radio Head (each)		$305.38	$305.38
Qty		**V-Mux Options**			
1	E-55	Side Scene on in Reverse			
1	E-56	Brake Override			
Qty		**HVAC Systems**			
1	E-70	Dometic Refreigerated Drawer CD-030		$1,496.35	$1,496.35
1	E-73	Digital Thermostat		$458.07	$458.07
1	E-74	Auxiliary Condenser		$1,581.85	$1,581.85
1	E-75	Upcharge to Install Condensor on Front of Module		$732.91	$732.91
				Price Each	**Total**
Qty		**Mirrors, Hind-Sight, Backup Camera, & Spotlights**			
1	E-84	Brigade Color Reverse and Interior Cameras		$1,618.50	$1,618.50
Qty		**Cot Mounts**			
1	M-12	Install Customer-supplied Power Load		$1,465.81	$1,465.81
Qty		**Oxygen**			
1	M-17	Additional O2 Outlet Over Squad Bench		$225.98	$225.98
1	M-22	Amico Digital O2 Gauge w/Regulator		$824.52	$824.52
		INTERIOR OPTIONS			
Qty		**Flooring, Aisle, Backboard Slots**			
1	I-06	Composite Subfloor		$952.78	$952.78
Qty		**Seating, Squad Bench, EMT, CPR**			
1	I-07	Swivel Pedestal for EVS Attendant Seat		$488.60	$488.60
		Price to Upgrade EMT Seat:			
1	I-09	4-Pt. Bucket Seat		$818.41	$818.41
3	I-20	6-Point Seat Belt, Per Position **Note: Specify Color (If no color is chosen, black will be provided: Black_____ Orange_____ Red_____ Yellow_____**		$580.22	$1,740.65
1	I-22	Cargo Net, End of Squad Bench		$610.75	$610.75
		INTERIOR OPTIONS **Continued**			
Qty		**Cabinetry, Windows, Marker Boards, Shelves, & HVAC Ducts**			
1		Dual Drink Holders			
1	I-41	Angled Cabinets Forward and AFT of CPR Seat		$488.60	$488.60
2	I-44	Tilt-up Speed Load Cabinet Windows, w/latch (per window)		$335.92	$671.83
1	I-45	Interior Access to Exterior Compartment		$488.60	$488.60
1	I-50	Solid Mounted Dry Marker Board		$122.15	$122.15
2	I-51	Track-Type Adjustable Shelves in Interior Cabinets, (per shelf)		$91.61	$183.23
1	I-57	Monitor Shelf to the Rear of the CPR Seat			
1	I-59	Glove Storage Over Side Entry Door		$519.14	$519.14
		INTERIOR OPTIONS **Continued**			
Qty		**Doors, Locks, & Latches**			
2	I-65	Café Double Doors, (Warrior)		$366.45	$732.91
15	I-71	Southco Stainless Steel Latches, (per Latch)		$42.75	$641.29
Qty		**Counter Tops**			
		Note: Select One of the Following No/Charge Standard Counter Top Colors:			
1		Speckled Gray			

Qty		**Sharps, Waste, & Drawers**			
1	I-88	Sharps & Waste in Bench w/ Flip-Up Plexiglass Lids		$580.22	$580.22
Qty		**Grab Rails & Bars, Armrests**			
4	I-95	Make Grab Bar Yellow (Price Each)		$116.04	$464.17
Qty		**Insulation & Sound Deadening**			
1	I-96	Sound Deadening Under Floor		$671.83	$671.83
1	I-98	Delux Insulation on Side Entry Step		$610.75	$610.75
		INTERIOR OPTIONS			
		Continued			
Qty		**Additional Headroom, Crawl Through (Type I), Bariatric Package**			
1	I-99	Custom Headroom. Fill in Height _____		$855.06	$855.06
Qty		**Additional Interior Options & Special Instructions**			
1		Install Customer supplied Med Vault			
		EXTERIOR OPTIONS			
Qty		**Custom Body Size, Compartments, Doors & Door Window**			
1	EX-01	Custom body Length. Fill in Length _____		$977.21	$977.21
		Please specify if you want #4 and/or #5 Widened at No Charge			
3	EX-05	Change Exterior Compartment Size		$458.07	$1,374.20
	EX-08	Deepen #5 2" into Aisle (NOTE: Only 1 1/2" Available on Sprinter for 17 3/4" I.D. Depth .)			
1	EX-09	Double Door on Exterior Compartment ILO Single Door		$641.29	$641.29
1	EX-16	Dry Deck All Compartments		$793.98	$793.98
Qty		**Shelves & Dividers**			
1	EX-24	Additional Shelf in Exterior Compartment 30"-48" wide		$183.23	$183.23
Qty		**Rear Bumpers & Entry Steps**			
1	EX-35	Smooth Aluminum Kickplates (3)			
3	EX-36	Dual Interior Emergency Door-Open Handles, Price per Door		$134.37	$403.10
1	EX-39	Drop Skirt Line 4" from Right Rear Wheel to Right Front Corner, Add 2nd Entry Step		$916.13	$916.13
		EXTERIOR OPTIONS			
		Continued			
Qty		**Rub Rail, Tow Hooks, Mud Flaps, Chains**			
1	EX-41	Rear Tow Hooks (Mounted on Rear Bumper Frame)		$183.23	$183.23
1	EX-51	Southpark Handle at Side Door		$232.09	$232.09
1	EX-65	Exterior Compartment		($1,221.51)	($1,221.51)
Qty		**MISCELLANEOUS OPTIONS**			
1	MS-01	Credit for Shipping Spare Tire Loose		($61.08)	($61.08)
Qty		**Additional Exterior & Miscellaneous Options & Special Instructions**			
2		Install 2 Ziamatic (UN Model) SCBA Walkaway Brackets in 2nd compartment on drivers side			
2		For above SCBA Brackets Alum Channels needed across the back of the compartment or Alum Angled Brackets			
		EXTERIOR OPTIONS			
		(Continued)			
Qty		**PAINT OPTIONS**			
				Price Each	**Total**
1	P-05	2nd Stripe, Same Color		$513.03	$513.03
1	P-07	Paint Cab (Door jams included)		$5,838.82	$5,838.82
1	P-09	Red Paint Color, (Additional Materials Cost)		$769.55	$769.55
Qty		**Pinstripe**			
1	P-17	1/2" Reflective Pinstripe		$195.44	$195.44
4	P-18	7/8" Reflective Pinstripe		$219.87	$879.49
				Price Each	**Total**
		PROVIDE THE FOLLOWING IF APPLICABLE:			
1	Red	Primary Paint Color			
1	Black	Primary Pinstripe Color			
1	Gold	Secondary Pinstripe Color			

ORDER SUMMARY

Per Unit Price				$289,623.48
Stryker Cot				$50,493.22
BuyBoard Fee - Contract 650-21				$800.00
Total Per Unit Cost				$340,916.70
3% Pre-Pay Unit Discount				$8,688.70
3% Multi Unit Discount				$8,688.70
Total Per Unit Cost w/Discounts				$323,539.29

April 2022

Stryker is the sole-source provider in the Hospital (hospitals and hospital-owned facilities), Emergency Response Services and Emergency Response Training (paramedics, professional and volunteer fire) markets in the U.S. and Canada for the following products:

- New LIFEPAK® 15 monitor/defibrillators
- New LIFEPAK 20e defibrillator/monitors
- New LIFEPAK CR2 automated external defibrillators
- New LIFEPAK 1000 automated external defibrillators
- New LUCAS® chest compression system
- CODE-STAT™ data review software and service

Stryker is the sole-source provider in all markets for the following products and services:

- RELI™ (Refurbished Equipment from the Lifesaving Innovators) devices
- LIFENET® system and related software
- ACLS (non-clinical) LIFEPAK defibrillator/monitors
- LIFELINKcentral™ Government Campus Solution
- MultiTech 4G and Titan III gateways
- Factory-authorized inspection and repair services which include repair parts, upgrades, inspections and repairs

Stryker does not authorize any third parties to sell these products or services in the markets listed above. We will not fulfill orders placed by non-authorized businesses seeking to resell our products or services. If you have questions, please feel free to contact your local Stryker customer service representative at 800.442.1142.

Sincerely,

Matt Van Der Wende, Vice President, Americas Sales

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Emergency Care
11811 Willows Road NE, Redmond, WA 98052 USA | P +1 425 867 4000 | Toll-free +1 800 442 1142 | stryker.com

stryker

Duncanville FD LP15 x2

Quote Number: 10522744

Version: 1

Prepared For: DUNCANVILLE FIRE DEPT

Attn:

Remit to: **Stryker Medical**
P.O. Box 93308
Chicago, IL 60673-3308

Rep: Gary Montana

Email: gary.montana@stryker.com

Phone Number: (817) 846-0415

Quote Date: 04/25/2022

Expiration Date: 07/24/2022

Delivery Address		**End User - Shipping - Billing**		**Bill To Account**	
Name:	DUNCANVILLE FIRE DEPT	Name:	DUNCANVILLE FIRE DEPT	Name:	DUNCANVILLE FIRE DEPT
Account #:	1097224	Account #:	1097224	Account #:	1077896
Address:	1530 S MAIN ST	Address:	1530 S MAIN ST	Address:	PO BOX 380280
	DUNCANVILLE		DUNCANVILLE		DUNCANVILLE
	Texas 75137		Texas 75137		Texas 75137

Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	99577-001957	LIFEPAK 15 V4 Monitor/Defib - Manual & AED, Trending, Noninvasive Pacing, SpO2, SpCO, NIBP, 12-Lead ECG, EtCO2, BT. Incl at N/C: 2 pr QC Electrodes (11996-000091) & 1 Test Load (21330-001365) per device, 1 Svc Manual CD (26500-003612) per order	2	$33,798.86	$67,597.72
2.0	41577-000288	Ship Kit -QUIK-COMBO Therapy Cable; 2 rolls100mm Paper; RC-4, Patient Cable, 4ft.; NIBP Hose, Coiled; NIBP Cuff, Reusable, adult; 12-Lead ECG Cable, 4-Wire Limb Leads, 5ft; 12-Lead ECG Cable, 6-Wire Precordial attachment	2	$0.00	$0.00
3.0	11577-000004	Station Battery Charger - For the LP15	2	$1,803.42	$3,606.84
4.0	21330-001176	LP 15 Lithium-ion Battery 5.7 amp hrs	8	$454.94	$3,639.52
5.0	11171-000049	Masimo™Rainbow™ DCI Adult Reusable Sp02, SpC0, SpMet Sensor, 3 FT. For use with RC Patient Cable.	2	$589.10	$1,178.20
6.0	11171-000050	Masimo™Rainbow™ DCIP Pediatric Reusable Sp02, SpC0, SpMet Sensor, 3 FT. For use with RC Patient Cable.	2	$648.44	$1,296.88
7.0	11160-000011	NIBP Cuff-Reusable, Infant	2	$21.50	$43.00
8.0	11160-000013	NIBP Cuff-Reusable, Child	2	$24.08	$48.16
9.0	11160-000017	NIBP Cuff -Reusable, Large Adult	2	$33.54	$67.08
10.0	11160-000019	NIBP Cuff-Reusable, Adult X Large	2	$47.30	$94.60
11.0	11577-000002	LIFEPAK 15 Basic carry case w/right & left pouches; shoulder strap (11577-000001) included at no additional charge when case ordered with a LIFEPAK 15 device	2	$310.46	$620.92
12.0	11220-000028	LIFEPAK 15 Carry case top pouch	2	$55.90	$111.80

stryker

Duncanville FD LP15 x2

Quote Number: 10522744

Version: 1

Prepared For: DUNCANVILLE FIRE DEPT

Attn:

Remit to: **Stryker Medical**
P.O. Box 93308
Chicago, IL 60673-3308

Rep: Gary Montana

Email: gary.montana@stryker.com

Phone Number: (817) 846-0415

Quote Date: 04/25/2022

Expiration Date: 07/24/2022

#	Product	Description	Qty	Sell Price	Total
13.0	11260-000039	LIFEPAK 15 Carry case back pouch	2	$79.98	$159.96
			Equipment Total:		$78,464.68

ProCare Products:

#	Product	Description	Years	Qty	Sell Price	Total
14.1	78000639	ProCare LIFEPAK 15 Prevent Service: Annual onsite preventive maintenance inspection and unlimited repairs including parts, labor and travel with battery coverage for LIFEPAK 15 V4 Monitor/Defib - Manual & AED, Trending, Noninvasive Pacing, SpO2, SpCO, NIBP, 12-Lead ECG, EtCO2, BT. Incl at N/C: 2 pr QC Electrodes (11996-000091) & 1 Test Load (21330-001365) per device, 1 Svc Manual CD (26500-003612) per order	4	2	$7,704.00	$15,408.00
			ProCare Total:			$15,408.00

Price Totals:

Estimated Sales Tax (0.000%):	$0.00
Freight/Shipping:	$0.00
Grand Total:	$93,872.68

Prices: In effect for 90 days

Terms: Net 30 Days

Contact your local Sales Representative for more information about our flexible payment options.

Capital Terms and Conditions:
Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's Acute Care capital terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html. A copy of Stryker Medical's Emergency Care capital terms and conditions can be found at https://www.strykeremergencycare.com/terms.

RESOLUTION NO. 2022-049

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AUTHORIZING THE PROCUREMENT OF TWO NEW OSAGE AMBULANCES FROM LONESTAR EMERGENCY GROUP, LTD. THROUGH BUY BOARD COOPERATIVE PURCHASING AGREEMENT, #605-21, IN THE EXPENDITURE AMOUNT OF SIX HUNDRED FORTY SEVEN THOUSAND SEVENT EIGHT DOLLARS AND SIXTY CENTS ($647,078.60); AND AUTHORIZING THE PROCUREMENT OF TWO LIFEPAK LP-15 CARDIAC DEFIBRILLATOR/MONITORS AND A FIVE YEAR MAINTENANCE AGREEMENT FOR THE LIFEPAK LP-15 CARDIAC MONITORS FROM STRYKER CORPORATION IN THE AMOUNT OF NINTY THREE THOUSAND EIGHT HUNDRED SEVENTY TWO DOLLARS AND SIXTY EIGHT CENTS ($93,872.68); AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is necessary to procure new ambulances as part of safe and efficient Fire Department operations; and

WHEREAS, the City of Duncanville has entered into an Interlocal Cooperative Purchasing Agreement with Buy Board and Stryker Corporation for products and services; and

WHEREAS, Buy Board has awarded a contract for ambulances, and Stryker Corporation is a sole provider of LifePak LP-15's and maintenance for their products.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, THAT:

SECTION 1. That the City Council of the City of Duncanville, Texas hereby approves procurement of two new Osage ambulances from Lone Star Emergency Group, through Buy Board Cooperative Purchasing Agreement #605-21 in the expenditure amount and final price of $647,078.60.

SECTION 2. That the City Council of the City of Duncanville hereby approves procurement of two LifePak LP-15 cardiac defibrillator/monitors, and a five-year maintenance agreement for the LifePak LP-15 cardiac defibrillator/monitors, from Stryker Corporation in the expenditure amount and final price of $93,872.68.

SECTION 3. That the City Council of the City of Duncanville hereby authorizes the City Manager, or his designee, to execute the appropriate and necessary documents and/or purchase orders.

SECTION 4. This Resolution shall become effective immediately upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 21st day of June, 2022.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

SOLE SOURCE AFFIDAVIT

Acknowledging that the State of Texas, Tex. Loc. Gov't. Code 252.022(a)(7)(A), has determined that selected purchases may be exempt from competitive procurement if they meet established criteria for a sole source purchase (the item is only available from one source). I hereby certify that we are the sole source for the item described here:

Sole source Item description- **Include a description of the unique features that prohibit competition:**

- documented research conducted to verify the vendor as the only known source;
- a description of the marketplace to include distributors, dealers, resellers, etc.;
- known compatibility issues;

Lifepak 15 Monitor/Defibrillator

I further certify that I (print) Peter Ullman, am an officer/owner of the following company or firm:

Firm: Stryker

Title: Regional Manager - Emergency Care

Signature:

Company Address: 2825 Airview Blvd. Kalamazoo, MI, 49002

Company Phone #: 1-800-327-0770

Reason for Sole Source Request:

- ☒ A. Competition is precluded because of the existence of patents, copyrights, secret processes, or natural monopolies.
- ☐ B. Film, manuscripts, or books from publisher
- ☐ C. A utility service, including electricity, gas, or water; and
- ☐ D. A captive replacement part or component for equipment.

Note: *an item that comes from a single manufacturer is not automatically a "sole source" item. Many manufacturers sell their products through distributors. Therefore, even if a purchase is identified as a valid "sole brand" or "sole manufacturer," the vendor should verify whether the manufacturer has multiple distributors. If the manufacturer does have multiple distributors, the product is not sole source.*

Notary Public Signature

Printed Name Kiane Smith

My Commission Expires: 10/07/2024

KIANE SMITH
Notary Public
STATE OF TEXAS
ID#132732122
My Comm. Exp. Oct. 7, 2024

This form must be approved by the Chief Procurement Officer prior to Purchase Order release. Approved by _____
(Signature and Date)

STAFF REPORT

MEETING: City Council - 21 Jun 2022

TITLE:
Conduct a Public Hearing (2022-12) for consideration and action regarding the request of Eric and Joanna Banda, Applicant, representing Monte Anderson of Main Commons Duncanville, Owner, to include a Specific Use Permit "SUP" for Self-Serve Pet Grooming Shop on Main Commons, Block 3, Lot 1AACS 0.617, more commonly known as 100 North Main Street, Duncanville, Dallas County, Texas.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Promote: Innovative Ideas for Development and Re-development**
  - **Pursue a diverse and robust economy through various business, housing, and employment opportunities that encourage forward-thinking community and economic development.**
- **Re-Imagine: High Quality of Life**
  - **Develop, maintain, and encourage safe, attractive, viable family-oriented neighborhoods that embrace diversity and pride, promoting economic vitality.**

STAFF RESPONSIBLE:
Jeremy Tennant, Neighborhood Services and Planning Director

BACKGROUND/HISTORY:
Comprehensive Plan
The subject property has a Future Land Use Designation of Retail/Commercial. The Plan states Retail/commercial establishments have goods for purchase by the general public and generating sales tax revenue. Retail uses require high visibility locations such as along arterial roadways.

Examples of retail uses include clothing stores, dry cleaners, and branch banks.

The following are policies to guide retail areas:

- Retail should be located at high points of visibility.
- They should serve as a buffer and transition between higher and lower intensity uses.

Commercial uses are more intense than retail establishments, yet also provide goods and services for the public. Examples of commercial establishments would include hotels, restaurants, and big box retailers.

- They are located along major arterial, super arterial and freeway corridors.
- Outside storage associated with commercial activity should be screened from the primary roadway on which the establishment is located.
- Commercial activity should be buffered from low density residential areas through the use of enhanced landscaping, increased rear setbacks, the use of medium density residential, and by floodplains or other man-made features.
- Retail/commercial uses above two stories should be required to observe additional setbacks.

This request is in conformance with the Comprehensive Plan.

Project Scope
The suite is proposed to continue to be used as Retail. There are proposed interior improvements relating to the type of proposed use that include grooming table, merchandise area, washing stations and dryer stations. The floor plan is included.

Parking
The Downtown District, General Main Street, Requirements are as follows:
The minimum off-street parking requirement shall be fifty (50) percent of the ratio required by Section 4.11 Downtown Duncanville District Requirements.
Landscaping and Screening

- Per Section 4.08, Landscape Requirements, of the Comprehensive Zoning Ordinance: A change in use or occupancy with no structural modifications shall not trigger compliance.
- Per Section 4.07, Screening Requirements, of the Comprehensive Zoning Ordinance: A change in occupancy shall not trigger compliance; however, a change to a more intensive use as determined by the City Planner shall require compliance.

Surrounding Land Use
Surrounding the subject property on all sides is the Downtown District zoning.

Recommendation
The Planning and Zoning Commission concluded approval of the SUP request with a vote of 7-0.

POLICY EXPLANATION:
Ten (10) notices were sent out for this public hearing. As of this writing, one response has been received in favor of the request. Letters will be received until Tuesday, June 21, 2022, to fulfill legal requirements for a written formal protest to City Council. The request is tentatively scheduled to proceed to the Tuesday, June 21, 2022, City Council hearing.

FUNDING SOURCE:

ORG and Object Number
N/A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:

1. Approve Ordinance.
2. Do not approve Ordinance.
3. Other actions as directed by Council.

ATTACHMENTS:

Attachment 1 - Legal Advertisement
Attachment 2 - Area of Request Maps
Attachment 3 - Zoning Change Application
Attachment 4 - Floor Plan
Attachment 5 - Letter from Applicant
Attachment 6 - Letter with Buffer and Responses
Attachment 7 - List of Property Owners
Attachment 7 - PZ Minutes - May 23 2022 FINAL
Attachment 8 - Ordinance No. - 2437 - SUP - Self Service Pet Grooming Shop - 100 North Main Street, Ste 101

Attachment 1

Advertise 1 time - By May 12

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL
ZONING FILE #2022-12

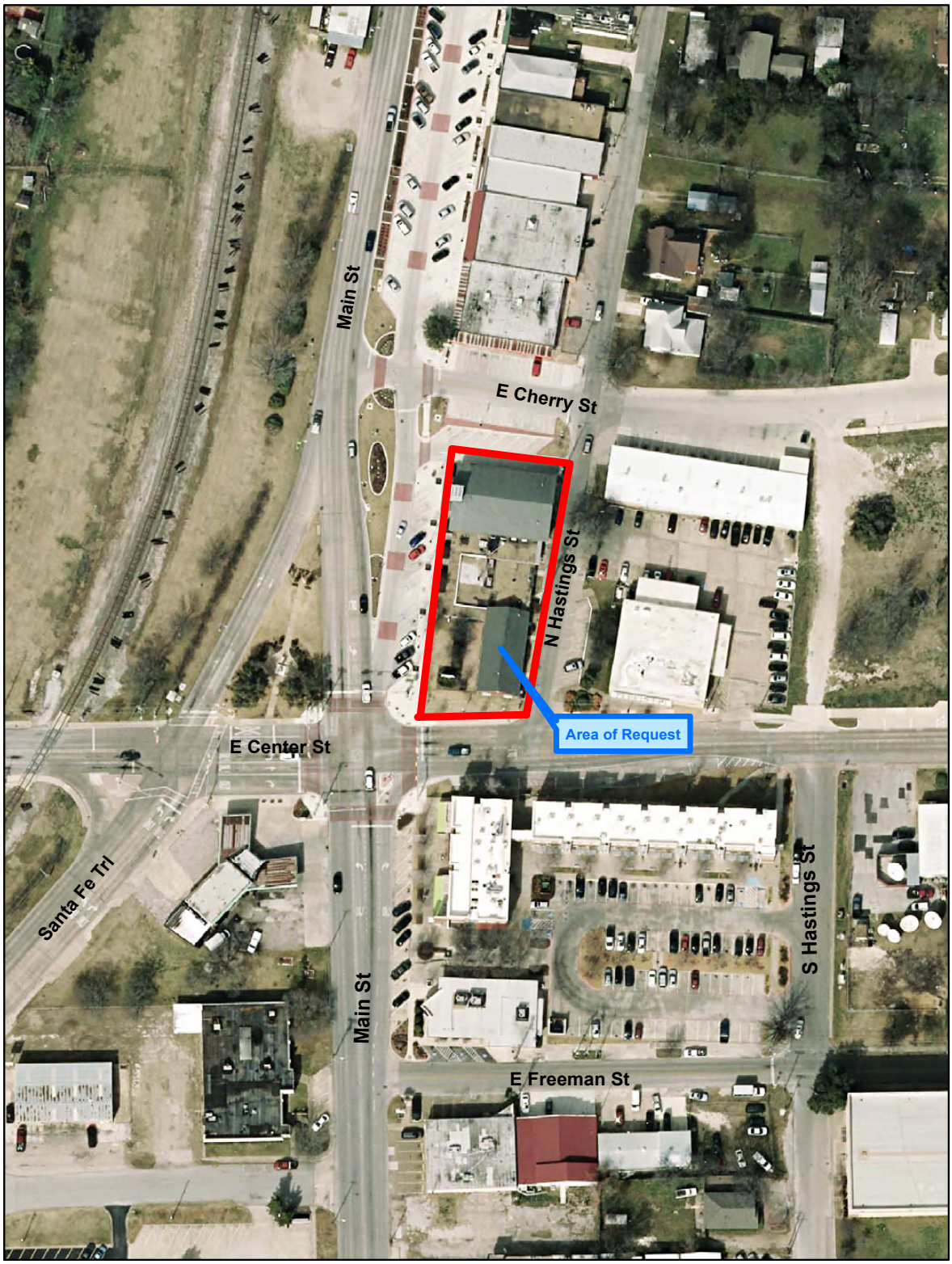
A public hearing will be held before the Planning & Zoning Commission on Monday, May 23, 2022, at 7:00 p.m., and before City Council on Tuesday, June 21, 2022, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to hear a request of the City of Duncanville for a Specific Use Permit to allow for Self-Serve Pet Grooming Shop, on Main Commons, Block 3, Lot 1A ACS 0.617, more commonly known as 100 North Main Street, City of Duncanville, Dallas County, Texas.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary or to Jeremy Tennant, Interim Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Kristin Downs
City Secretary

Jeremy Tennant,
Interim Secretary

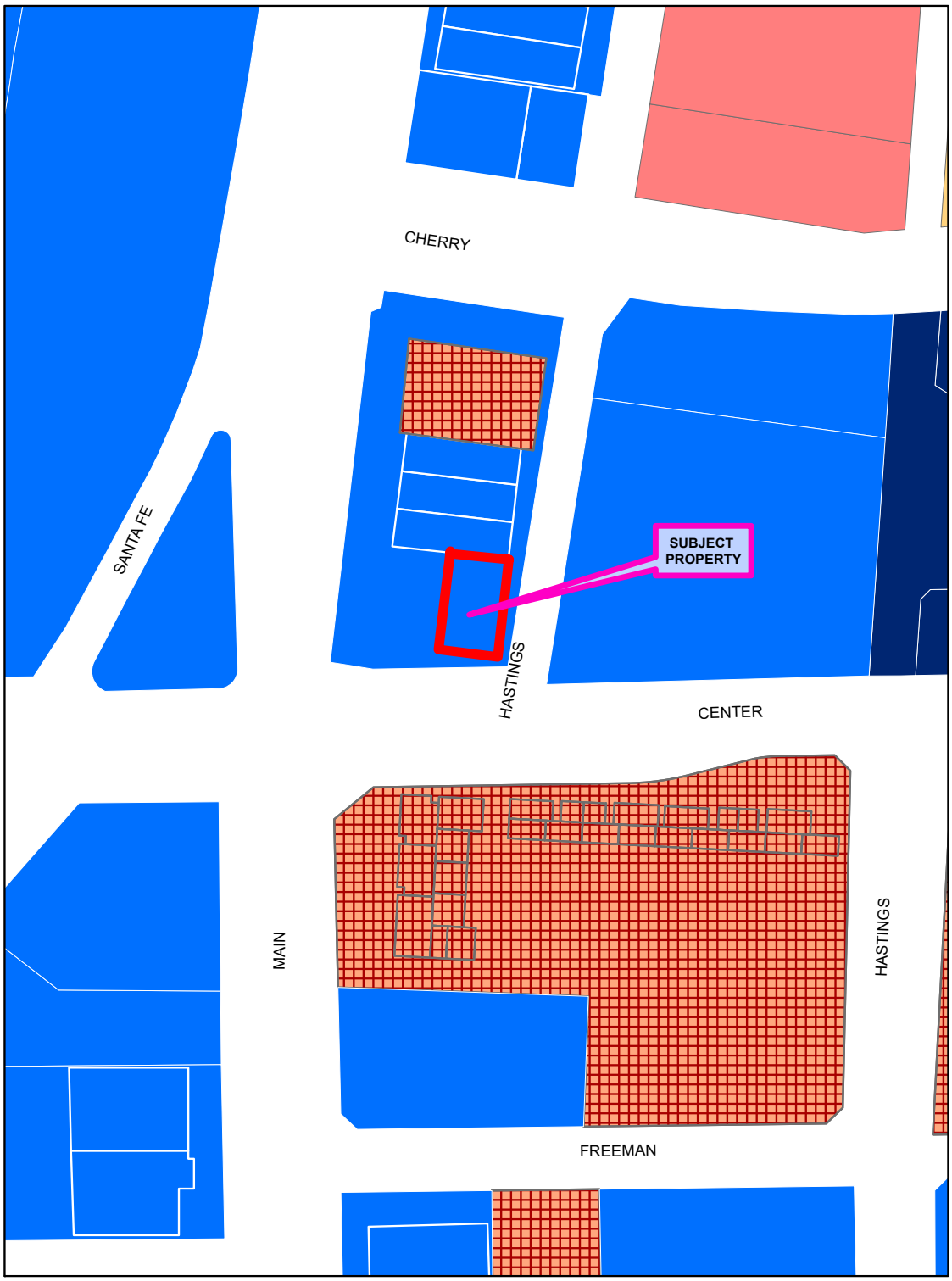
Attachment 2



Duncanville
City of Champions

Proposed Zoning Change
Aerial Location
100 N. Main St.

N
W E
S



Duncanville
City of Champions

Zoning Case 2022-12
SUP Request for
Self-Serve Pet Grooming Shop

N
W E
S

Attachment 3

2022-12

Duncanville
City of Champions

Public Works Department
Planning Division
203 E Wheatland Road
P.O. Box 380280
Duncanville, TX 75138
(972) 780-5015

ZONING CHANGE APPLICATION

CONTACT INFORMATION

Applicant/ Agent Eric and Joana Banda Contact: Eric Banda

☐ Engineer ☐ Architect ☐ Surveyor ☐ Owner ☑ Other

Applicant/Agent Address: 947 Green Rock Dr. City: Duncanville State: TX Zip: 75137

Agent Email: eric-banda@attnet Telephone: 214-686-6761 (Fax)

Property Owner: Main Commons Duncanville Contact: Monte Anderson

Owner Address 111 E. Davis St. Ste 101 City: Duncanville State: TX Zip: 75116

Owner Email: monte@optionsre.com Telephone: 972-283-1111 (Fax) 972-780-1716

REQUIRED

PROPERTY INFORMATION

Property Address: 100 N. Main St. Duncanville, TX 75116

Legal Description of Property: Main Commons (suite 100)

Lot No. 1A Block No. 3 Acreage: 0.617 Existing Zoning District: DD

REQUIRED

REQUEST TYPE

☑ Specific Use Permit - Commercial
For Self Serve Dog Wash

☐ Specific Use Permit - Residential
For _____

☐ Change in Zoning
From _____ To _____

☐ Planned Development (PD)
☐ Amend PD Approval
☐ Development Plan Approval
☐ Conceptual Plan Approval
☐ Alternative Compliance Request

REQUIRED

SUBMITTAL DOCUMENTS

ALL ZONING REQUESTS MUST CONTAIN THE FOLLOWING DOCUMENTATION

☑ Completed application
☑ Application fee
☑ Property survey, or site plan or electronic copy of the metes and bounds legal description Microsoft word format or plat
☑ Written description of request (associated variance requests require justification), business statement or business plan with detailed description of proposed operation
☑ Electronic copies of all submittals via email

REQUIRED

May 23 - P&Z
June 21 - CC

RECEIVED
04-20-22
LRomero

Acknowledgments

I understand that all required information and plans must be submitted with this application or the application be deemed incomplete.

I hereby authorize the placing of a sign on subject property indicating a zoning change is under consideration.

I understand the requirements of the zoning classifications as stated in the City of Duncanville Zoning Ordinance related to this request and will comply with all necessary requirements of the City codes. I am aware that the City Council has the power to zone land as most appropriate in their wisdom, to promote the health, safety, and morals and for the protection and preservation of places of historical or cultural importance, and the general welfare of the community.

I have read and understand this application and certify that all information and attachments are true and correct. I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the request described. Applicants (or a representative) are expected to be present at all public hearings concerning this application to justify and explain their request and to answer questions posed by the City Planning and Zoning Commission and City Council.

[signature] — April 20, 2022

Signature of Current Property Owner — Date

Notarization

BEFORE ME, Yolanda Perry, on this day personally appeared Monte Erickson, known to or proved to me on the oath of document or through ID-License (description of identity card or other document) to be the person(s) 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 20th day of April, 2022.

(Seal)

Yolanda Perry

Notary Public in and for the State of Texas

My Commission Expires: 11/08/25

NOTARY PUBLIC STATE OF TEXAS

YOLANDA PERRY
Notary Public
State of Texas
ID # 12547387-9
My Comm. Expires 11-08-2025

Following is to be completed only if a person other than the owner is submitting this application.

Owner Validation

Applicant has permission to pursue a zoning change on the property located at 100 N. Main St. Duncanville, TX 75116 with the City of Duncanville.

MH - President — April 20, 2022

Signature of Owner/Agent — Date

BEFORE ME, Yolanda Perry, on this day personally appeared Mike Richardson, known to or proved to me on the oath of Document or through ID-License (description of identity card or other document) to be the person(s) 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 20th day of April, 2022.

(SEAL)

Yolanda Perry

Notary Public in and for the State of Texas

My Commission Expires: 11/08/25

YOLANDA PERRY
Notary Public
State of Texas
ID # 12547387-9
My Comm. Expires 11-08-2025

SUBMITTAL CHECKLIST

Specific Use Permit - Commercial

Please check if applicable

YES	N/A	
☑	☐	Written Letter with detailed description of proposed operation
☐	☑	Site Plan
☐	☑	Building Elevation and Signage Plan
☐	☑	Landscape Plan
☑	☐	Floor Plans
☐	☐	Other _____

Specific Use Permit - Residential

Please check if applicable

YES	N/A	
☐	☐	Written Letter of Intent with detailed description of request
☐	☐	HOA approval letter (if applicable)
☐	☐	Drawings, spec sheets, diagrams or other documents in electronic format (PDF)
☐	☐	Letter from owner (if applicant is not owner) and/or approval letter from HOA (if applicable)
☐	☐	Other _____

Planned Development

YES	N/A	
☐	☐	Written Letter with detailed description of proposed development with proposed conditions
☐	☐	Conceptual Plan

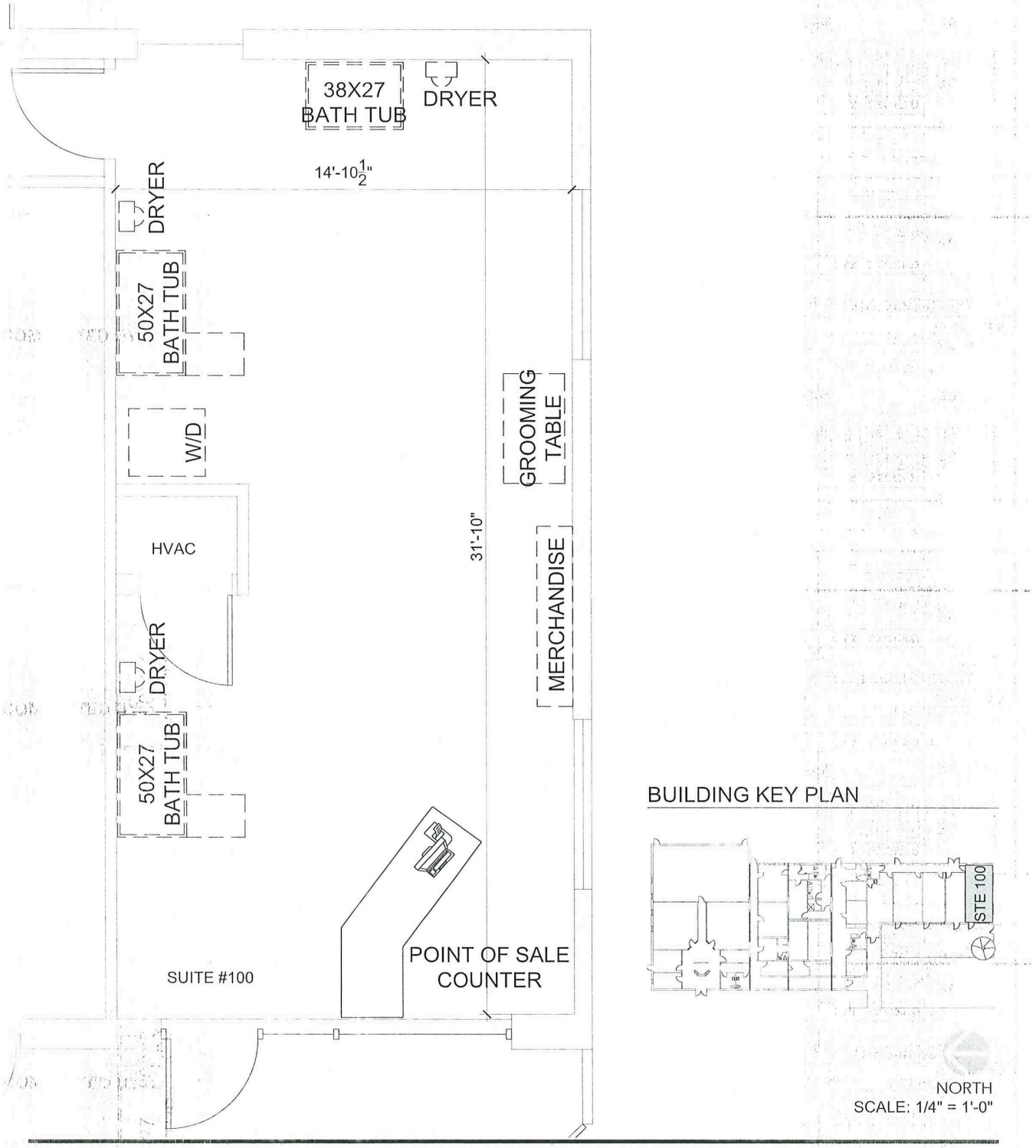
(The purpose of a Conceptual Plan is to provide a general layout of the proposed development prior to a more specific Development Plan being submitted. A Conceptual Plan shall be construed to be an illustration of the development concepts only and not an exact representation of the specific development proposed.)

☐ ☐ Development Plan with proposed PD Conditions

(The purpose of a Development Plan is to specifically illustrate the proposed location and arrangement of uses and structures, the relationship of such uses to base zoning districts, development phasing, planned public improvements, open space, proposed amenities and the overall design of the development. Development Plan shall be incorporated into the regulations of the PD ordinance, shall be construed in conjunction with the authorized uses and development standards set forth in such regulations, and shall be in general conformity with the approved Conceptual Plan for the PD (if applicable).

REQUIRED

Attachment 4



Dog Wash Space Plan

100 N Main St, Suite 100, Duncanville, Texas
20 April 2022

THRASHER WORKS
ARCHITECTURE I DESIGN I PLANNING
509 N Winnetka Ave, Ste 201B, Dallas,Tx 75208
(214) 293-3498
www.thrasherworks.com

Attachment 5

To Duncanville zoning and whom it may concern,

This letter is in regards to the SUP application for a Self-serve dog wash at 100 N. Main St. Ste. 101, Duncanville, TX. 75116.

The proposed operation for this location will be a self-serve dog wash where we provide the use of professional equipment for the customers to wash their dog themselves and we do all of the cleanup after they leave.

We will have 3 bathing stations. Each bathing station will have everything needed for customers to wash their dogs. A professional stainless steel raised dog grooming tub, dryer, and all the supplies needed like shampoos, brushes, combs, towels, and nail clippers.

Customers will be in and out of the location with their dog in about 15-35 minutes. There will be no boarding or outside pens.

Thank you for your time and consideration of the approval of the SUP of this location for this purpose.

Eric Banda and Joanna Banda

214-686-6761
947 Green Rock Dr. Duncanville, TX 75137

City of Duncanville Planning Division
Development Services
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878
(e) lromero@duncanville.com

May 12, 2022

Zoning File: 2022-12

Dear Property Owner:

Eric and Joanna Banda, Applicants, representing Monte Anderson of Main Commons Duncanville, Owner, are requesting approval of a Specific Use Permit to allow for the use of Self-Serve Pet Grooming Shop on Main Commons, Block 3, Lot 1A ACS 0.617, more commonly known as 100 North Main Street, in the City of Duncanville, Dallas County, Texas.

Your property is NOT being rezoned. You have been sent this notice because you are within the required 200-foot notification area of property that is being considered for rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

The Planning and Zoning Commission will hold a public hearing on Monday, May 23, 2022, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, June 21, 2022, at 7:00 p.m., both in the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change. If you oppose the zoning change, however, the attached survey must be completed and returned by June 21, 2022, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary or to Jeremy Tennant, Interim Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email lromero@duncanville.com stating your position. You are encouraged to participate in the public hearing and offer comments.

Sincerely,

Jeremy Tennant

Jeremy Tennant
Interim Secretary, Planning and Zoning Commission

Enclosures

City of Duncanville Planning Division
Development Services
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878
(e) lromero@duncanville.com

Mayo 12, 2022

Archivo de zonificación: 2022-12

Estimado propietario:

Eric and Joanna Banda, solicitantes, representando a Monte Anderson de Main Commons Duncanville, Propietario, están solicitando la aprobación de un Permiso de Uso Específico para permitir el uso de Tienda de Aseo de Mascotas de Autoservicio en Main Commons, Block 3, Lot 1A ACS 0.617, más comúnmente conocido como 100 North Main Street, en la ciudad de Duncanville, condado de Dallas, Texas.

Su propiedad NO está siendo rezonificada. Se le ha enviado este aviso porque se encuentra dentro del área de notificación requerida de 200 pies de la propiedad que se está considerando para la rezonificación para esta audiencia pública en particular. Consulte el mapa adjunto que indica qué propiedad se está rezonificando.

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 23 de Mayo de 2022, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 21 de Junio de 2022, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto. Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del 21 de Junio de 2022, para cumplir con los requisitos legales para una protesta formal por escrito.

Como ciudadano interesado, puede enviar comentarios públicos al Secretario de la Ciudad o a Jeremy Tennant, Secretario Interino de la Comisión de Planificación y Zonificación, P.O. Box 380280, Duncanville, Texas, 75138-0280 o enviar un correo electrónico lromero@duncanville.com indicando su posición. Se le anima a participar en la audiencia pública y ofrecer comentarios.

Sinceramente

Jeremy Tennant

Jeremy Tennant
Secretario Interino de la Comisión de Planificación y Zonificación

Recintos

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Development Services Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2022-12 Eric and Joanna Banda, Applicants, representing Monte Anderson of Main Commons Duncanville, Owner, are requesting approval of a Specific Use Permit (SUP) to allow for the use of Self-Serve Pet Grooming Shop on Main Commons, Block 3, Lot 1A ACS 0.617, more commonly known as 100 North Main Street, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of Self-Serve Pet Grooming Shop.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, May 23, 2022, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, June 21, 2022, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by June 21, 2022, to fulfill legal requirements for a written formal protest.

Please check one:

_____ ***In favor*** *of granting the zoning request.*

_____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1).

2).

3).

Printed Name: _____ Address: _____

Signature: _____ Date: ___

El siguiente formulario puede ser llenado y enviado por correo a:

Planning and Zoning Commission
City of Duncanville
Attention: Departamento de Servicios de Desarollo
P.O. Box 380280
Duncanville, TX 75138-0280

Caso No. 2022-12 Eric and Joanna Banda, Solicitantes, representando a Monte Anderson de Main Commons Duncanville, Propietario, están solicitando la aprobación de un Permiso de Uso Específico (SUP) para permitir el uso de Tienda de Aseo de Mascotas de Autoservicio en Main Commons, Block 3, Lot 1A ACS 0.617, mas comúnmente conocido como 100 North Main Street, en la Cuidad de Duncanville, condado de Dallas, Texas. Esta es la primera de dos audiencias públicas que se han programado para recibir más información sobre el cambio de zonificación solicitado.

NOTA: El propósito de la solicitud es permitir el uso deTienda de Aseo de Mascotas de Autoservicio.

Se le ha enviado este aviso ya que su propiedad está dentro del área de notificación de 200 pies de la propiedad que se solicita para un cambio de zonificación. **Su propiedad no está siendo rezonificada.**

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 23 de Mayo 2022, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 21 de Junio de 2022, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto.

Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del 21 de Junio de 2022, para cumplir con los requisitos legales para una protesta formal por escrito.

Por favor, marque uno:

_____ ***A favor*** de conceder la solicitud de *zonificación.*

_____ ***No a favor*** de otorgar la solicitud de *zonificación.*

Mis razones son las siguientes:

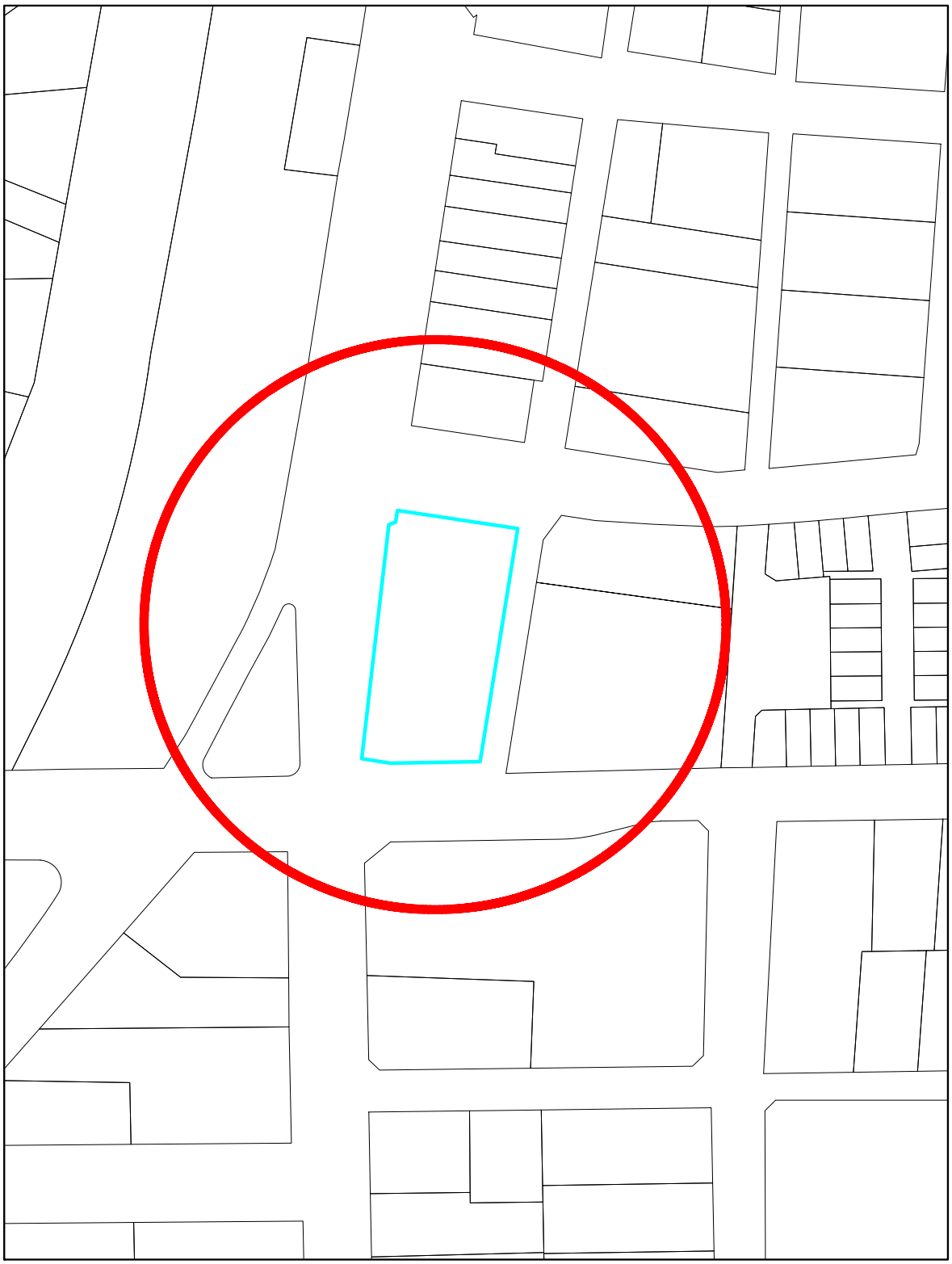
1).

2).

3).

Nombre impreso: _____ Dirección: _____

Firma: _____ Fecha: __



RECEIVED 05.20.2022

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Development Services Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2022-12 Eric and Joanna Banda, Applicants, representing Monte Anderson of Main Commons Duncanville, Owner, are requesting approval of a Specific Use Permit (SUP) to allow for the use of Self-Serve Pet Grooming Shop on Main Commons, Block 3, Lot 1A ACS 0.617, more commonly known as 100 North Main Street, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of Self-Serve Pet Grooming Shop.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, May 23, 2022, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, June 21, 2022, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by June 21, 2022, to fulfill legal requirements for a written formal protest.

Please check one:

_✓_ ***In favor*** *of granting the zoning request.* provided new arrangements are made for the trash dumpster.

_____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1).

2).

3).

Printed Name: MARY NANCE MAZA Address: 206 North Hastings Street

Signature: Mary Nance Maza Date: __

Attachment 6

RAMARK GROUP LTD
202 N MAIN ST
DUNCANVILLE, TEXAS 751163649

LOTT DALTON L
PO BOX 381146
DUNCANVILLE, TEXAS 751381146

MAIN COMMONS DUNCANVILLE
111 E DAVIS ST STE 101
DUNCANVILLE, TEXAS 751163615

DUNCANVILLE CITY OF
PO BOX 308280
DUNCANVILLE, TEXAS 751380280

DUNCANVILLE OUTREACH
PO BOX 380998
DUNCANVILLE, TEXAS 751380998

205 E CENTER STREET LP
4225 VERSAILLES AVE
DALLAS, TEXAS 752053008

MAIN STATION DUNCANVILLE
111 E DAVIS ST #101
DUNCANVILLE, TEXAS 751163615

DEAN WILLIAM R ET AL
101 S MAIN ST
DUNCANVILLE, TEXAS 751164703

202H LLC
1004 SISTERS LN
OVILLA, TEXAS 751545824

MAZA MARY C NANCE
PO BOX 380-553
DUNCANVILLE, TEXAS 751380553

BNSF RAILWAY
PO BOX 961089
FORT WORTH, TEXAS 761610089

Attachment 7

PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
203 E WHEATLAND ROAD
MONDAY, MAY 23, 2022 @ 7:00 P.M.

A meeting for the Planning and Zoning Commission was held on Monday, May 23, 2022, at 7:00 p.m. with the following present:

Planning and Zoning Commission Members:

Betty Culbreath	Chairman	
Elias Rodriguez	Vice-Chairman	
Eric Pena	Commissioner	
Jana McBroom	Commissioner	Excused Absence
Javar Avery	Commissioner	
Edward Stith	Commissioner	

Staff present:
Jeremy Tennant, Interim Planning Secretary
Lynette Romero, Planning Technician

Item No. 1 – Call to Order.

The meeting was called to order at 7:00 p.m. by Chairman Culbreath.

Item No. 2 – Receive Public Comments

No public comments were received.

Item No. 3 – Approval of meeting minutes for the regular meeting on May 9, 2022.

Commissioner Avery made a motion as seconded by Commissioner Pena to approve the minutes. The vote was unanimous 5-0 in favor with Commissioner McBroom absent.

Item No. 4 – Conduct a public hearing (2022-12) for consideration and action regarding the request of Eric and Joanna Banda, Applicant, representing Monte Anderson of Main Commons Duncanville, Owner, to include a Specific Use Permit "SUP" for Self-Serve Pet Grooming Shop on Main Commons, Block 3, Lot 1AACS 0.617, more commonly known as 100 North Main Street, Duncanville, Dallas County, Texas.

The applicants, Eric and Joanna Banda, were present. The applicants passed out packets to all Commissioners. The packet contained information regarding their proposed business such as: what a DIY dog wash is, the equipment used, proposed floor plan and ideal customer check out. Mr. Banda spoke in favor of the request. He explained what a DIY dog wash is. Mr. Banda also mentioned the need for a DIY dog wash. He stated that there are only a couple in the surrounding area. He also spoke about the services offered and equipment used on pets. He stated that he anticipates most customers taking 30

Unapproved

minutes or less. He expects that the quick in and out will not be an issue for parking or overload of customers.

Commissioner Rodriguez asked the applicants what the hours of operation will be. Mr. Rodriguez stated his hours of operation will be 10 am to 7pm, Monday thru Saturday. Commissioner Rodriguez asked if Mr. Banda is currently going through the permitting process. Mr. Banda States yes. Mr. Tennant interrupted and stated that the applicants are not going through the permitting process. He stated that they will go through the process once and if the SUP request is approved by City Council.

Commissioner Avery asked the applicants if there are any sanitary requirements. Mr. Banda answered Commissioner Avery stating that there are certain products that can be used that are safe for pets. He stated that he will be using pet friendly sanitation products and that this will be a requirement for his business. Commissioner Avery asked about how the flow of customers will be handled with only a couple of stations. Mr. Banda stated that in most cases stations will be ready for use as soon as customers walk in and that the stations will be cleaned immediately after customer use.

Chairman Culbreath stated that there are state regulations, and that she is sure Permitting staff will notify the applicants once they go through the certificate of occupancy process.

Mr. Tennant presented background information regarding the proposed request for SUP

Commissioner Culbreath opened the floor for public comments.

Only one citizen public comment card was received for this item.

Mary Nance Maza, resident of 206 North Hastings Street, spoke in favor the request. Miss Maza stated that she travels far to take her pets to be groomed and believes that having this establishment nearby would be great for all. She stated that she believes the prospective business is much needed. She also stated that she does have a concern about trash. She stated that the current management over this property does not take responsibility for monitoring the overflow of trash. She asked that if the request be approved that the applicants take responsibility of keeping their property clean.

Commissioner Rodriguez made a motion as seconded by Commissioner Elias to approve the request for SUP. The vote was 5-0 in favor, with Commissioner McBroom absent.

Item No. 5 – Conduct a public hearing (2022-11) for consideration and action regarding the request of Scott Marks, Applicant and Owner, to include a Specific Use Permit “SUP” for Short-Term Rental on Merribrook Park Estates Inst 2, Block J, Lot 2, more commonly known as 106 Willowbrook Drive, Duncanville, Dallas County, Texas.

Mr. Tennant presented background information regarding the proposed request for SUP.

Applicant, Scott Marks, and his wife, Carolyn Marks, were present. Mr. Marks spoke in favor of the request.

Unapproved

Mr. Marks stated that he has lived in Duncanville for 19 years. He stated that his current living situation is that he and his wife stay part-time at their residence and part-time with his mother-in-law who lives in Duncanville. Mr. Marks stated that his mother-in-law is elderly and needs help from time to time, and operating a short-term rental works best for them with their current living situation. Mr. Marks also spoke about his property. He stated that his property currently has security cameras, has four parking spaces for guests, and has five bedrooms and four bathrooms. Mr. Marks stated that he does restrict his guests from parking on the street and only allows up to 10 people in the home. He further stated that when the house is being rented, he and his wife stay at his mother-in-law's home until the guests leave.

Commissioner Pena asked about the number of rooms and if rooms are being rented out individually or if the entire home is being rented out. Mr. Marks replied to Commissioner Pena stating that the house has a total of five bedrooms and that the entire dwelling is rented out at one time. Commissioner Pena asked if he had ever operated a short-term rental before. Mr. Marks stated no. Commissioner Pena asked how far he stays when the property is being rented. Mr. Marks stated that he stays three minutes away. Commissioner Pena also asked about whether security cameras are on the property and if the swimming pool in the backyard is fenced off according to code. Mr. Marks stated that he has security cameras at the door, one on each side of the property and one located on the back deck. Mr. Marks also stated that he currently has a 4' fence but will eventually be replacing it with a 6' wood fence.

Commissioner Rodriguez asked for clarification on whether the property will be rented out room by room or the entire property at one time. Mr. Marks stated that the home will be rented out entirely at one time.

Chairman Culbreath commented that Mr. Marks will still have a homestead exemption but will be utilizing his home as a short-term rental. Mr. Marks stated yes in agreeance with Chairman Culbreath's comment towards the Commission. He stated at this time he is unsure about what will happen with his mother-in-law, and he and his wife do not want to give up their home.

Chairman Culbreath opened the floor for public comments.

Robert Maier of 202 Willowbrook Drive spoke in opposition of the request. Mr. Maier stated that when Mr. Tenant made his presentation it was stated that only one response was received, but that he, his wife, and neighbors sent in letters as well.

Chairman Culbreath stated that everything received is accounted for, and it may be that we had not received their letters yet, but that if those people are present, they may speak on the request.

Mr. Maier went on to speak in opposition of the request.

Mr. Maier began by stating that he had lived in the neighborhood for twenty-one years. He spoke about a block party that occurred a years ago, and the issues that occurred during this block party. He stated that there were cars parked along the street, loud music playing all night, and an accumulation of trash throughout the neighborhood. He stated that a short-term rental will allow for the same groups of people to enter the neighborhood. Mr. Maier stated that the neighborhood already has parking problems with parents blocking the streets when picking up their children from the school nearby. He stated that he believes the Marks will not make much income by renting just on the weekends. He also stated that he is

Unapproved

a landlord and requires his tenants undergo background checks. He stated that he is concerned about the type of people Airbnb will send, how short-term rentals will affect property values and property taxes, and how effective the regulations are for short-term rentals. He stated he did not understand why the Marks want to operate a short-term rental in Duncanville but could understand if the home was near venues such as American Airlines Center or Cowboys Stadium. He also mentioned a murder that took place in the apartment complex near his neighborhood several weeks ago. He stated that short-term rentals may raise the already high crime rate in the neighborhood.

Kathy Lewis of 202 Willowbrook Drive spoke in opposition of the request.

Miss Lewis stated that she agrees with her husband, Robert Maier. She stated that they do not want an Airbnb in her neighborhood because they do not want people coming and going frequently, strangers in the neighborhood and parties happening. She stated that the fact that the property has a swimming pool is very troubling especially for the summer. She stated that having the swimming pool will lead to young kids having parties, trashing the neighborhood, and playing loud music. She stated that she has seen this happen and does not want it on their street.

Chairman Culbreath asked Miss Lewis where these parties have happened before. Miss Lewis responded by stating that it has happened in other neighborhoods she has been in and a couple of streets down in her neighborhood. She stated that this was the party house her husband had mentioned when he spoke. Chairman Culbreath asked Miss Lewis if these houses were short-term rentals. Miss Lewis stated that she was unsure.

Peggy Whigham of 1118 Willowbrook spoke in opposition of the request.

Miss Whigham stated that she has lived in Duncanville for 60 years. She stated that the neighborhood has always been quiet. She stated that the party house Mr. Maier and Miss Lewis spoke of was a rental house, and that the people that lived there destroyed the house before moving out. She also stated that she has one friend in Georgia and one friend in Montana that have been to an Airbnb, and each have stated they are fantastic, but that she, like Mr. Maier, wonders why the Marks want to operate in Duncanville. She asked what our attraction is, and what would attract people to a quiet, residential street in Duncanville. She stated that Duncanville does not have a true attraction that would cause anyone to rent a short-term rental in Duncanville. She also stated that she believes the short-term rental would only cause problems for her neighborhood.

Chairman Culbreath informed the audience that there was a market data completed in the past. She stated that there were no regulations adopted for short-term rentals until recently, and that many of those who are coming forward now, are people who have been successfully operating short-term rentals in Duncanville for many years. She stated that the market data completed shows that one of the reasons Duncanville has become so attractive for Airbnb is because employers, mainly tech industries, find it financially feasible to rent an Airbnb for their employees versus a hotel room.

The applicant, Mr. Marks, answered his neighbors' concerns regarding his operation. He stated that he agreed with his neighbors regarding concerns of a party house and that he appreciates that the City has set limits for short-term rentals. He stated that he has security cameras on the property to keep an eye on everything and that he is close enough to the property to be there quickly if anything occurs. He stated

Unapproved

Duncanville is only twenty minutes away from the Entertainment District in Arlington and Downton Dallas and believes that Duncanville is situated perfectly from everything. He stated that any family wanting time to relax can do so but can also explore surrounding entertainment areas in the DFW metroplex. He stated his property has everything a family would need for a great vacation. He also stated that he does understand that there are some issues that have gone on with some of the rentals in the City. He stated he is unsure if the property will continue as a short-term rental because he does not know what may happen with his mother-in-law's health. He and his wife may consider the option for renting long-term incase he and his wife are needed full-time to take care of his mother-in-law.

Commissioner Pena asked Mr. Marks what his target demographic is and if he intends to be renting constantly. Mr. Marks answered by stating that he is unsure what will happen. He does not know if he will move in permanently with his mother-in-law or if his mother-in-law will be moving to a long-term healthcare facility. He stated that at this moment the short-term rental is what works best for him and his wife. He stated that his target demographic are families and traveling nurses. He stated that his home is not a party house.

Commissioner Avery asked Mr. Marks about his living situation. Mr. Marks stated that he lives with his mother-in-law part time but does return to his home. He stated that there are people who help by taking care of his mother-in-law at times, but he also takes care of her as well. Commissioner Avery stated that he wanted Mr. Marks to understand his stance on short-term rentals. He stated that he believes that the City of Duncanville is a bedroom community and that an Airbnb does not fit within the City of Duncanville. He stated that he sees hotels within the city mostly vacant and believes that it would be best for long-term rentals to be within the city verses short-term rentals. He stated he does not have anything against Airbnb but does not see it fitting in with the community. Commissioner Avery also stated that if it were him booking a five-bedroom Airbnb with a swimming pool, that it would not be him and his wife only, he would be inviting groups over to have a good time.

Chairman Culbreath made some comments to the audience. She stated that there is a difference between younger people and older people. She stated that her age group prefers to rent a home than rent a hotel. She stated that her age group does not necessarily search for an Airbnb, but just a home to rent. She stated that they have never destroyed the homes they have stayed at or leave trash on the property. She stated that unlike the younger age group, her and her companions like to enjoy the surrounding area and explore the cities they are staying in and leave the homes cleaner than when they arrived. She stated the younger people are usually those who destroy the short-term rentals. She stated she wanted to make it clear to all that not everyone who rents an Airbnb is renting it to throw a party.

Commissioner Avery made a motion as seconded by Commissioner Stith to deny the request for SUP. The vote was 3-2 in opposition with Chairman Culbreath and Commissioner Pena in favor and with Commissioner McBroom absent.

Item No. 6 – Conduct a public hearing (2022-13) for consideration and action regarding the request of Caroline Carlson, Applicant and Owner, to include a Specific Use Permit "SUP" for Short-Term Rental on Irwin Keasler Dev Red Bird 4, Block 16, Lot 25, more commonly known as 710 Markwood Drive, Duncanville, Dallas County, Texas.

Mr. Tennant presented background information on the request for SUP.

Unapproved

Nathaniel Rosendall, husband of Caroline Carlson, the applicant, represented his wife, and spoke in favor of the request.

Mr. Rosendall spoke about the property. He stated that his wife purchased the property in 2017 and had been living there with other roommates until she moved out earlier this year. He stated his wife moved out after they got married a couple of months ago. He stated that since operating, no complaints have been received regarding the room rentals, and that he and his wife have strict policies for their rental home. He stated that they want to make their rental home a safe, welcoming place for tenants to live long term and be a part of the community. He stated he was at the meeting to obtain approval for the one room they rent out as short-term. He stated all other people in the home have been renting long-term and have been living on the property for many years now. He stated they have four tenants living on the property that are teachers, night nurses, social workers, and close friends. He stated that the house is a five-bedroom home with enough parking for five vehicles and extra space in the garage. He stated that if his request is denied, they will be forced to evict all current tenants and rent out the entire home. He stated that they will not be able to maintain the property the way they have been if the property is turned into a long-term rental. He stated that their tenants enjoy living in Duncanville because it is a peaceful, quiet place to live. He stated that him and his wife provide safe, affordable housing for residents. He also stated that they have been posting their own signs and trying to make their neighborhood aware of what they are doing.

Commissioner Rodriguez asked Mr. Rosendall what is the longest a room has been occupied and what is the shortest. Mr. Rosendall stated that there are two tenants who have been residing there since 2017, and the shortest tenant they had was for several weeks. Mr. Rosendall stated that all rooms are long-term rental, but one, and that he is having to request an SUP because his property does not fall under either one.

Commissioner Avery asked Mr. Tennant if he could help the Commission understand what Mr. Rosendall had stated.

Mr. Tenant stated that the case being presented is a unique one. He stated that there are four rooms that fall into the long-term rental registration program, but one room falls into the short-term rental registration program. He stated that due to the one room being a short-term rental, the applicant is having to go through zoning.

Commissioner Avery asked Mr. Tennant if the applicant is in compliance with all the other room rentals.

Mr. Tennant stated that the applicant is not in compliance at this moment. He stated that if the applicant’s request is approved, the SUP will cover the entire home.

Commissioner Avery asked Mr. Rosendall if he was here for just the one room considered short-term rental. Mr. Rosendall stated that he has had correspondence with the previous City Planner, when he began inquiring about the one short-term rental. He was informed that because of the one room considered short-term that he would need to undergo the short-term rental process for the entire dwelling.

Unapproved

Commissioner Avery asked Mr. Tennant for clarification once more.

Mr. Tennant stated that this case is considered a unique one because only one bedroom is short-term and the remaining bedrooms are long-term. He stated that if all rooms were long-term rental, then there would be no reason to be presenting this case and the applicant would only need to apply under the long-term rental registration.

Commissioner Avery asked Mr. Rosendall if he was present only to require an SUP for the one room. Mr. Rosendall yes, and that the previous City Planner led him to believe that because of the one room that is short-term rental that the entire residence would need to go through the short-term rental program. He stated the room that is considered short-term rental is only rented once or twice a year.

Commissioner Avery asked Mr. Tennant for clarification again.

Mr. Tennant stated that there has been a transition in City Planners, and that each Planner interprets differently. He requested that the Commission grant a deferral so that he could have more time to review over each ordinance.

Chairman Culbreath made some comments. She stated that this is a typical example of our government. She stated some may tell a lie and be in compliance and others may tell the truth and not be in compliance. She stated a resident would need to never mention the words short-term rental, and there would be no problem. She stated that one case should not trigger all four cases to be null and void, and that this drastic action should not happen as a result of one thing happening to Mr. Rosendall. She stated she knows that something was miscommunicated due to his willingness to go through this process. She asked Mr. Tennant if he wanted the commission to revalue the case and come back. She stated that the applicant seems willing to go through the process, and that she understands his willingness because having the SUP may be more beneficial to him incase things change for him. She stated that she believes it is up to the applicant on whether the deferral should be made.

Mr. Rosendall quoted an email from Lynette Romero, Planning Technician. He stated that the email stated “yes, the long-term guests will fall under the short-term rental registration program as well”. He stated during this time he knows the ordinance had recently passed and many things such as the forms and applications were being worked on during this time. He stated he and his wife enjoy the model of room rental. He stated that this is affordable for his tenants, and he charges rent that most would not be able to find anywhere else. He states that he and his wife provide safe, reliable housing for residents, and are unsure if they should stay in Duncanville or look for another location. He stated their decision will be based off the City’s decision.

Chairman Culbreath opened the floor for public comments.

Ruth Carlson of 822 Sherrill Boulevard, spoke in favor of the request. She stated that the applicants do a wonderful job of providing a comfortable residence for people such as teachers, medical workers, and contract workers. She stated that in her experience, she knows that some people have a difficult time finding an affordable place to live. She stated that the people who come to stay are here to work and not explore the city. They are busy working, not partying. She believes that the applicant is

Unapproved

providing a great service to the City of Duncanville.

Evelyn Kirby of 710 Markwood Drive spoke in favor of the request. She stated that she is one of the long-term tenants that live on the property. She stated that she looked many places before moving in. She stated that it is affordable, and she feels safer in a home than in a house. She stated that her experience sharing a home has been a good one so far. She also stated that she also cleans for Airbnb, and it has provided her with a good source of income.

Mr. Rosendall thanked the commission and staff for their time and for helping him and his wife understand this new ordinance and providing guidance as well.

Commissioner Pena asked Mr. Rosendall if he intends to operate more rentals in the future.

Chairman Culbreath interrupted and stated that state law prohibits the commission to ask questions regarding future financial means.

Mr. Rosendall stated the in the interest of transparency, he would answer Commissioner Pena's question. He stated that the rental house has been a blessing for many, and he is only going through this process because he and his wife have been informed that they must go through this process, but that they do not intends to operate more rentals.

Commissioner Pena commented to Mr. Rosendall that he appreciates his honesty and that he only asked the question because he likes to base his decision case by case and did not realize that it was not allowed to ask this question.

Commissioner Rodriguez commented that the Commission is responsible for such things as participating in updating the Comprehensive Plan, being present at open public meetings, and entertaining citizen and public input. He stated that maybe staff made an error in communicating the process and ordinance to him, but that he can only make his decision based off what he is presented and based off what is in the best interest of the City. He encouraged Mr. Rosendall to attend future meetings. He stated that he believes that his opinion on certain topics likes rentals could bring more insight into Planning.

Chairman Culbreath stated that she complimented the applicant for communicating with the community prior to the meeting. She stated that perhaps when looking into updating the Comprehensive Plan that the definition of Airbnb needs to be considered.

Commissioner Avery made some comments. He stated he was quite confused about what was going on and was confused about the ordinance as well.

Chairman Culbreath attempted to provide some clarification to Commissioner Avery. She stated that the ordinance it is not broken out. She stated there is criteria for short-term rentals and long-term rentals.
A woman in the audience spoke out loudly. She asked Chairman Culbreath if she wanted to see the ordinance. Chairman Culbreath stated she knows what the ordinance states. The woman tried to

Unapproved

continue speaking. Chairman Culbreath interrupted the woman and stated that if she has something to state to state it after the meeting, and that she cannot be hollering from the audience when she is trying to explain something to her colleague. She stated that there is a difference between the short term and long term. The woman stated that she understands but the ordinance states different. Miss Culbreath informed her to check with the ordinance writer then.

Commissioner Rodriguez made some comments. He stated that he understands that there may be some confusion about how this ordinance was written, executed, interpreted, and relayed to the applicant. He stated that he believes this is a very premature ordinance that may have some holes that need to be filled. He stated that the transparency is justifiable. He stated he does not care for Airbnb himself, but he believes this case is unique. He stated that this is the first time that the commission sat long going back and forth about a case.

Commissioner Rodriguez made a motion to approve the request.

Commissioner Avery interrupted and sated that he does not believe a decision should be made. Chairman Culbreath stated that it could be discussed after the vote.

Commissioner Pena seconded the motion made by commissioner Rodriguez to approve the request.

Commissioner Avery stated that he believes the case should be deferred until clarification is received.

Chairman Culbreath made some comments. She stated she has been involved in zoning for over 20 years and knows that not all ordinances are written perfectly. She stated it is quite discerning when you witness government action causing adversity among the community. She stated that what is within the ordinance and what it is meant for has been distorted. She stated the commission has seen neighbors speak negatively about one another and accuse each other of things that they think may happen. She stated it is difficult to be in such as setting and not be personally affected by the tone of one person verbally abusing another. She apologized to the audience for getting emotional.

The commission continued to vote. Commissioner Rodriguez made the motion to approve the request earlier in the meeting. The motion was seconded by Commissioner Pena. The vote was 3-2 in favor with Commissioner Stith and Commissioner Avery in opposition and commissioner McBroom absent.

Item No. 7 – Continue discussion pertaining to the five-year Comprehensive Plan update. Discuss incorporating new areas of interest within the area maps – Wheatland Plaza.

Mr. Tennant left the discussion to Commissioner Avery.

Commissioner Avery stated that he had been in contact with the school board and is waiting to have a meeting with the super intendent to discuss the proposal of purchasing the Duncanville ISD Service Center to incorporate it into the Downtown District.

Item No. 8 – The meeting adjourned at 8:28 p.m.

Unapproved

_____
Jeremy Tennant, Director of Planning and Neighborhood Services

_____
Betty Culbreath, Chairman

Unapproved

ORDINANCE NO. 2437

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING RETAIL/COMMERCIAL DISTRICT ZONING TO INCLUDE A SPECIFIC USE PERMIT "SUP" FOR A SELF-SERVICE PET GROOMING SHOP, BLOCK 3, LOT 1A ACS 0.617, MORE COMMONLY KNOWN AS 100 NORTH MAIN STREET, SUITE 101 DUNCANVILLE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE SITE PLAN WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "B"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and City Council of the City of Duncanville, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the City Council is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended as provided herein.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, be, and the same are hereby amended the Retail/Commercial District zoning to include a Specific Use Permit "SUP" for a self-service pet grooming shop, Block 3, Lot 1A, ACS 0.617, more commonly known as 100 North Main Street, Suite 101, City of Duncanville, Dallas County, Texas, and being more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes (the "Property").

SECTION 2. That the above-described property shall be used, developed, and maintained only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Duncanville, as heretofore amended, and in conformance with the site plan, Exhibit B, as special conditions and as amended herein, subject to the following additional special conditions:

1. No dogs or other animals shall be kept in any grooming shop between 9:30 p.m. and 7:00 a.m., provided this subsection shall not apply to an establishment where grooming is incidental to the

TM 130148

operation of a veterinary hospital, licensed pet shop or licensed boarding kennel or commercial kennel.

2. The floor and walls in any room in which grooming operations are conducted or in which animals are kept shall be covered with an impervious, smooth, cleanable surface. Wood which animals can bite, chew, claw or any way have contact with is not considered impervious. Unsealed wood or rusted metal is not considered impervious. The floor shall be cleaned and disinfected daily.

3. All animal hair and feces shall be removed from the floors daily and shall be stored in tightly covered, waterproof containers in such a manner as to prevent a nuisance until final disposal.

4. The premises shall be kept free from insect and rodent infestations.

5. The premises shall be maintained and operated in a nuisance free manner.

6. Any pens, enclosures, cages or surfaces upon which an animal is groomed, as well as grooming supplies, shall be sanitized between grooming.

7. The Specific Use Permit may be revoked if one or more of the conditions imposed by this permit has not been met or has been violated.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That all provisions of the Ordinance of the City of Duncanville in conflict with provisions of this Ordinance be, and same are hereby repealed, and all other provisions of the ordinances of the City of Duncanville not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That the above-described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Duncanville, as amended herein by the granting of this special use permit.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Comprehensive Zoning Ordinance as amended hereby shall be deemed guilty of a misdemeanor, and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 7. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 21st day of June, 2022.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

EXHIBIT A

SITE PLAN

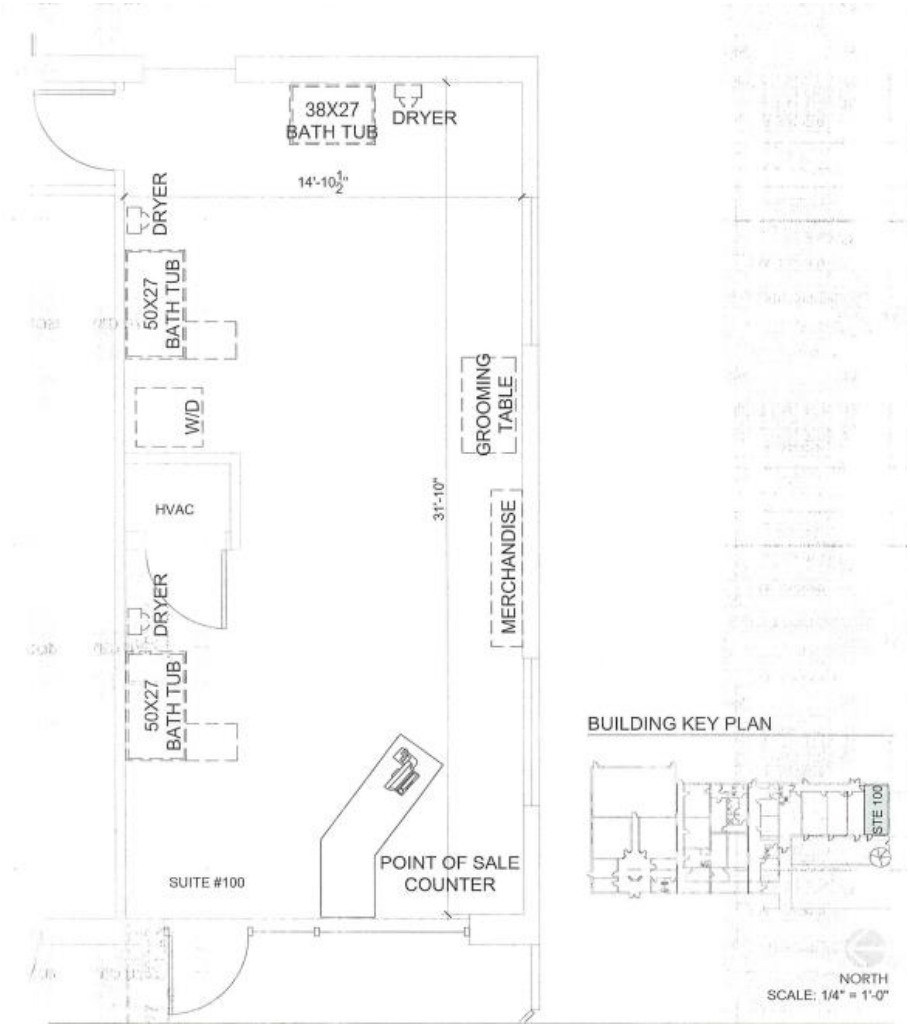


EXHIBIT B

SPECIAL CONDITIONS

8. No dogs or other animals shall be kept in any grooming shop between 9:30 p.m. and 7:00 a.m., provided this subsection shall not apply to an establishment where grooming is incidental to the operation of a veterinary hospital, licensed pet shop or licensed boarding kennel or commercial kennel.

9. The floor and walls in any room in which grooming operations are conducted or in which animals are kept shall be covered with an impervious, smooth, cleanable surface. Wood which animals can bite, chew, claw or any way have contact with is not considered impervious. Unsealed wood or rusted metal is not considered impervious. The floor shall be cleaned and disinfected daily.

10. All animal hair and feces shall be removed from the floors daily and shall be stored in tightly covered, waterproof containers in such a manner as to prevent a nuisance until final disposal.

11. The premises shall be kept free from insect and rodent infestations.

12. The premises shall be maintained and operated in a nuisance free manner.

13. Any pens, enclosures, cages or surfaces upon which an animal is groomed, as well as grooming supplies, shall be sanitized between grooming.

14. The Specific Use Permit may be revoked if one or more of the conditions imposed by this permit has not been met or has been violated.

STAFF REPORT

MEETING: City Council - 21 Jun 2022

TITLE:
Conduct a Public Hearing (2022-11) and consider an Ordinance amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by amending the existing SF-10 Single-Family Residential District to include a Specific Use Permit to allow for Short-Term Rental on Merribrook Estates instrument number 2, block J, lot 2, approximately 0.38 acres, more commonly known as 106 Willowbrook Drive.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Promote: Innovative Ideas for Development and Re-development**
  - **Pursue a diverse and robust economy through various business, housing, and employment opportunities that encourage forward-thinking community and economic development.**
- **Re-Imagine: High Quality of Life**
  - **Develop, maintain, and encourage safe, attractive, viable family-oriented neighborhoods that embrace diversity and pride, promoting economic vitality.**

STAFF RESPONSIBLE:
Jeremy Tennant, Neighborhood Services and Planning Director

BACKGROUND/HISTORY:
Comprehensive Plan
The subject property has a Future Land Use Designation of Low Density Residential. The Plan states that low density residential represents a traditional single-family detached neighborhood and includes housing and living units for people with a range of incomes and needs. Low density residential areas generally range between three and five dwelling units per acre.

The Plan goes on to list the following policies to guide low density areas:

- They should be protected from, but accessible to, the major roadway network, commercial establishments, and industrial areas.
- Subdivisions should be accessible to collector and arterial streets, but should directly access only local streets, creating a balanced land-use pattern across the City.

- They should not be directly accessible to major arterials and freeways without adequate buffering and access management.

This request is in conformance with the Comprehensive Plan as the proposed accessory use is for the purpose of an existing single-family residence.

Project Scope
The applicant is seeking approval to allow for the use of Short-Term Rental at the subject property. The associated structure consists of a single-family residence, approximately 2,455 square feet in size. Exterior features include existing trees, swimming pool, and front driveway. As of this writing, there are no active code compliance issues.

Parking
Single-Family Parking Requirements are as follows:

- Two (2) unenclosed, paved parking spaces.

The subject property has the required parking.

Surrounding Land Use and Zoning
The subject property is surrounded by existing single-family residences zoned SF-10 Single-Family Residential District.

Short-Term Rental Standards
The Planning and Zoning Commission and the City Council shall consider the following standards listed in Section 3.04 (Short-Term Rental Standards) of the Zoning Ordinance:

- The applicant must obtain a Short-Term Rental permit from the City and provide proof of ownership of the residence.
- The applicant must demonstrate to the satisfaction of the City Planner that the unit and property do not have any outstanding issues related to taxes or building, electrical, plumbing, fire, health, housing, police, planning, noise, or code enforcement provisions.
- The applicant must submit a report to the City Planner each January that indicates the following:
- The number of nights the unit was rented as a Short-Term Rental in the previous year.
- Proof of payment of Hotel Occupancy Tax is submitted to the City in accordance with Chapter 18 Article II of the City's Code of Ordinances and
- Proof of current property insurance.
- If the applicant has failed to meet one of these requirements, the City shall provide ten (10) calendar days of notice to comply.
- The City retains the right to suspend or remove a property from the registry. Once a property has been removed from the registry, the property shall not be added to the registry for at least one (1) year.
- Suspension or removal shall be at the discretion of the City Planner for reasons including, but not limited to, the following:

- The applicant has given false or misleading information during the application process.
- There has been a violation of any of the terms, conditions, or restrictions of this subsection.
- The applicant has failed to pay the Hotel Occupancy Tax in the timely manner; or

- The location has received three (3) complaints from the neighboring property owners for excessive noise or traffic within a twenty-four (24) month period.
- Continued operation of a Short-Term Rental following suspension or removal from the registry shall be considered a violation of this Zoning Ordinance.

Recommendation
The Planning and Zoning Commission concluded denial of the SUP request with a vote of 3-2.

POLICY EXPLANATION:
Notification
Eighteen (18) notices were sent out for this public hearing. As of this writing, eight (8) response has been received in opposition of the request. Letters will be received until Tuesday, June 21, 2022, to fulfill legal requirements for a written formal protest to City Council. The request is tentatively scheduled to proceed to the Tuesday, June 21, 2022, City Council hearing.

FUNDING SOURCE:

ORG and Object Number
N/A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:
1. Approve of Ordinance.
2. Do not approve Ordinance.
3. Other actions as directed by Council.

ATTACHMENTS:
Attachment 1 - Legal Notice
Attachment 2 - Area of Request Maps
Attachment 3 - Zoning Change Application
Attachment 4 - Applicant Exhibits
Attachment 5 - Letter From Applicant
Attachment 6 - Letters to Owner With Buffer and Responses
Attachment 7 - List of Owners
PZ Minutes - May 23 2022 FINAL
Attachment 7 - PZ Minutes - May 23 2022 FINAL
Attachment 8 - Ordinance No. - 2436 - SUP for Short-Term Rental @ 106 Willowbrook Dr.

Attachment 1

Advertise 1 time - By May 12

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL
ZONING FILE #2022-11

A public hearing will be held before the Planning & Zoning Commission on Monday, May 23, 2022, at 7:00 p.m., and before City Council on Tuesday, June 21, 2022, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to hear a request of the City of Duncanville for a Specific Use Permit to allow for the use of Short-Term Rental, on Merribrook Park Estates Inst 2, Block J, Lot 2, more commonly known as 106 Willowbrook Drive, City of Duncanville, Dallas County, Texas.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary or to Jeremy Tennant, Interim Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Kristin Downs
City Secretary

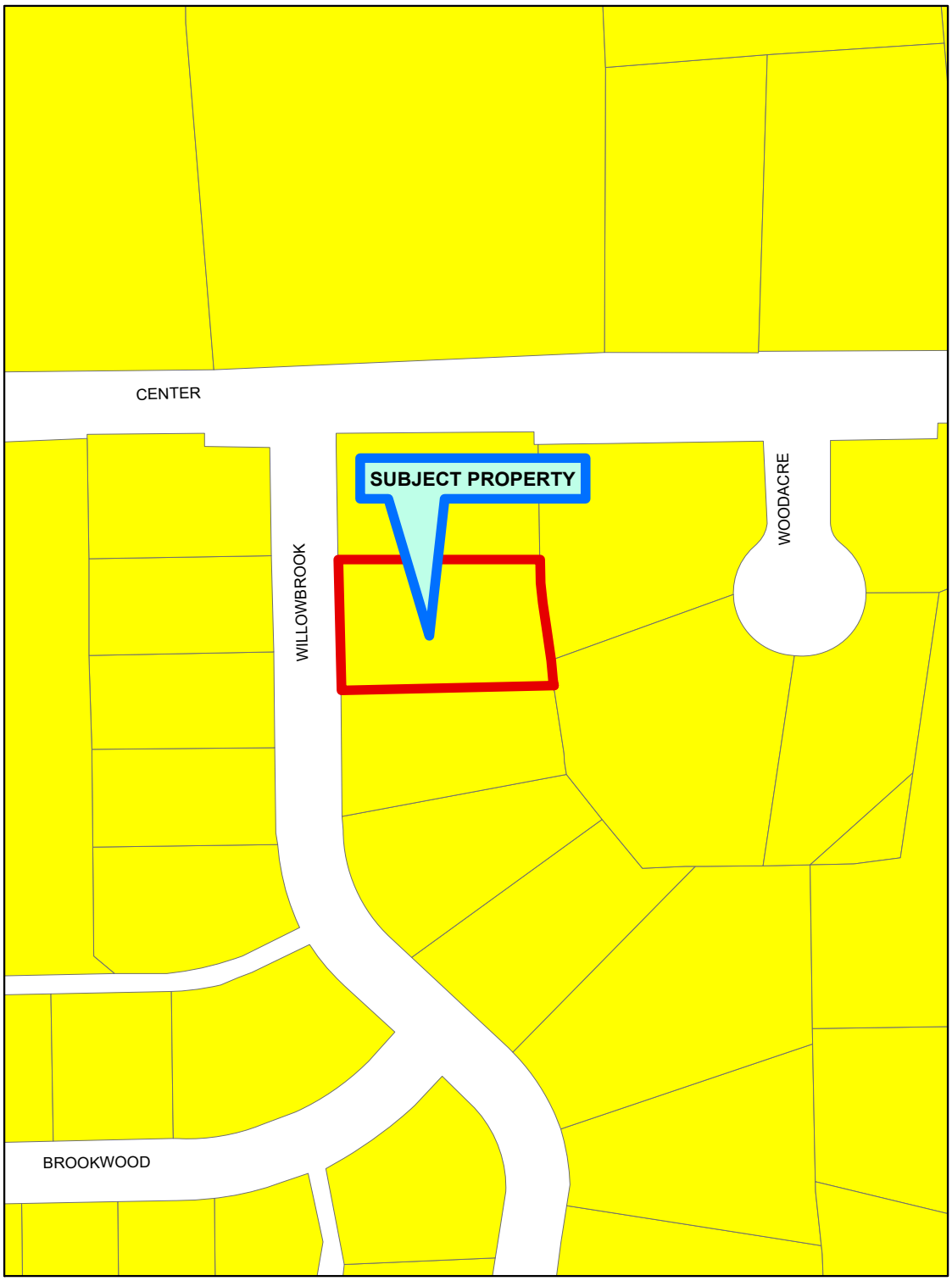
Jeremy Tennant,
Interim Secretary

Attachment 2

Duncanville
City of Champions

Proposed Zoning Change
Aerial Location
106 Willowbrook Drive

N
W E
S



Duncanville
City of Champions

Zoning Case 2022-11
SUP Request for
Short-Term Rental

N
W E
S

Attachment 3

2022-11

Duncanville
City of Champions

Public Works Department
Planning Division
203 E Wheatland Road
P.O. Box 380280
Duncanville, TX 75138
(972) 780-5015

ZONING CHANGE APPLICATION

CONTACT INFORMATION

Applicant/ Agent Scott Marks **Contact:** 214-536-2421

☐ **Engineer** ☐ **Architect** ☐ **Surveyor** ☑ **Owner** ☐ **Other**

Applicant/Agent Address: 106 Willowbrook Dr. **City:** Duncanville **State:** TX **Zip:** 75116

Agent Email: sdmarks@sbcglobal.net **Telephone:** 214-536-2421 **(Fax)** NA

Property Owner: Scott D. Marks Contact: 214-536-2421

Owner Address 106 Willowbrook Dr. City: Duncanville State: TX Zip: 75116

Owner Email: sdmarks@sbcglobal.net Telephone: 214-536-2421 (Fax) NA

REQUIRED

PROPERTY INFORMATION

Property Address: 106 W. Willowbrook Drive

Legal Description of Property: Merribrook Park Estates, Installment No. 2

Lot No. 2 Block No. J Acreage: .38 Existing Zoning District: R2.2

Ord. 1769

REQUIRED

REQUEST TYPE

☐ Specific Use Permit - Commercial
For _____

☑ Specific Use Permit - Residential
For Short-Term Rental Property

☐ Change in Zoning
From _____ To _____

☐ Planned Development (PD)
☐ Amend PD Approval
☐ Development Plan Approval
☐ Conceptual Plan Approval
☐ Alternative Compliance Request

REQUIRED

SUBMITTAL DOCUMENTS

ALL ZONING REQUESTS MUST CONTAIN THE FOLLOWING DOCUMENTATION

- ☐ Completed application
- ☐ Application fee
- ☐ Property survey, or site plan or electronic copy of the metes and bounds legal description Microsoft word format or plat
- ☐ Written description of request (associated variance requests require justification), business statement or business plan with detailed description of proposed operation
- ☐ Electronic copies of all submittals via email

REQUIRED

May 23 - P&Z
June 21 - CC

RECEIVED
04/14/22
LRomero

Acknowledgments

I understand that all required information and plans must be submitted with this application or the application be deemed incomplete.

I hereby authorize the placing of a sign on subject property indicating a zoning change is under consideration.

I understand the requirements of the zoning classifications as stated in the City of Duncanville Zoning Ordinance related to this request and will comply with all necessary requirements of the City codes. I am aware that the City Council has the power to zone land as most appropriate in their wisdom, to promote the health, safety, and morals and for the protection and preservation of places of historical or cultural importance, and the general welfare of the community.

I have read and understand this application and certify that all information and attachments are true and correct. I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the request described. Applicants (or a representative) are expected to be present at all public hearings concerning this application to justify and explain their request and to answer questions posed by the City Planning and Zoning Commission and City Council.

Signature of Current Property Owner

April 11, 2022
Date

Notarization

BEFORE ME, PAMELA S. OBERG, on this day personally appeared SCOTT D. MARKS, known to or proved to me on the oath of _____ or through TX DRIVER LICENSE (description of identity card or other document) to be the person(s) 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 11TH day of APRIL, 2022.

(Seal)

PAMELA S. OBERG
Notary Public, State of Texas
Comm. Expires 08-20-2024
Notary ID 132634513

Pamela S. Oberg
Notary Public in and for the State of Texas
My Commission Expires: 08/20/24

SUBMITTAL CHECKLIST

Specific Use Permit - Commercial

Please check if applicable

YES	N/A	
☐	☐	Written Letter with detailed description of proposed operation
☐	☐	Site Plan
☐	☐	Building Elevation and Signage Plan
☐	☐	Landscape Plan
☐	☐	Floor Plans
☐	☐	Other _____

Specific Use Permit - Residential

Please check if applicable

YES	N/A	
☑	☐	Written Letter of Intent with detailed description of request
☐	☑	HOA approval letter (if applicable)
☑	☐	Drawings, spec sheets, diagrams or other documents in electronic format (PDF)
☐	☑	Letter from owner (if applicant is not owner) and/or approval letter from HOA (if applicable)
☐	☐	Other _____

Planned Development

YES	N/A	
☐	☐	Written Letter with detailed description of proposed development with proposed conditions
☐	☐	Conceptual Plan

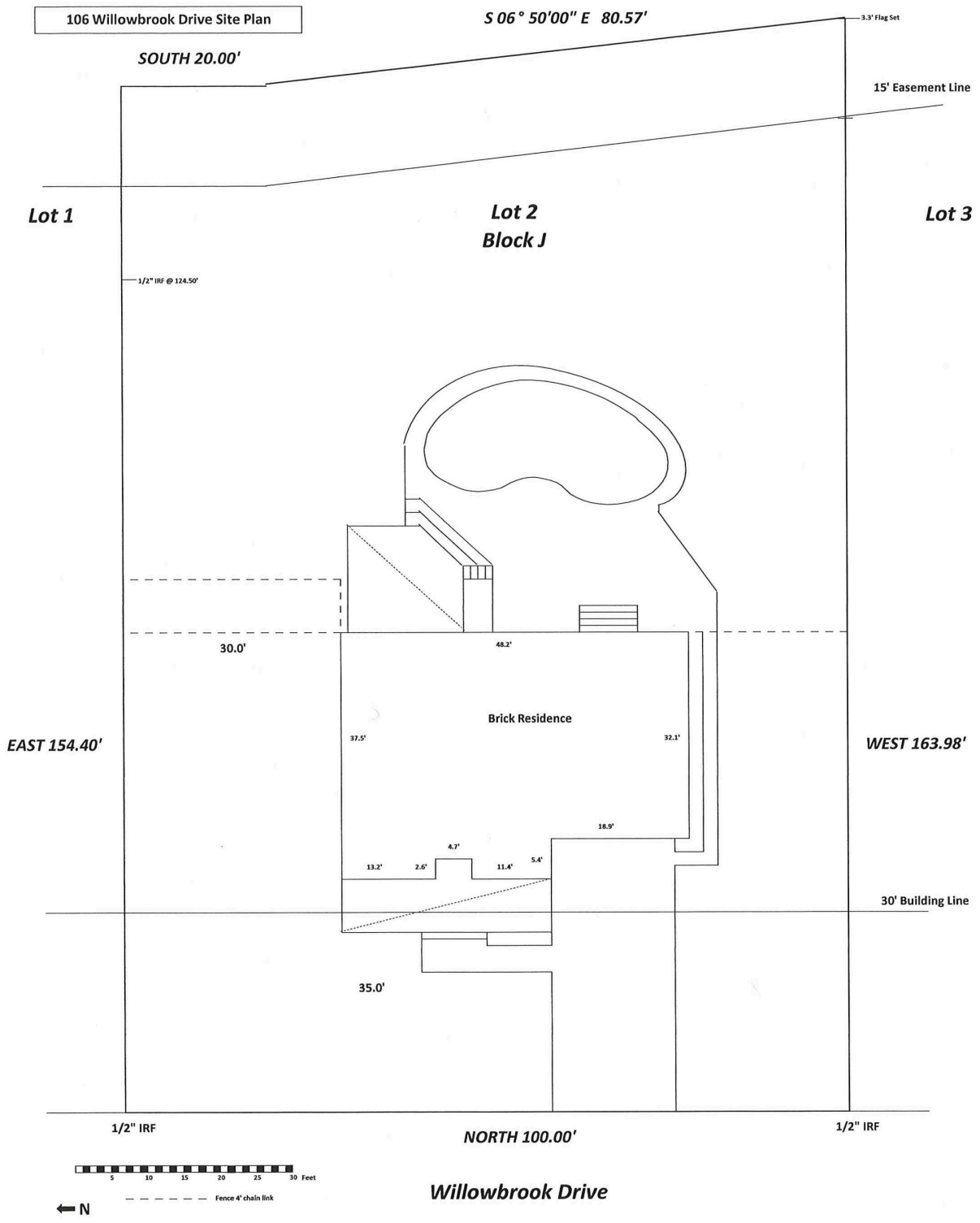
(The purpose of a Conceptual Plan is to provide a general layout of the proposed development prior to a more specific Development Plan being submitted. A Conceptual Plan shall be construed to be an illustration of the development concepts only and not an exact representation of the specific development proposed.)

☐ ☐ Development Plan with proposed PD Conditions

(The purpose of a Development Plan is to specifically illustrate the proposed location and arrangement of uses and structures, the relationship of such uses to base zoning districts, development phasing, planned public improvements, open space, proposed amenities and the overall design of the development. Development Plan shall be incorporated into the regulations of the PD ordinance, shall be construed in conjunction with the authorized uses and development standards set forth in such regulations, and shall be in general conformity with the approved Conceptual Plan for the PD (if applicable).

REQUIRED

Attachment 4


106 Willowbrook Drive Site Plan
S 06 ° 50'00" E 80.57'
3.3' Flag Set
SOUTH 20.00'
15' Easement Line
Lot 1
Lot 2
Block J
Lot 3
1/2" IRF @ 124.50'
30.0'
48.2'
Brick Residence
37.5'
32.1'
EAST 154.40'
WEST 163.98'
18.9'
4.7'
13.2'
2.6'
11.4'
5.4'
30' Building Line
35.0'
1/2" IRF
NORTH 100.00'
1/2" IRF
5 10 15 20 25 30 Feet
Fence 4' chain link
N
Willowbrook Drive

Attachment 5

Special Use Permit for Short-Term Rental Property

Merribrook Park Estates Installment No. 2, Block J, Lot 2

106 Willowbrook Drive, Duncanville, TX 75116-4508

My wife Carolyn and I are seeking to have a Special Use Permit (SUP) to allow our home to be a Short-term rental property. Our home is located at 106 Willowbrook Drive in Duncanville Texas and I have lived at this property since May of 2003. My wife Carolyn and I have lived there for over ten years since our marriage in 2011. We love the property; however, my mother-in-law's health has required that we spend most of our evenings at her house caring for her. She also lives in Duncanville on Green Terrace Lane, and we have transitioned to our new living arrangement in March of this year. Since we do not know the duration of our stay with my her, we want to keep open the option of fully moving back to our own house. In the meantime, we are seeking the income from the short-term rental of our home to allow for the upkeep, maintenance, and betterment of the property.

We are working to make sure that the property is in top condition and complies with all applicable city requirements for a short-term rental property. When we are not staying at our home at 106 Willowbrook, will be staying within five minutes of the property and will be in close contact with anyone seeking to rent the property. Therefore, we ask the city to allow us to rent our home to short term renters.

Thank you for your consideration,

Scott and Carolyn Marks

214.536.2421

Attachment 6

City of Duncanville Planning Division
Development Services
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878
(e) lromero@duncanville.com

May 11, 2022

Zoning File: 2022-11

Dear Property Owner:

Scott Marks, Applicant and Owner, is requesting approval of a Specific Use Permit to allow for the use of Short-Term Rental on Merribrook Park Estates Inst 2, Block J, Lot 2, more commonly known as 106 Willowbrook Drive, in the City of Duncanville, Dallas County, Texas.

Your property is NOT being rezoned. You have been sent this notice because you are within the required 200-foot notification area of property that is being considered for rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

The Planning and Zoning Commission will hold a public hearing on Monday, May 23, 2022, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, June 21, 2022, at 7:00 p.m., both in the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change. If you oppose the zoning change, however, the attached survey must be completed and returned by June 21, 2022, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary or to Jeremy Tennant, Interim Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email lromero@duncanville.com stating your position. You are encouraged to participate in the public hearing and offer comments.

Sincerely,

Jeremy Tennant

Jeremy Tennant
Interim Secretary, Planning and Zoning Commission

Enclosures

City of Duncanville Planning Division
Development Services
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878
(e) lromero@duncanville.com

Mayo 11, 2022

Archivo de zonificación: 2022-11

Estimado propietario:

Scott Marks, solicitante y propietario, está solicitando la aprobación de un Permiso de Uso Específico para permitir el uso de Alquileres a Corto Plazo en Merribrook Park Estates Inst 2, Block J, Lot 2, más comúnmente conocido como 106 Willowbrook Drive, en la ciudad de Duncanville, condado de Dallas, Texas.

Su propiedad NO está siendo rezonificada. Se le ha enviado este aviso porque se encuentra dentro del área de notificación requerida de 200 pies de la propiedad que se está considerando para la rezonificación para esta audiencia pública en particular. Consulte el mapa adjunto que indica qué propiedad se está rezonificando.

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 23 de Mayo de 2022, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 21 de Junio de 2022, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto. Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del 21 de Junio de 2022, para cumplir con los requisitos legales para una protesta formal por escrito.

Como ciudadano interesado, puede enviar comentarios públicos al Secretario de la Ciudad o a Jeremy Tennant, Secretario Interino de la Comisión de Planificación y Zonificación, P.O. Box 380280, Duncanville, Texas, 75138-0280 o enviar un correo electrónico lromero@duncanville.com indicando su posición. Se le anima a participar en la audiencia pública y ofrecer comentarios.

Sinceramente

Jeremy Tennant

Jeremy Tennant
Secretario Interino de la Comisión de Planificación y Zonificación

Recintos

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Development Services Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2022-11 Scott Marks, Applicant and Owner, are requesting approval of a Specific Use Permit (SUP) to allow for the use of Short-Term Rental on Merribrook Park Estates Inst 2, Block J, Lot 2, more commonly known as 106 Willowbrook Drive, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of Short-Term Rental.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, May 23, 2022, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, June 21, 2022, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by June 21, 2022, to fulfill legal requirements for a written formal protest.

Please check one:

_____ ***In favor*** *of granting the zoning request.*

_____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1).

2).

3).

Printed Name: _____ Address: _____

Signature: _____ Date: ___

El siguiente formulario puede ser llenado y enviado por correo a:

Planning and Zoning Commission
City of Duncanville
Attention: Departamento de Servicios de Desarollo
P.O. Box 380280
Duncanville, TX 75138-0280

Caso No. 2022-06 Scott Marks, Solicitante y Propietario, está solicitando la aprobación de un Permiso de Uso Específico (SUP) para permitir el uso de Alquiler a Corto Plazo en Merribrook Park Estates Inst 2, Block J, Lot 2, mas comúnmente conocido como 106 Willowbrook Drive, en la Cuidad de Duncanville, condado de Dallas, Texas. Esta es la primera de dos audiencias públicas que se han programado para recibir más información sobre el cambio de zonificación solicitado.

NOTA: El propósito de la solicitud es permitir el uso de alquiler a corto plazo.

Se le ha enviado este aviso ya que su propiedad está dentro del área de notificación de 200 pies de la propiedad que se solicita para un cambio de zonificación. **Su propiedad no está siendo rezonificada.**

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 23 de Mayo 2022, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 21 de Junio de 2022, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto.

Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del 21 de Junio de 2022, para cumplir con los requisitos legales para una protesta formal por escrito.

Por favor, marque uno:

_____ ***A favor*** de conceder la solicitud de *zonificación.*

_____ ***No a favor*** de otorgar la solicitud de *zonificación.*

Mis razones son las siguientes:

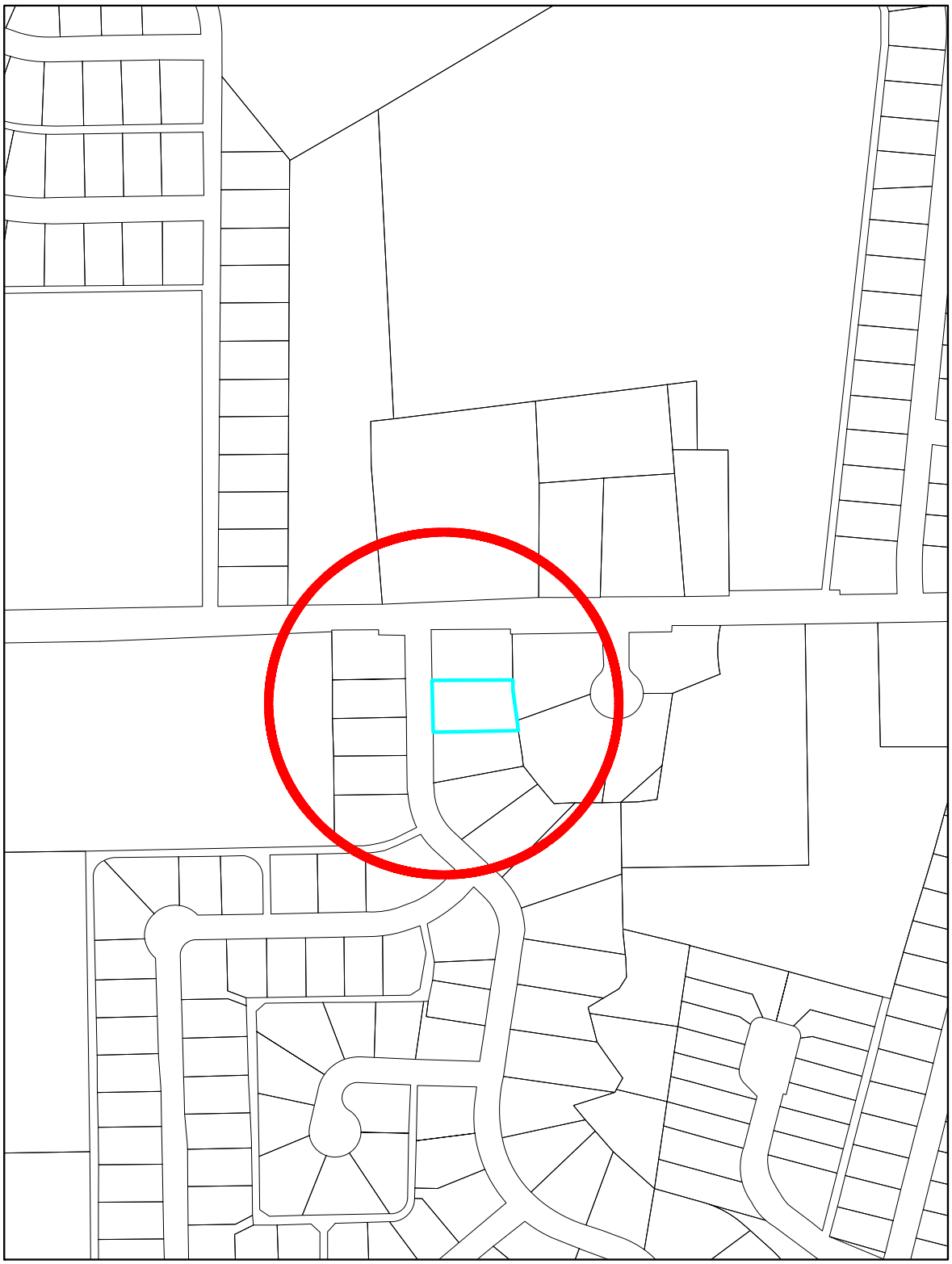
1).

2).

3).

Nombre impreso: _____ Dirección: _____

Firma: _____ Fecha: ___



From: Robert Maier
To: Lynette Romero
Subject: Zoning file 2022-11
Date: Monday, May 16, 2022 4:56:12 PM

I am strongly against the proposal to re-zone 106 Willowbrook to be an Airbnb. This is a quiet residential area with mostly retirees.

We already have problems at the intersection of Willowbrook and Center which gets jammed up with parents picking up and dropping off their kids from Hastings sometimes making it a one-way street.

Furthermore as we have seen in other areas Airbnb‘s get abused by people wanting to throw wild parties. The house next-door was a rental and their parties had people parked all the way down the street and leaving beer bottles in our yards .

Robert Maier
202 Willowbrook Dr.
817-261-6646

RECEIVED 05. 23. 2022

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Development Services Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2022-11 Scott Marks, Applicant and Owner, are requesting approval of a Specific Use Permit (SUP) to allow for the use of Short-Term Rental on Merribrook Park Estates Inst 2, Block J, Lot 2, more commonly known as 106 Willowbrook Drive, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

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If you oppose the zoning change, however, the attached survey must be completed and returned by June 21, 2022, to fulfill legal requirements for a written formal protest.

Please check one:

____ ***In favor*** *of granting the zoning request.*

X ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1). Too much noise

2). too much traffic

3). too much trash

Printed Name: Eileen Vogel

Address: 206 W. Willowbrook Dr.

Signature: [signature]

Date: 5/20/22

Miss Eileen D. Vogel
206 Willowbrook Dr.
Duncanville, TX 75116

NORTH TEXAS TX P&DC
DALLAS TX 750
20 MAY 2022 PM 3 L

Forever SA

Planning & Zoning Commission
City of Duncanville
Attn: Development Services Dept.
PO Box 380280
Duncanville, TX 75138-0280

75138-028080

RECEIVED 05.20.2022

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Development Services Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2022-11 Scott Marks, Applicant and Owner, are requesting approval of a Specific Use Permit (SUP) to allow for the use of Short-Term Rental on Merribrook Park Estates Inst 2, Block J, Lot 2, more commonly known as 106 Willowbrook Drive, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of Short-Term Rental.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, May 23, 2022, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, June 21, 2022, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by June 21, 2022, to fulfill legal requirements for a written formal protest.

Please check one:

_____ ***In favor*** *of granting the zoning request.*

__✓__ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1). It brings different elements into the area! Mostly bad!

2). Lowers property costs. (value)

3).

Printed Name: Peggy Whigham Address: 118 Willowbrook

Signature: Peggy Whigham Date: 5-16-22

gj Foorman

PEGGY WHIGHAM
118 WILLOWBROOK DR.
DUNCANVILLE, TX 75116

NORTH TEXAS TX P&DC
DALLAS TX 750
19 MAY 2022 PM 5 L

Planning & Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, Tx. 75138-0280

Attn: Development Services Dept.

75138-028080

Attachment 7

REDEEMED CHRISTIAN CHURCH OF GOD
515 W CENTER ST
DUNCANVILLE, TEXAS 751163211

NELSON CHARLES JOSEPH &
119 WILLOWBROOK DR
DUNCANVILLE, TEXAS 751164507

ALVAREZ MONICA &
115 WILLOWBROOK DR
DUNCANVILLE, TEXAS 751164507

MCCOMB BARBARA J & PAUL F
111 WILLOWBROOK DR
DUNCANVILLE, TEXAS 751164507

METCALFE LYDIA O & DAVID
2807 PARK ST
ENNIS, TEXAS 751197656

MENDOZA MARTIN & GRISELDA
103 WILLOWBROOK DR
DUNCANVILLE, TEXAS 751164507

MAIER ROBERT B
202 WILLOWBROOK DR
DUNCANVILLE, TEXAS 751164510

MOORMAN PEGGY LYNN
118 WILLOWBROOK DR
DUNCANVILLE, TEXAS 751164508

CRAWFORD WILLIE JR
114 WILLOWBROOK DR
DUNCANVILLE, TEXAS 751164508

MATA ARTURO
110 WILLOWBROOK DR
DUNCANVILLE, TEXAS 751164508

MARKS SCOTT D
106 WILLOWBROOK DR
DUNCANVILLE, TEXAS 751164508

ROBERTSON BRENDA
102 WILLOWBROOK DR
DUNCANVILLE, TEXAS 751164508

EVANS ORRIN CHAD
103 WOODACRE CIR
DUNCANVILLE, TEXAS 751164501

CONELLEY TIMOTHY PATRICK &
111 WOODACRE CIR
DUNCANVILLE, TEXAS 751164501

REQUENA FRANCICO JR & MAIRA A
106 WOODACRE CIR
DUNCANVILLE, TEXAS 751164501

BROCE DAMARIS E
509 W CENTER ST
DUNCANVILLE, TEXAS 751163211

ROURK ALLAN A
511 W CENTER ST
DUNCANVILLE, TEXAS 751163211

DUNCANVILLE I S D
710 S CEDAR RIDGE DR
DUNCANVILLE, TEXAS 751372204

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PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
203 E WHEATLAND ROAD
MONDAY, MAY 23, 2022 @ 7:00 P.M.

A meeting for the Planning and Zoning Commission was held on Monday, May 23, 2022, at 7:00 p.m. with the following present:

Planning and Zoning Commission Members:

Betty Culbreath	Chairman	
Elias Rodriguez	Vice-Chairman	
Eric Pena	Commissioner	
Jana McBroom	Commissioner	Excused Absence
Javar Avery	Commissioner	
Edward Stith	Commissioner	

Staff present:
Jeremy Tennant, Interim Planning Secretary
Lynette Romero, Planning Technician

Item No. 1 – Call to Order.

The meeting was called to order at 7:00 p.m. by Chairman Culbreath.

Item No. 2 – Receive Public Comments

No public comments were received.

Item No. 3 – Approval of meeting minutes for the regular meeting on May 9, 2022.

Commissioner Avery made a motion as seconded by Commissioner Pena to approve the minutes. The vote was unanimous 5-0 in favor with Commissioner McBroom absent.

Item No. 4 – Conduct a public hearing (2022-12) for consideration and action regarding the request of Eric and Joanna Banda, Applicant, representing Monte Anderson of Main Commons Duncanville, Owner, to include a Specific Use Permit "SUP" for Self-Serve Pet Grooming Shop on Main Commons, Block 3, Lot 1AACS 0.617, more commonly known as 100 North Main Street, Duncanville, Dallas County, Texas.

The applicants, Eric and Joanna Banda, were present. The applicants passed out packets to all Commissioners. The packet contained information regarding their proposed business such as: what a DIY dog wash is, the equipment used, proposed floor plan and ideal customer check out. Mr. Banda spoke in favor of the request. He explained what a DIY dog wash is. Mr. Banda also mentioned the need for a DIY dog wash. He stated that there are only a couple in the surrounding area. He also spoke about the services offered and equipment used on pets. He stated that he anticipates most customers taking 30

Unapproved

minutes or less. He expects that the quick in and out will not be an issue for parking or overload of customers.

Commissioner Rodriguez asked the applicants what the hours of operation will be. Mr. Rodriguez stated his hours of operation will be 10 am to 7pm, Monday thru Saturday. Commissioner Rodriguez asked if Mr. Banda is currently going through the permitting process. Mr. Banda States yes. Mr. Tennant interrupted and stated that the applicants are not going through the permitting process. He stated that they will go through the process once and if the SUP request is approved by City Council.

Commissioner Avery asked the applicants if there are any sanitary requirements. Mr. Banda answered Commissioner Avery stating that there are certain products that can be used that are safe for pets. He stated that he will be using pet friendly sanitation products and that this will be a requirement for his business. Commissioner Avery asked about how the flow of customers will be handled with only a couple of stations. Mr. Banda stated that in most cases stations will be ready for use as soon as customers walk in and that the stations will be cleaned immediately after customer use.

Chairman Culbreath stated that there are state regulations, and that she is sure Permitting staff will notify the applicants once they go through the certificate of occupancy process.

Mr. Tennant presented background information regarding the proposed request for SUP

Commissioner Culbreath opened the floor for public comments.

Only one citizen public comment card was received for this item.

Mary Nance Maza, resident of 206 North Hastings Street, spoke in favor the request. Miss Maza stated that she travels far to take her pets to be groomed and believes that having this establishment nearby would be great for all. She stated that she believes the prospective business is much needed. She also stated that she does have a concern about trash. She stated that the current management over this property does not take responsibility for monitoring the overflow of trash. She asked that if the request be approved that the applicants take responsibility of keeping their property clean.

Commissioner Rodriguez made a motion as seconded by Commissioner Elias to approve the request for SUP. The vote was 5-0 in favor, with Commissioner McBroom absent.

Item No. 5 – Conduct a public hearing (2022-11) for consideration and action regarding the request of Scott Marks, Applicant and Owner, to include a Specific Use Permit “SUP” for Short-Term Rental on Merribrook Park Estates Inst 2, Block J, Lot 2, more commonly known as 106 Willowbrook Drive, Duncanville, Dallas County, Texas.

Mr. Tennant presented background information regarding the proposed request for SUP.

Applicant, Scott Marks, and his wife, Carolyn Marks, were present. Mr. Marks spoke in favor of the request.

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Mr. Marks stated that he has lived in Duncanville for 19 years. He stated that his current living situation is that he and his wife stay part-time at their residence and part-time with his mother-in-law who lives in Duncanville. Mr. Marks stated that his mother-in-law is elderly and needs help from time to time, and operating a short-term rental works best for them with their current living situation. Mr. Marks also spoke about his property. He stated that his property currently has security cameras, has four parking spaces for guests, and has five bedrooms and four bathrooms. Mr. Marks stated that he does restrict his guests from parking on the street and only allows up to 10 people in the home. He further stated that when the house is being rented, he and his wife stay at his mother-in-law's home until the guests leave.

Commissioner Pena asked about the number of rooms and if rooms are being rented out individually or if the entire home is being rented out. Mr. Marks replied to Commissioner Pena stating that the house has a total of five bedrooms and that the entire dwelling is rented out at one time. Commissioner Pena asked if he had ever operated a short-term rental before. Mr. Marks stated no. Commissioner Pena asked how far he stays when the property is being rented. Mr. Marks stated that he stays three minutes away. Commissioner Pena also asked about whether security cameras are on the property and if the swimming pool in the backyard is fenced off according to code. Mr. Marks stated that he has security cameras at the door, one on each side of the property and one located on the back deck. Mr. Marks also stated that he currently has a 4' fence but will eventually be replacing it with a 6' wood fence.

Commissioner Rodriguez asked for clarification on whether the property will be rented out room by room or the entire property at one time. Mr. Marks stated that the home will be rented out entirely at one time.

Chairman Culbreath commented that Mr. Marks will still have a homestead exemption but will be utilizing his home as a short-term rental. Mr. Marks stated yes in agreeance with Chairman Culbreath's comment towards the Commission. He stated at this time he is unsure about what will happen with his mother-in-law, and he and his wife do not want to give up their home.

Chairman Culbreath opened the floor for public comments.

Robert Maier of 202 Willowbrook Drive spoke in opposition of the request. Mr. Maier stated that when Mr. Tenant made his presentation it was stated that only one response was received, but that he, his wife, and neighbors sent in letters as well.

Chairman Culbreath stated that everything received is accounted for, and it may be that we had not received their letters yet, but that if those people are present, they may speak on the request.

Mr. Maier went on to speak in opposition of the request.

Mr. Maier began by stating that he had lived in the neighborhood for twenty-one years. He spoke about a block party that occurred a years ago, and the issues that occurred during this block party. He stated that there were cars parked along the street, loud music playing all night, and an accumulation of trash throughout the neighborhood. He stated that a short-term rental will allow for the same groups of people to enter the neighborhood. Mr. Maier stated that the neighborhood already has parking problems with parents blocking the streets when picking up their children from the school nearby. He stated that he believes the Marks will not make much income by renting just on the weekends. He also stated that he is

Unapproved

a landlord and requires his tenants undergo background checks. He stated that he is concerned about the type of people Airbnb will send, how short-term rentals will affect property values and property taxes, and how effective the regulations are for short-term rentals. He stated he did not understand why the Marks want to operate a short-term rental in Duncanville but could understand if the home was near venues such as American Airlines Center or Cowboys Stadium. He also mentioned a murder that took place in the apartment complex near his neighborhood several weeks ago. He stated that short-term rentals may raise the already high crime rate in the neighborhood.

Kathy Lewis of 202 Willowbrook Drive spoke in opposition of the request.

Miss Lewis stated that she agrees with her husband, Robert Maier. She stated that they do not want an Airbnb in her neighborhood because they do not want people coming and going frequently, strangers in the neighborhood and parties happening. She stated that the fact that the property has a swimming pool is very troubling especially for the summer. She stated that having the swimming pool will lead to young kids having parties, trashing the neighborhood, and playing loud music. She stated that she has seen this happen and does not want it on their street.

Chairman Culbreath asked Miss Lewis where these parties have happened before. Miss Lewis responded by stating that it has happened in other neighborhoods she has been in and a couple of streets down in her neighborhood. She stated that this was the party house her husband had mentioned when he spoke. Chairman Culbreath asked Miss Lewis if these houses were short-term rentals. Miss Lewis stated that she was unsure.

Peggy Whigham of 1118 Willowbrook spoke in opposition of the request.

Miss Whigham stated that she has lived in Duncanville for 60 years. She stated that the neighborhood has always been quiet. She stated that the party house Mr. Maier and Miss Lewis spoke of was a rental house, and that the people that lived there destroyed the house before moving out. She also stated that she has one friend in Georgia and one friend in Montana that have been to an Airbnb, and each have stated they are fantastic, but that she, like Mr. Maier, wonders why the Marks want to operate in Duncanville. She asked what our attraction is, and what would attract people to a quiet, residential street in Duncanville. She stated that Duncanville does not have a true attraction that would cause anyone to rent a short-term rental in Duncanville. She also stated that she believes the short-term rental would only cause problems for her neighborhood.

Chairman Culbreath informed the audience that there was a market data completed in the past. She stated that there were no regulations adopted for short-term rentals until recently, and that many of those who are coming forward now, are people who have been successfully operating short-term rentals in Duncanville for many years. She stated that the market data completed shows that one of the reasons Duncanville has become so attractive for Airbnb is because employers, mainly tech industries, find it financially feasible to rent an Airbnb for their employees versus a hotel room.

The applicant, Mr. Marks, answered his neighbors' concerns regarding his operation. He stated that he agreed with his neighbors regarding concerns of a party house and that he appreciates that the City has set limits for short-term rentals. He stated that he has security cameras on the property to keep an eye on everything and that he is close enough to the property to be there quickly if anything occurs. He stated

Unapproved

Duncanville is only twenty minutes away from the Entertainment District in Arlington and Downton Dallas and believes that Duncanville is situated perfectly from everything. He stated that any family wanting time to relax can do so but can also explore surrounding entertainment areas in the DFW metroplex. He stated his property has everything a family would need for a great vacation. He also stated that he does understand that there are some issues that have gone on with some of the rentals in the City. He stated he is unsure if the property will continue as a short-term rental because he does not know what may happen with his mother-in-law's health. He and his wife may consider the option for renting long-term incase he and his wife are needed full-time to take care of his mother-in-law.

Commissioner Pena asked Mr. Marks what his target demographic is and if he intends to be renting constantly. Mr. Marks answered by stating that he is unsure what will happen. He does not know if he will move in permanently with his mother-in-law or if his mother-in-law will be moving to a long-term healthcare facility. He stated that at this moment the short-term rental is what works best for him and his wife. He stated that his target demographic are families and traveling nurses. He stated that his home is not a party house.

Commissioner Avery asked Mr. Marks about his living situation. Mr. Marks stated that he lives with his mother-in-law part time but does return to his home. He stated that there are people who help by taking care of his mother-in-law at times, but he also takes care of her as well. Commissioner Avery stated that he wanted Mr. Marks to understand his stance on short-term rentals. He stated that he believes that the City of Duncanville is a bedroom community and that an Airbnb does not fit within the City of Duncanville. He stated that he sees hotels within the city mostly vacant and believes that it would be best for long-term rentals to be within the city verses short-term rentals. He stated he does not have anything against Airbnb but does not see it fitting in with the community. Commissioner Avery also stated that if it were him booking a five-bedroom Airbnb with a swimming pool, that it would not be him and his wife only, he would be inviting groups over to have a good time.

Chairman Culbreath made some comments to the audience. She stated that there is a difference between younger people and older people. She stated that her age group prefers to rent a home than rent a hotel. She stated that her age group does not necessarily search for an Airbnb, but just a home to rent. She stated that they have never destroyed the homes they have stayed at or leave trash on the property. She stated that unlike the younger age group, her and her companions like to enjoy the surrounding area and explore the cities they are staying in and leave the homes cleaner than when they arrived. She stated the younger people are usually those who destroy the short-term rentals. She stated she wanted to make it clear to all that not everyone who rents an Airbnb is renting it to throw a party.

Commissioner Avery made a motion as seconded by Commissioner Stith to deny the request for SUP. The vote was 3-2 in opposition with Chairman Culbreath and Commissioner Pena in favor and with Commissioner McBroom absent.

Item No. 6 – Conduct a public hearing (2022-13) for consideration and action regarding the request of Caroline Carlson, Applicant and Owner, to include a Specific Use Permit "SUP" for Short-Term Rental on Irwin Keasler Dev Red Bird 4, Block 16, Lot 25, more commonly known as 710 Markwood Drive, Duncanville, Dallas County, Texas.

Mr. Tennant presented background information on the request for SUP.

Unapproved

Nathaniel Rosendall, husband of Caroline Carlson, the applicant, represented his wife, and spoke in favor of the request.

Mr. Rosendall spoke about the property. He stated that his wife purchased the property in 2017 and had been living there with other roommates until she moved out earlier this year. He stated his wife moved out after they got married a couple of months ago. He stated that since operating, no complaints have been received regarding the room rentals, and that he and his wife have strict policies for their rental home. He stated that they want to make their rental home a safe, welcoming place for tenants to live long term and be a part of the community. He stated he was at the meeting to obtain approval for the one room they rent out as short-term. He stated all other people in the home have been renting long-term and have been living on the property for many years now. He stated they have four tenants living on the property that are teachers, night nurses, social workers, and close friends. He stated that the house is a five-bedroom home with enough parking for five vehicles and extra space in the garage. He stated that if his request is denied, they will be forced to evict all current tenants and rent out the entire home. He stated that they will not be able to maintain the property the way they have been if the property is turned into a long-term rental. He stated that their tenants enjoy living in Duncanville because it is a peaceful, quiet place to live. He stated that him and his wife provide safe, affordable housing for residents. He also stated that they have been posting their own signs and trying to make their neighborhood aware of what they are doing.

Commissioner Rodriguez asked Mr. Rosendall what is the longest a room has been occupied and what is the shortest. Mr. Rosendall stated that there are two tenants who have been residing there since 2017, and the shortest tenant they had was for several weeks. Mr. Rosendall stated that all rooms are long-term rental, but one, and that he is having to request an SUP because his property does not fall under either one.

Commissioner Avery asked Mr. Tennant if he could help the Commission understand what Mr. Rosendall had stated.

Mr. Tenant stated that the case being presented is a unique one. He stated that there are four rooms that fall into the long-term rental registration program, but one room falls into the short-term rental registration program. He stated that due to the one room being a short-term rental, the applicant is having to go through zoning.

Commissioner Avery asked Mr. Tennant if the applicant is in compliance with all the other room rentals.

Mr. Tennant stated that the applicant is not in compliance at this moment. He stated that if the applicant's request is approved, the SUP will cover the entire home.

Commissioner Avery asked Mr. Rosendall if he was here for just the one room considered short-term rental. Mr. Rosendall stated that he has had correspondence with the previous City Planner, when he began inquiring about the one short-term rental. He was informed that because of the one room considered short-term that he would need to undergo the short-term rental process for the entire dwelling.

Unapproved

Commissioner Avery asked Mr. Tennant for clarification once more.

Mr. Tennant stated that this case is considered a unique one because only one bedroom is short-term and the remaining bedrooms are long-term. He stated that if all rooms were long-term rental, then there would be no reason to be presenting this case and the applicant would only need to apply under the long-term rental registration.

Commissioner Avery asked Mr. Rosendall if he was present only to require an SUP for the one room. Mr. Rosendall yes, and that the previous City Planner led him to believe that because of the one room that is short-term rental that the entire residence would need to go through the short-term rental program. He stated the room that is considered short-term rental is only rented once or twice a year.

Commissioner Avery asked Mr. Tennant for clarification again.

Mr. Tennant stated that there has been a transition in City Planners, and that each Planner interprets differently. He requested that the Commission grant a deferral so that he could have more time to review over each ordinance.

Chairman Culbreath made some comments. She stated that this is a typical example of our government. She stated some may tell a lie and be in compliance and others may tell the truth and not be in compliance. She stated a resident would need to never mention the words short-term rental, and there would be no problem. She stated that one case should not trigger all four cases to be null and void, and that this drastic action should not happen as a result of one thing happening to Mr. Rosendall. She stated she knows that something was miscommunicated due to his willingness to go through this process. She asked Mr. Tennant if he wanted the commission to revalue the case and come back. She stated that the applicant seems willing to go through the process, and that she understands his willingness because having the SUP may be more beneficial to him incase things change for him. She stated that she believes it is up to the applicant on whether the deferral should be made.

Mr. Rosendall quoted an email from Lynette Romero, Planning Technician. He stated that the email stated “yes, the long-term guests will fall under the short-term rental registration program as well”. He stated during this time he knows the ordinance had recently passed and many things such as the forms and applications were being worked on during this time. He stated he and his wife enjoy the model of room rental. He stated that this is affordable for his tenants, and he charges rent that most would not be able to find anywhere else. He states that he and his wife provide safe, reliable housing for residents, and are unsure if they should stay in Duncanville or look for another location. He stated their decision will be based off the City’s decision.

Chairman Culbreath opened the floor for public comments.

Ruth Carlson of 822 Sherrill Boulevard, spoke in favor of the request. She stated that the applicants do a wonderful job of providing a comfortable residence for people such as teachers, medical workers, and contract workers. She stated that in her experience, she knows that some people have a difficult time finding an affordable place to live. She stated that the people who come to stay are here to work and not explore the city. They are busy working, not partying. She believes that the applicant is

Unapproved

providing a great service to the City of Duncanville.

Evelyn Kirby of 710 Markwood Drive spoke in favor of the request. She stated that she is one of the long-term tenants that live on the property. She stated that she looked many places before moving in. She stated that it is affordable, and she feels safer in a home than in a house. She stated that her experience sharing a home has been a good one so far. She also stated that she also cleans for Airbnb, and it has provided her with a good source of income.

Mr. Rosendall thanked the commission and staff for their time and for helping him and his wife understand this new ordinance and providing guidance as well.

Commissioner Pena asked Mr. Rosendall if he intends to operate more rentals in the future.

Chairman Culbreath interrupted and stated that state law prohibits the commission to ask questions regarding future financial means.

Mr. Rosendall stated the in the interest of transparency, he would answer Commissioner Pena's question. He stated that the rental house has been a blessing for many, and he is only going through this process because he and his wife have been informed that they must go through this process, but that they do not intends to operate more rentals.

Commissioner Pena commented to Mr. Rosendall that he appreciates his honesty and that he only asked the question because he likes to base his decision case by case and did not realize that it was not allowed to ask this question.

Commissioner Rodriguez commented that the Commission is responsible for such things as participating in updating the Comprehensive Plan, being present at open public meetings, and entertaining citizen and public input. He stated that maybe staff made an error in communicating the process and ordinance to him, but that he can only make his decision based off what he is presented and based off what is in the best interest of the City. He encouraged Mr. Rosendall to attend future meetings. He stated that he believes that his opinion on certain topics likes rentals could bring more insight into Planning.

Chairman Culbreath stated that she complimented the applicant for communicating with the community prior to the meeting. She stated that perhaps when looking into updating the Comprehensive Plan that the definition of Airbnb needs to be considered.

Commissioner Avery made some comments. He stated he was quite confused about what was going on and was confused about the ordinance as well.

Chairman Culbreath attempted to provide some clarification to Commissioner Avery. She stated that the ordinance it is not broken out. She stated there is criteria for short-term rentals and long-term rentals.
A woman in the audience spoke out loudly. She asked Chairman Culbreath if she wanted to see the ordinance. Chairman Culbreath stated she knows what the ordinance states. The woman tried to

Unapproved

continue speaking. Chairman Culbreath interrupted the woman and stated that if she has something to state to state it after the meeting, and that she cannot be hollering from the audience when she is trying to explain something to her colleague. She stated that there is a difference between the short term and long term. The woman stated that she understands but the ordinance states different. Miss Culbreath informed her to check with the ordinance writer then.

Commissioner Rodriguez made some comments. He stated that he understands that there may be some confusion about how this ordinance was written, executed, interpreted, and relayed to the applicant. He stated that he believes this is a very premature ordinance that may have some holes that need to be filled. He stated that the transparency is justifiable. He stated he does not care for Airbnb himself, but he believes this case is unique. He stated that this is the first time that the commission sat long going back and forth about a case.

Commissioner Rodriguez made a motion to approve the request.

Commissioner Avery interrupted and sated that he does not believe a decision should be made. Chairman Culbreath stated that it could be discussed after the vote.

Commissioner Pena seconded the motion made by commissioner Rodriguez to approve the request.

Commissioner Avery stated that he believes the case should be deferred until clarification is received.

Chairman Culbreath made some comments. She stated she has been involved in zoning for over 20 years and knows that not all ordinances are written perfectly. She stated it is quite discerning when you witness government action causing adversity among the community. She stated that what is within the ordinance and what it is meant for has been distorted. She stated the commission has seen neighbors speak negatively about one another and accuse each other of things that they think may happen. She stated it is difficult to be in such as setting and not be personally affected by the tone of one person verbally abusing another. She apologized to the audience for getting emotional.

The commission continued to vote. Commissioner Rodriguez made the motion to approve the request earlier in the meeting. The motion was seconded by Commissioner Pena. The vote was 3-2 in favor with Commissioner Stith and Commissioner Avery in opposition and commissioner McBroom absent.

Item No. 7 – Continue discussion pertaining to the five-year Comprehensive Plan update. Discuss incorporating new areas of interest within the area maps – Wheatland Plaza.

Mr. Tennant left the discussion to Commissioner Avery.

Commissioner Avery stated that he had been in contact with the school board and is waiting to have a meeting with the super intendent to discuss the proposal of purchasing the Duncanville ISD Service Center to incorporate it into the Downtown District.

Item No. 8 – The meeting adjourned at 8:28 p.m.

Unapproved

_____
Jeremy Tennant, Director of Planning and Neighborhood Services

_____
Betty Culbreath, Chairman

Unapproved

Attachment 7

PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
203 E WHEATLAND ROAD
MONDAY, MAY 23, 2022 @ 7:00 P.M.

A meeting for the Planning and Zoning Commission was held on Monday, May 23, 2022, at 7:00 p.m. with the following present:

Planning and Zoning Commission Members:

Betty Culbreath	Chairman	
Elias Rodriguez	Vice-Chairman	
Eric Pena	Commissioner	
Jana McBroom	Commissioner	Excused Absence
Javar Avery	Commissioner	
Edward Stith	Commissioner	

Staff present:
Jeremy Tennant, Interim Planning Secretary
Lynette Romero, Planning Technician

Item No. 1 – Call to Order.

The meeting was called to order at 7:00 p.m. by Chairman Culbreath.

Item No. 2 – Receive Public Comments

No public comments were received.

Item No. 3 – Approval of meeting minutes for the regular meeting on May 9, 2022.

Commissioner Avery made a motion as seconded by Commissioner Pena to approve the minutes. The vote was unanimous 5-0 in favor with Commissioner McBroom absent.

Item No. 4 – Conduct a public hearing (2022-12) for consideration and action regarding the request of Eric and Joanna Banda, Applicant, representing Monte Anderson of Main Commons Duncanville, Owner, to include a Specific Use Permit "SUP" for Self-Serve Pet Grooming Shop on Main Commons, Block 3, Lot 1AACS 0.617, more commonly known as 100 North Main Street, Duncanville, Dallas County, Texas.

The applicants, Eric and Joanna Banda, were present. The applicants passed out packets to all Commissioners. The packet contained information regarding their proposed business such as: what a DIY dog wash is, the equipment used, proposed floor plan and ideal customer check out. Mr. Banda spoke in favor of the request. He explained what a DIY dog wash is. Mr. Banda also mentioned the need for a DIY dog wash. He stated that there are only a couple in the surrounding area. He also spoke about the services offered and equipment used on pets. He stated that he anticipates most customers taking 30

Unapproved

minutes or less. He expects that the quick in and out will not be an issue for parking or overload of customers.

Commissioner Rodriguez asked the applicants what the hours of operation will be. Mr. Rodriguez stated his hours of operation will be 10 am to 7pm, Monday thru Saturday. Commissioner Rodriguez asked if Mr. Banda is currently going through the permitting process. Mr. Banda States yes. Mr. Tennant interrupted and stated that the applicants are not going through the permitting process. He stated that they will go through the process once and if the SUP request is approved by City Council.

Commissioner Avery asked the applicants if there are any sanitary requirements. Mr. Banda answered Commissioner Avery stating that there are certain products that can be used that are safe for pets. He stated that he will be using pet friendly sanitation products and that this will be a requirement for his business. Commissioner Avery asked about how the flow of customers will be handled with only a couple of stations. Mr. Banda stated that in most cases stations will be ready for use as soon as customers walk in and that the stations will be cleaned immediately after customer use.

Chairman Culbreath stated that there are state regulations, and that she is sure Permitting staff will notify the applicants once they go through the certificate of occupancy process.

Mr. Tennant presented background information regarding the proposed request for SUP

Commissioner Culbreath opened the floor for public comments.

Only one citizen public comment card was received for this item.

Mary Nance Maza, resident of 206 North Hastings Street, spoke in favor the request. Miss Maza stated that she travels far to take her pets to be groomed and believes that having this establishment nearby would be great for all. She stated that she believes the prospective business is much needed. She also stated that she does have a concern about trash. She stated that the current management over this property does not take responsibility for monitoring the overflow of trash. She asked that if the request be approved that the applicants take responsibility of keeping their property clean.

Commissioner Rodriguez made a motion as seconded by Commissioner Elias to approve the request for SUP. The vote was 5-0 in favor, with Commissioner McBroom absent.

Item No. 5 – Conduct a public hearing (2022-11) for consideration and action regarding the request of Scott Marks, Applicant and Owner, to include a Specific Use Permit “SUP” for Short-Term Rental on Merribrook Park Estates Inst 2, Block J, Lot 2, more commonly known as 106 Willowbrook Drive, Duncanville, Dallas County, Texas.

Mr. Tennant presented background information regarding the proposed request for SUP.

Applicant, Scott Marks, and his wife, Carolyn Marks, were present. Mr. Marks spoke in favor of the request.

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Mr. Marks stated that he has lived in Duncanville for 19 years. He stated that his current living situation is that he and his wife stay part-time at their residence and part-time with his mother-in-law who lives in Duncanville. Mr. Marks stated that his mother-in-law is elderly and needs help from time to time, and operating a short-term rental works best for them with their current living situation. Mr. Marks also spoke about his property. He stated that his property currently has security cameras, has four parking spaces for guests, and has five bedrooms and four bathrooms. Mr. Marks stated that he does restrict his guests from parking on the street and only allows up to 10 people in the home. He further stated that when the house is being rented, he and his wife stay at his mother-in-law's home until the guests leave.

Commissioner Pena asked about the number of rooms and if rooms are being rented out individually or if the entire home is being rented out. Mr. Marks replied to Commissioner Pena stating that the house has a total of five bedrooms and that the entire dwelling is rented out at one time. Commissioner Pena asked if he had ever operated a short-term rental before. Mr. Marks stated no. Commissioner Pena asked how far he stays when the property is being rented. Mr. Marks stated that he stays three minutes away. Commissioner Pena also asked about whether security cameras are on the property and if the swimming pool in the backyard is fenced off according to code. Mr. Marks stated that he has security cameras at the door, one on each side of the property and one located on the back deck. Mr. Marks also stated that he currently has a 4' fence but will eventually be replacing it with a 6' wood fence.

Commissioner Rodriguez asked for clarification on whether the property will be rented out room by room or the entire property at one time. Mr. Marks stated that the home will be rented out entirely at one time.

Chairman Culbreath commented that Mr. Marks will still have a homestead exemption but will be utilizing his home as a short-term rental. Mr. Marks stated yes in agreeance with Chairman Culbreath's comment towards the Commission. He stated at this time he is unsure about what will happen with his mother-in-law, and he and his wife do not want to give up their home.

Chairman Culbreath opened the floor for public comments.

Robert Maier of 202 Willowbrook Drive spoke in opposition of the request. Mr. Maier stated that when Mr. Tenant made his presentation it was stated that only one response was received, but that he, his wife, and neighbors sent in letters as well.

Chairman Culbreath stated that everything received is accounted for, and it may be that we had not received their letters yet, but that if those people are present, they may speak on the request.

Mr. Maier went on to speak in opposition of the request.

Mr. Maier began by stating that he had lived in the neighborhood for twenty-one years. He spoke about a block party that occurred a years ago, and the issues that occurred during this block party. He stated that there were cars parked along the street, loud music playing all night, and an accumulation of trash throughout the neighborhood. He stated that a short-term rental will allow for the same groups of people to enter the neighborhood. Mr. Maier stated that the neighborhood already has parking problems with parents blocking the streets when picking up their children from the school nearby. He stated that he believes the Marks will not make much income by renting just on the weekends. He also stated that he is

Unapproved

a landlord and requires his tenants undergo background checks. He stated that he is concerned about the type of people Airbnb will send, how short-term rentals will affect property values and property taxes, and how effective the regulations are for short-term rentals. He stated he did not understand why the Marks want to operate a short-term rental in Duncanville but could understand if the home was near venues such as American Airlines Center or Cowboys Stadium. He also mentioned a murder that took place in the apartment complex near his neighborhood several weeks ago. He stated that short-term rentals may raise the already high crime rate in the neighborhood.

Kathy Lewis of 202 Willowbrook Drive spoke in opposition of the request.

Miss Lewis stated that she agrees with her husband, Robert Maier. She stated that they do not want an Airbnb in her neighborhood because they do not want people coming and going frequently, strangers in the neighborhood and parties happening. She stated that the fact that the property has a swimming pool is very troubling especially for the summer. She stated that having the swimming pool will lead to young kids having parties, trashing the neighborhood, and playing loud music. She stated that she has seen this happen and does not want it on their street.

Chairman Culbreath asked Miss Lewis where these parties have happened before. Miss Lewis responded by stating that it has happened in other neighborhoods she has been in and a couple of streets down in her neighborhood. She stated that this was the party house her husband had mentioned when he spoke. Chairman Culbreath asked Miss Lewis if these houses were short-term rentals. Miss Lewis stated that she was unsure.

Peggy Whigham of 1118 Willowbrook spoke in opposition of the request.

Miss Whigham stated that she has lived in Duncanville for 60 years. She stated that the neighborhood has always been quiet. She stated that the party house Mr. Maier and Miss Lewis spoke of was a rental house, and that the people that lived there destroyed the house before moving out. She also stated that she has one friend in Georgia and one friend in Montana that have been to an Airbnb, and each have stated they are fantastic, but that she, like Mr. Maier, wonders why the Marks want to operate in Duncanville. She asked what our attraction is, and what would attract people to a quiet, residential street in Duncanville. She stated that Duncanville does not have a true attraction that would cause anyone to rent a short-term rental in Duncanville. She also stated that she believes the short-term rental would only cause problems for her neighborhood.

Chairman Culbreath informed the audience that there was a market data completed in the past. She stated that there were no regulations adopted for short-term rentals until recently, and that many of those who are coming forward now, are people who have been successfully operating short-term rentals in Duncanville for many years. She stated that the market data completed shows that one of the reasons Duncanville has become so attractive for Airbnb is because employers, mainly tech industries, find it financially feasible to rent an Airbnb for their employees versus a hotel room.

The applicant, Mr. Marks, answered his neighbors' concerns regarding his operation. He stated that he agreed with his neighbors regarding concerns of a party house and that he appreciates that the City has set limits for short-term rentals. He stated that he has security cameras on the property to keep an eye on everything and that he is close enough to the property to be there quickly if anything occurs. He stated

Unapproved

Duncanville is only twenty minutes away from the Entertainment District in Arlington and Downton Dallas and believes that Duncanville is situated perfectly from everything. He stated that any family wanting time to relax can do so but can also explore surrounding entertainment areas in the DFW metroplex. He stated his property has everything a family would need for a great vacation. He also stated that he does understand that there are some issues that have gone on with some of the rentals in the City. He stated he is unsure if the property will continue as a short-term rental because he does not know what may happen with his mother-in-law's health. He and his wife may consider the option for renting long-term incase he and his wife are needed full-time to take care of his mother-in-law.

Commissioner Pena asked Mr. Marks what his target demographic is and if he intends to be renting constantly. Mr. Marks answered by stating that he is unsure what will happen. He does not know if he will move in permanently with his mother-in-law or if his mother-in-law will be moving to a long-term healthcare facility. He stated that at this moment the short-term rental is what works best for him and his wife. He stated that his target demographic are families and traveling nurses. He stated that his home is not a party house.

Commissioner Avery asked Mr. Marks about his living situation. Mr. Marks stated that he lives with his mother-in-law part time but does return to his home. He stated that there are people who help by taking care of his mother-in-law at times, but he also takes care of her as well. Commissioner Avery stated that he wanted Mr. Marks to understand his stance on short-term rentals. He stated that he believes that the City of Duncanville is a bedroom community and that an Airbnb does not fit within the City of Duncanville. He stated that he sees hotels within the city mostly vacant and believes that it would be best for long-term rentals to be within the city verses short-term rentals. He stated he does not have anything against Airbnb but does not see it fitting in with the community. Commissioner Avery also stated that if it were him booking a five-bedroom Airbnb with a swimming pool, that it would not be him and his wife only, he would be inviting groups over to have a good time.

Chairman Culbreath made some comments to the audience. She stated that there is a difference between younger people and older people. She stated that her age group prefers to rent a home than rent a hotel. She stated that her age group does not necessarily search for an Airbnb, but just a home to rent. She stated that they have never destroyed the homes they have stayed at or leave trash on the property. She stated that unlike the younger age group, her and her companions like to enjoy the surrounding area and explore the cities they are staying in and leave the homes cleaner than when they arrived. She stated the younger people are usually those who destroy the short-term rentals. She stated she wanted to make it clear to all that not everyone who rents an Airbnb is renting it to throw a party.

Commissioner Avery made a motion as seconded by Commissioner Stith to deny the request for SUP. The vote was 3-2 in opposition with Chairman Culbreath and Commissioner Pena in favor and with Commissioner McBroom absent.

Item No. 6 – Conduct a public hearing (2022-13) for consideration and action regarding the request of Caroline Carlson, Applicant and Owner, to include a Specific Use Permit "SUP" for Short-Term Rental on Irwin Keasler Dev Red Bird 4, Block 16, Lot 25, more commonly known as 710 Markwood Drive, Duncanville, Dallas County, Texas.

Mr. Tennant presented background information on the request for SUP.

Unapproved

Nathaniel Rosendall, husband of Caroline Carlson, the applicant, represented his wife, and spoke in favor of the request.

Mr. Rosendall spoke about the property. He stated that his wife purchased the property in 2017 and had been living there with other roommates until she moved out earlier this year. He stated his wife moved out after they got married a couple of months ago. He stated that since operating, no complaints have been received regarding the room rentals, and that he and his wife have strict policies for their rental home. He stated that they want to make their rental home a safe, welcoming place for tenants to live long term and be a part of the community. He stated he was at the meeting to obtain approval for the one room they rent out as short-term. He stated all other people in the home have been renting long-term and have been living on the property for many years now. He stated they have four tenants living on the property that are teachers, night nurses, social workers, and close friends. He stated that the house is a five-bedroom home with enough parking for five vehicles and extra space in the garage. He stated that if his request is denied, they will be forced to evict all current tenants and rent out the entire home. He stated that they will not be able to maintain the property the way they have been if the property is turned into a long-term rental. He stated that their tenants enjoy living in Duncanville because it is a peaceful, quiet place to live. He stated that him and his wife provide safe, affordable housing for residents. He also stated that they have been posting their own signs and trying to make their neighborhood aware of what they are doing.

Commissioner Rodriguez asked Mr. Rosendall what is the longest a room has been occupied and what is the shortest. Mr. Rosendall stated that there are two tenants who have been residing there since 2017, and the shortest tenant they had was for several weeks. Mr. Rosendall stated that all rooms are long-term rental, but one, and that he is having to request an SUP because his property does not fall under either one.

Commissioner Avery asked Mr. Tennant if he could help the Commission understand what Mr. Rosendall had stated.

Mr. Tenant stated that the case being presented is a unique one. He stated that there are four rooms that fall into the long-term rental registration program, but one room falls into the short-term rental registration program. He stated that due to the one room being a short-term rental, the applicant is having to go through zoning.

Commissioner Avery asked Mr. Tennant if the applicant is in compliance with all the other room rentals.

Mr. Tennant stated that the applicant is not in compliance at this moment. He stated that if the applicant’s request is approved, the SUP will cover the entire home.

Commissioner Avery asked Mr. Rosendall if he was here for just the one room considered short-term rental. Mr. Rosendall stated that he has had correspondence with the previous City Planner, when he began inquiring about the one short-term rental. He was informed that because of the one room considered short-term that he would need to undergo the short-term rental process for the entire dwelling.

Unapproved

Commissioner Avery asked Mr. Tennant for clarification once more.

Mr. Tennant stated that this case is considered a unique one because only one bedroom is short-term and the remaining bedrooms are long-term. He stated that if all rooms were long-term rental, then there would be no reason to be presenting this case and the applicant would only need to apply under the long-term rental registration.

Commissioner Avery asked Mr. Rosendall if he was present only to require an SUP for the one room. Mr. Rosendall yes, and that the previous City Planner led him to believe that because of the one room that is short-term rental that the entire residence would need to go through the short-term rental program. He stated the room that is considered short-term rental is only rented once or twice a year.

Commissioner Avery asked Mr. Tennant for clarification again.

Mr. Tennant stated that there has been a transition in City Planners, and that each Planner interprets differently. He requested that the Commission grant a deferral so that he could have more time to review over each ordinance.

Chairman Culbreath made some comments. She stated that this is a typical example of our government. She stated some may tell a lie and be in compliance and others may tell the truth and not be in compliance. She stated a resident would need to never mention the words short-term rental, and there would be no problem. She stated that one case should not trigger all four cases to be null and void, and that this drastic action should not happen as a result of one thing happening to Mr. Rosendall. She stated she knows that something was miscommunicated due to his willingness to go through this process. She asked Mr. Tennant if he wanted the commission to revalue the case and come back. She stated that the applicant seems willing to go through the process, and that she understands his willingness because having the SUP may be more beneficial to him incase things change for him. She stated that she believes it is up to the applicant on whether the deferral should be made.

Mr. Rosendall quoted an email from Lynette Romero, Planning Technician. He stated that the email stated “yes, the long-term guests will fall under the short-term rental registration program as well”. He stated during this time he knows the ordinance had recently passed and many things such as the forms and applications were being worked on during this time. He stated he and his wife enjoy the model of room rental. He stated that this is affordable for his tenants, and he charges rent that most would not be able to find anywhere else. He states that he and his wife provide safe, reliable housing for residents, and are unsure if they should stay in Duncanville or look for another location. He stated their decision will be based off the City’s decision.

Chairman Culbreath opened the floor for public comments.

Ruth Carlson of 822 Sherrill Boulevard, spoke in favor of the request. She stated that the applicants do a wonderful job of providing a comfortable residence for people such as teachers, medical workers, and contract workers. She stated that in her experience, she knows that some people have a difficult time finding an affordable place to live. She stated that the people who come to stay are here to work and not explore the city. They are busy working, not partying. She believes that the applicant is

Unapproved

providing a great service to the City of Duncanville.

Evelyn Kirby of 710 Markwood Drive spoke in favor of the request. She stated that she is one of the long-term tenants that live on the property. She stated that she looked many places before moving in. She stated that it is affordable, and she feels safer in a home than in a house. She stated that her experience sharing a home has been a good one so far. She also stated that she also cleans for Airbnb, and it has provided her with a good source of income.

Mr. Rosendall thanked the commission and staff for their time and for helping him and his wife understand this new ordinance and providing guidance as well.

Commissioner Pena asked Mr. Rosendall if he intends to operate more rentals in the future.

Chairman Culbreath interrupted and stated that state law prohibits the commission to ask questions regarding future financial means.

Mr. Rosendall stated the in the interest of transparency, he would answer Commissioner Pena's question. He stated that the rental house has been a blessing for many, and he is only going through this process because he and his wife have been informed that they must go through this process, but that they do not intends to operate more rentals.

Commissioner Pena commented to Mr. Rosendall that he appreciates his honesty and that he only asked the question because he likes to base his decision case by case and did not realize that it was not allowed to ask this question.

Commissioner Rodriguez commented that the Commission is responsible for such things as participating in updating the Comprehensive Plan, being present at open public meetings, and entertaining citizen and public input. He stated that maybe staff made an error in communicating the process and ordinance to him, but that he can only make his decision based off what he is presented and based off what is in the best interest of the City. He encouraged Mr. Rosendall to attend future meetings. He stated that he believes that his opinion on certain topics likes rentals could bring more insight into Planning.

Chairman Culbreath stated that she complimented the applicant for communicating with the community prior to the meeting. She stated that perhaps when looking into updating the Comprehensive Plan that the definition of Airbnb needs to be considered.

Commissioner Avery made some comments. He stated he was quite confused about what was going on and was confused about the ordinance as well.

Chairman Culbreath attempted to provide some clarification to Commissioner Avery. She stated that the ordinance it is not broken out. She stated there is criteria for short-term rentals and long-term rentals.
A woman in the audience spoke out loudly. She asked Chairman Culbreath if she wanted to see the ordinance. Chairman Culbreath stated she knows what the ordinance states. The woman tried to

Unapproved

continue speaking. Chairman Culbreath interrupted the woman and stated that if she has something to state to state it after the meeting, and that she cannot be hollering from the audience when she is trying to explain something to her colleague. She stated that there is a difference between the short term and long term. The woman stated that she understands but the ordinance states different. Miss Culbreath informed her to check with the ordinance writer then.

Commissioner Rodriguez made some comments. He stated that he understands that there may be some confusion about how this ordinance was written, executed, interpreted, and relayed to the applicant. He stated that he believes this is a very premature ordinance that may have some holes that need to be filled. He stated that the transparency is justifiable. He stated he does not care for Airbnb himself, but he believes this case is unique. He stated that this is the first time that the commission sat long going back and forth about a case.

Commissioner Rodriguez made a motion to approve the request.

Commissioner Avery interrupted and sated that he does not believe a decision should be made. Chairman Culbreath stated that it could be discussed after the vote.

Commissioner Pena seconded the motion made by commissioner Rodriguez to approve the request.

Commissioner Avery stated that he believes the case should be deferred until clarification is received.

Chairman Culbreath made some comments. She stated she has been involved in zoning for over 20 years and knows that not all ordinances are written perfectly. She stated it is quite discerning when you witness government action causing adversity among the community. She stated that what is within the ordinance and what it is meant for has been distorted. She stated the commission has seen neighbors speak negatively about one another and accuse each other of things that they think may happen. She stated it is difficult to be in such as setting and not be personally affected by the tone of one person verbally abusing another. She apologized to the audience for getting emotional.

The commission continued to vote. Commissioner Rodriguez made the motion to approve the request earlier in the meeting. The motion was seconded by Commissioner Pena. The vote was 3-2 in favor with Commissioner Stith and Commissioner Avery in opposition and commissioner McBroom absent.

Item No. 7 – Continue discussion pertaining to the five-year Comprehensive Plan update. Discuss incorporating new areas of interest within the area maps – Wheatland Plaza.

Mr. Tennant left the discussion to Commissioner Avery.

Commissioner Avery stated that he had been in contact with the school board and is waiting to have a meeting with the super intendent to discuss the proposal of purchasing the Duncanville ISD Service Center to incorporate it into the Downtown District.

Item No. 8 – The meeting adjourned at 8:28 p.m.

Unapproved

_____
Jeremy Tennant, Director of Planning and Neighborhood Services

_____
Betty Culbreath, Chairman

Unapproved

ORDINANCE NO. 2436

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING SF-10 SINGLE-FAMILY RESIDENTIAL DISTRICT TO INCLUDE A SPECIFIC USE PERMIT TO ALLOW FOR SHORT-TERM RENTAL ON MERRIBROOK ESTATES INSTRUMENT NUMBER 2, BLOCK J, LOT 2, APPROXIMATELY 0.38 ACRES, MORE COMMONLY KNOWN AS 106 WILLOWBROOK DRIVE, CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and City Council of the City of Duncanville, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the City Council is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended as provided herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, THAT:

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, by amending the existing SF-10 Single-Family Residential District zoning to include a Specific Use Permit “SUP” to allow for Short-Term Rental on Merribrook Park Estates Instrument Number 2, Block J, Lot 2, approximately 0.38 acres, more commonly known as 106 Willowbrook, in the City of Duncanville, Dallas County, Texas, and being more particularly described in Exhibit “A”, attached hereto and made a part hereof for all purposes (the “Property”).

SECTION 2. That the above-described property shall be used and developed only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Duncanville, as heretofore amended, and subject to the following additional special conditions:

- No Loud and raucous noise may be present on the property between the hours of 10:00 p.m. and 7:00 a.m.

- The owner shall comply with Short-Term Rental registration ordinance as provided in the Code of Ordinances.
- The property must continue to be in good standing by not having any outstanding issues related to taxes or code compliance provisions.
- A report must be submitted to Planning staff each January that indicates the following:
  - The number of nights the unit was rented as a Short-Term Rental in the previous year
  - Proof of payment of Hotel Occupancy Tax
  - Proof of current property insurance
- The property will be suspended or removed from the registration list for one (1) year if false or misleading information is provided, there has been a violation of the terms, conditions, or restrictions or if the Hotel Occupancy Tax has not been paid in a timely manner.
- Continue operation of a Short-Term rental without permit or violation of this Ordinance.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That all provisions of the Ordinance of the City of Duncanville in conflict with provisions of this Ordinance be, and same are hereby repealed, and all other provisions of the ordinances of the City of Duncanville not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That the above-described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of th e City of Duncanville, as amended herein by the granting of this special use permit.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Comprehensive Zoning Ordinance as amended hereby shall be deemed guilty of a misdemeanor, and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 7. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 21th day of June 2022.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

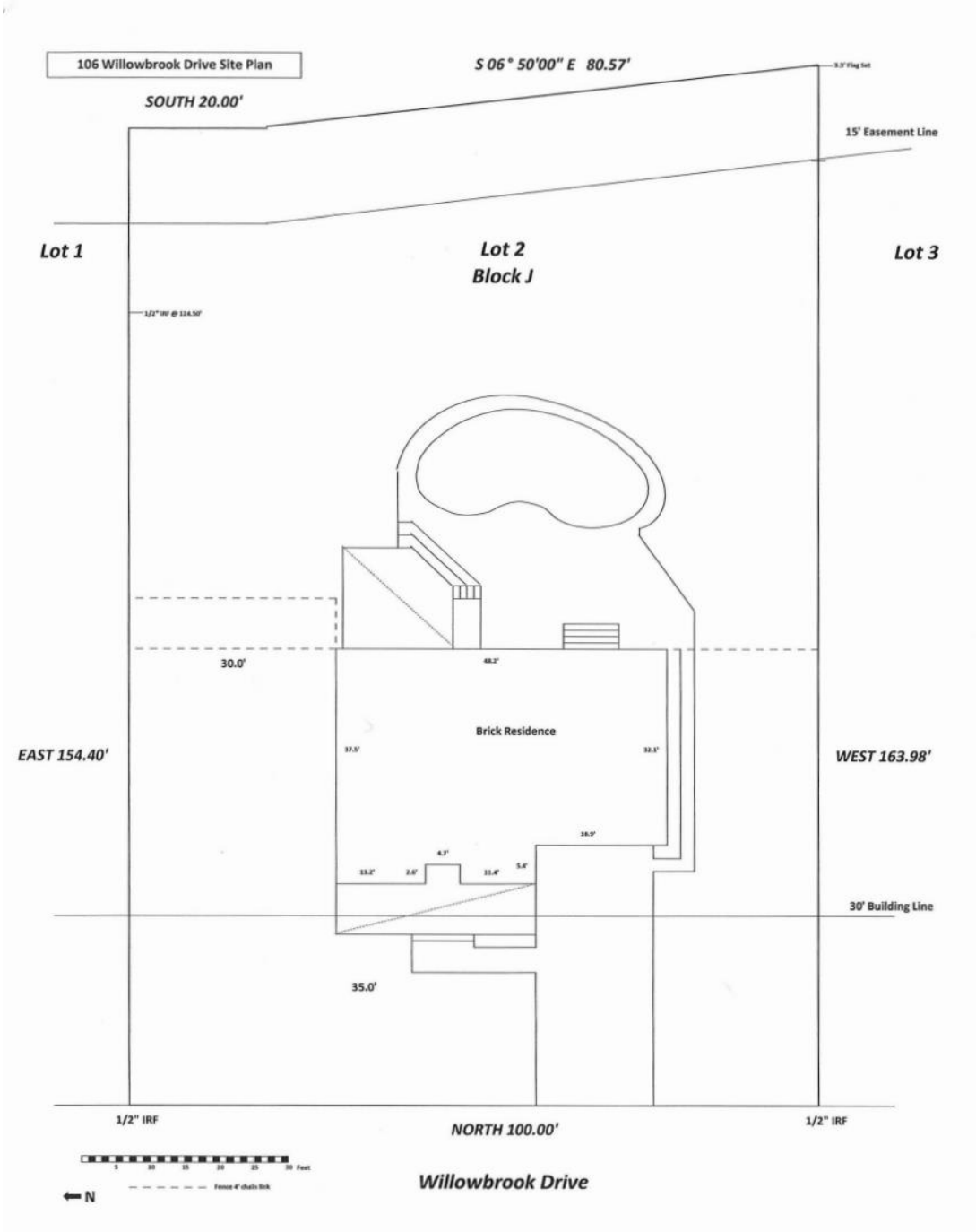
_____

Robert E. Hager, City Attorney

EXHIBIT “A”

LEGAL DESCRIPTION

Being all of an approximately 0.38-acre lot, tract, or parcel of land recorded as Block J, Lot 2, Merribrook Park Estates Instrument Number 2, City of Duncanville, Dallas County, Texas, more commonly known as 106 Wiillowbrook Drive.


106 Willowbrook Drive Site Plan
S 06° 50'00" E 80.57'
SOUTH 20.00'
15' Easement Line
Lot 1
Lot 2
Block J
Lot 3
30.0'
Brick Residence
EAST 154.40'
WEST 163.98'
30' Building Line
35.0'
1/2" IRF
NORTH 100.00'
1/2" IRF
Willowbrook Drive
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STAFF REPORT

MEETING: City Council - 21 Jun 2022

TITLE:
Conduct a Public Hearing and consider an Ordinance granting a Specific Use Permit "SUP" for Short-Term Rental on Irwin Keasler Dev Red Bird 5, PT Lot 0006, Duncanville, Dallas County, Texas, more commonly known as 822 Sherrill Boulevard.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Promote: Innovative Ideas for Development and Re-development**
  - **Pursue a diverse and robust economy through various business, housing, and employment opportunities that encourage forward-thinking community and economic development.**

STAFF RESPONSIBLE:
Jeremy Tennant, Director of Planning and Neighborhood Services

BACKGROUND/HISTORY:
Item is a continuance from the May 17, 2022 Regular City Council Meeting.

Comprehensive Plan
The subject property has a Future Land Use Designation of Low Density Residential. The Plan states that low density residential represents a traditional single-family detached neighborhood and includes housing and living units for people with a range of incomes and needs. Low density residential areas generally range between three and five dwelling units per acre.

The Plan goes on to list the following policies to guide low density areas:

- They should be protected from, but accessible to, the major roadway network, commercial establishments, and industrial areas.
- Subdivisions should be accessible to collector and arterial streets, but should directly access only local streets, creating a balanced land-use pattern across the City.
- They should not be directly accessible to major arterials and freeways without adequate buffering and access management.

Staff believes this request, as it relates to compatibility with the Comprehensive Plan, is dependent on the manner in which the single-family residential structure is utilized for the purpose of a short-term rental. If the structure is intended to be constantly rented out much the same as a hotel room, staff

would not believe the request is compatible with the Comprehensive Plan. However, if the structure was intended to be lived-in by the property owner throughout the majority of the year and rented out for a select number of weekends, staff feels such a request may be viewed to be more inline with the Comprehensive Plan.

Project Scope
The applicants are seeking approval to allow for the use of Short-Term Rental at the subject property. The associated structure consists of a single-family residence, approximately 3,567 square feet in size with attached garage. Exterior features include existing trees and front drive.

Surrounding Land Use and Zoning
The subject property is surrounded by existing single-family residences zoned SF-10 Single-Family Residential District.

Zoning and Land Use
Section 6.05. (Specific Use Permits) of the Zoning Ordinance, states the in considering an application for a SUP, the Planning and Zoning Commission and the City Council shall consider that the proposed use is:

- consistent and compatible with the adjacent land use and zoning.
- consistent with the architecture and characteristics of the adjacent properties.
- may promote innovative use of modern development concepts, without having an adverse impact on adjacent properties.
- consistent with the goals and objectives of the City of Duncanville.
- an enhancement or improvement beyond the minimum standards set forth by the Zoning Ordinance.
- will not be detrimental to the general health, safety, and welfare of the community.
- would stabilize and improve property values within the City of Duncanville.
- would protect and enhance the city's attractiveness to residents, businesses, tourists, and visitors.
- would strengthen and help diversify the economy of the City of Duncanville.

Recommendation
Staff recommended the Planning and Zoning Commission consider the bullet items contained in Section 6.05 of the Zoning Ordinance and make an appropriate recommendation to City Council. The Planning and Zoning Commission recommended the approval of the request.

POLICY EXPLANATION:
Notification
Seventeen (17) notices were sent out for this public hearing. Letters will be received until Tuesday, May 17, 2022, to fulfill legal requirements for a written formal protest to City Council. The request is tentatively scheduled to proceed to the Tuesday, May 17, 2022, City Council hearing.

FUNDING SOURCE:

ORG and Object Number
N/A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:

1. Approval of Ordinance.
2. Do not approve Ordinance.
3. Other actions as directed by Council.

ATTACHMENTS:

Attachment 1 - Legal Advertisement for Public Hearing
Attachment 2 - Area of Request Maps
Attachment 3 - Site Plan & Applicant Exhibits
Attachment 4 -Letter From Applicant-Property Owner
Attachment 5 - Letter to Property Owners Within 200' Buffer & Responses
Attachment 6 - List of Property Owners Within 200' Buffer
Attachment 8- PZ Minutes - April 11 2022 Final
Attachment 9 - Ordinance No. - 2434 - SUP - 822 Sherrill Boulevard

Attachment 1

Advertise 1 time - By March 30

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL
ZONING FILE #2022-08

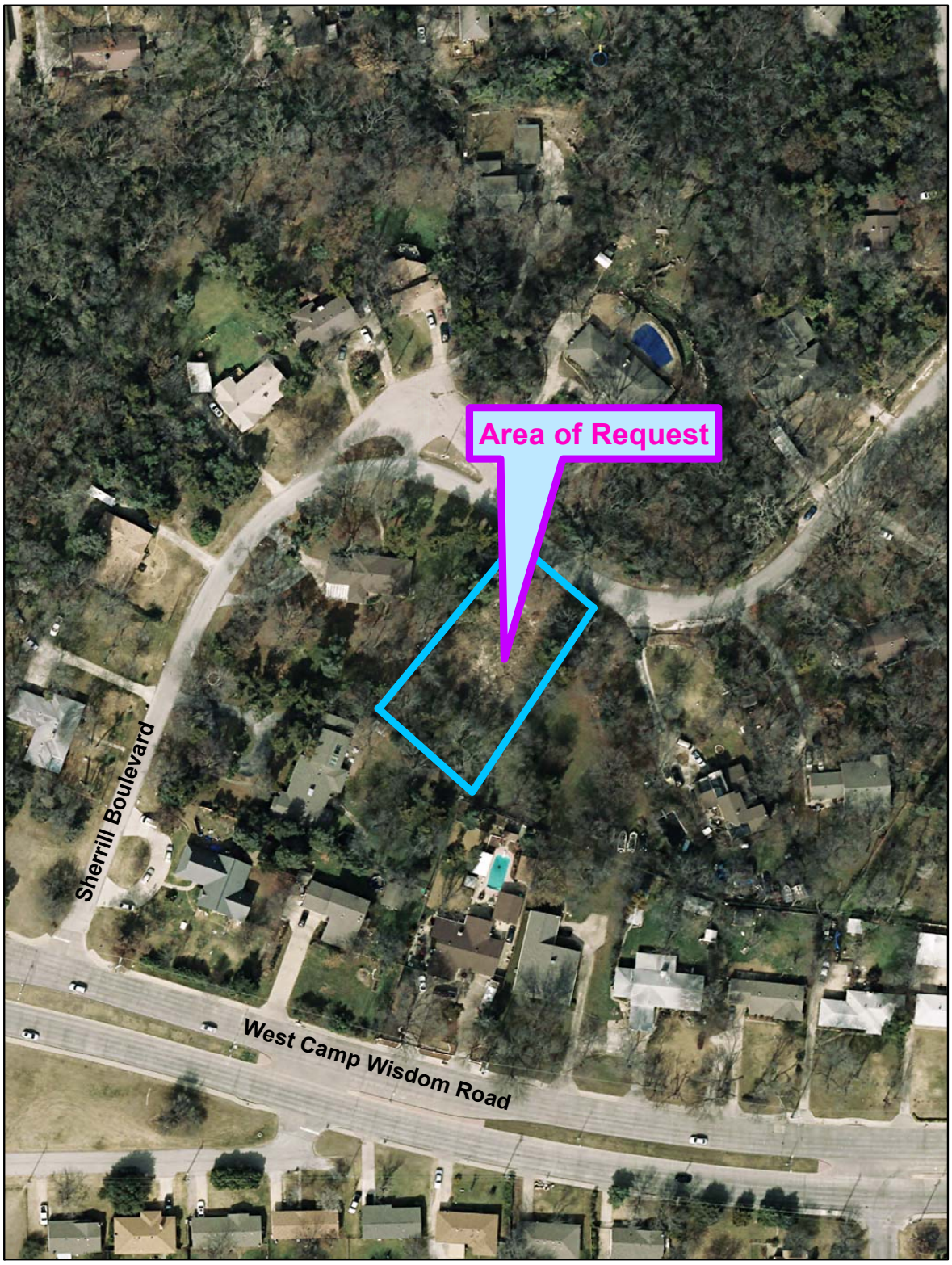
A public hearing will be held before the Planning & Zoning Commission on Monday, April 11, 2022 at 7:00 p.m., and before City Council on Tuesday, May 3, 2022, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to hear a request of the City of Duncanville for a Specific Use Permit to allow for the use of Short-Term Rental, on Irwin Keasler Dev Red Bird 5, PT Lot 0006, more commonly known as 822 Sherrill Boulevard, City of Duncanville, Dallas County, Texas.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary or to Skye Thibodeaux, Interim Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Kristin Downs
City Secretary

Skye Thibodeaux,
City Planner

Attachment 2



Duncanville
City of Champions

Proposed Zoning Change
Aerial Location
822 Sherrill Boulevard

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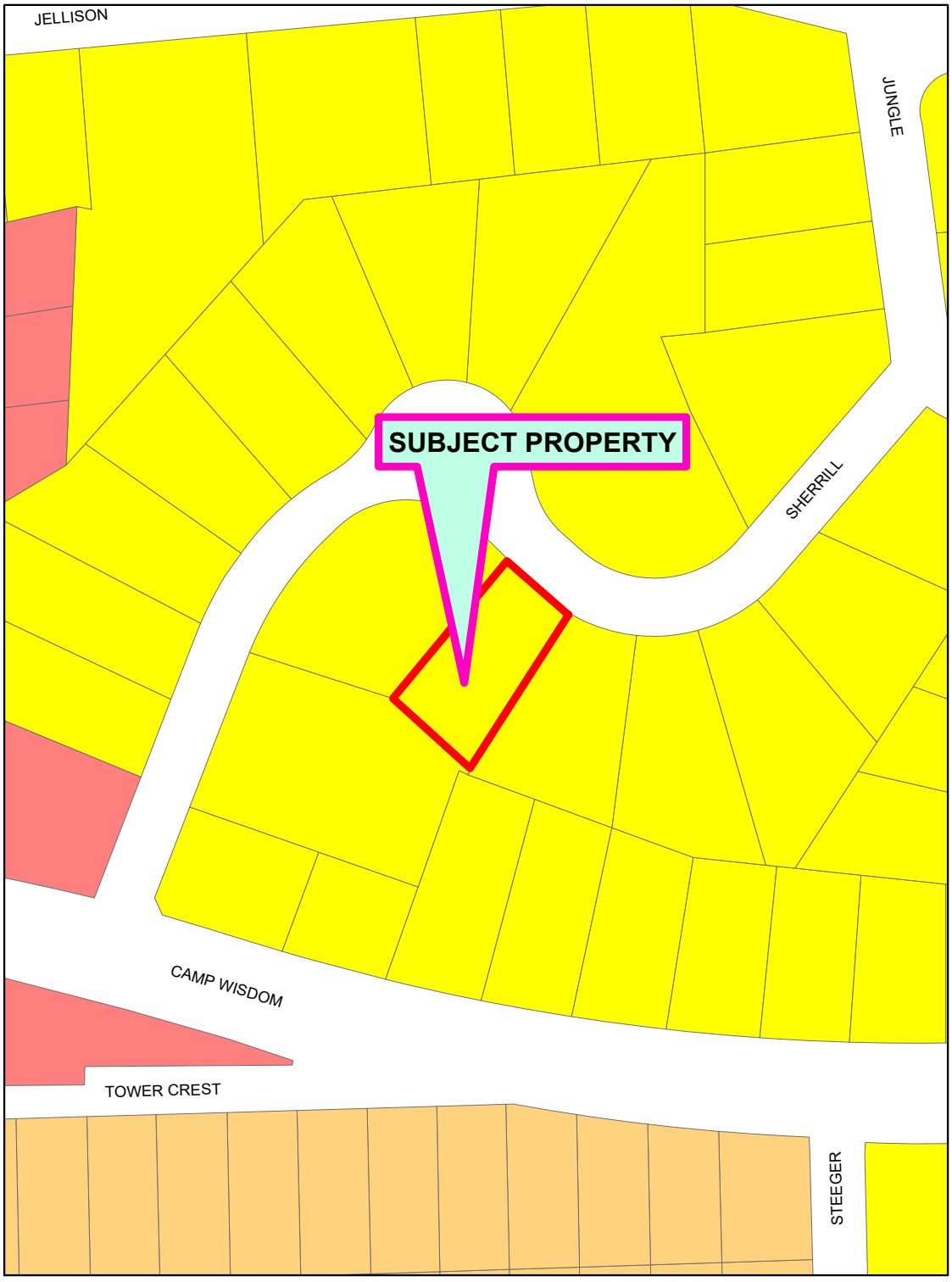

Duncanville
City of Champions

Zoning Case 2022-08
SUP Request for
Short-Term Rental

N
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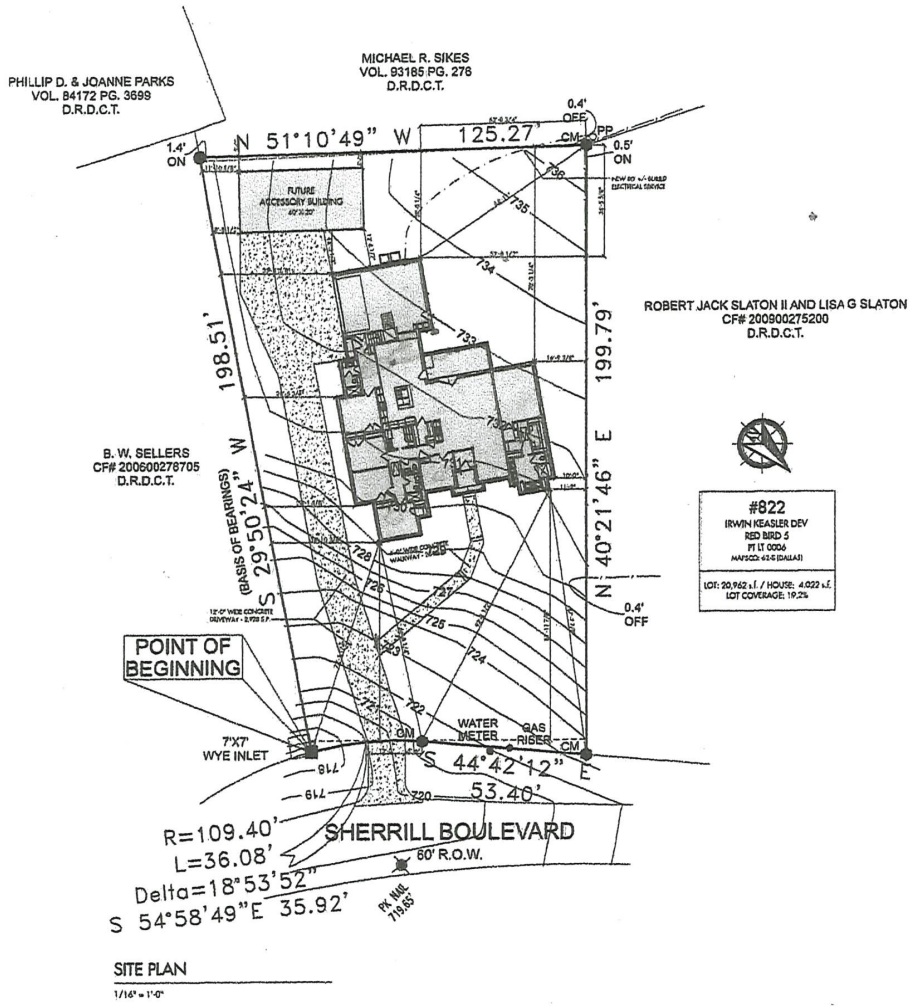
Attachment 3



SITE PLAN
1/16" = 1'-0"

SHEET INDEX

SP - SITE PLAN
A1 - FLOOR PLAN
A2 - ELECTRICAL PLAN
A3 - NORTH & EAST ELEVATIONS
A4 - SOUTH & WEST ELEVATIONS
A5 - ROOF PLAN
A6 - SCHEDULES & DETAILS

REVISION	BY
04.14.17	CHJ

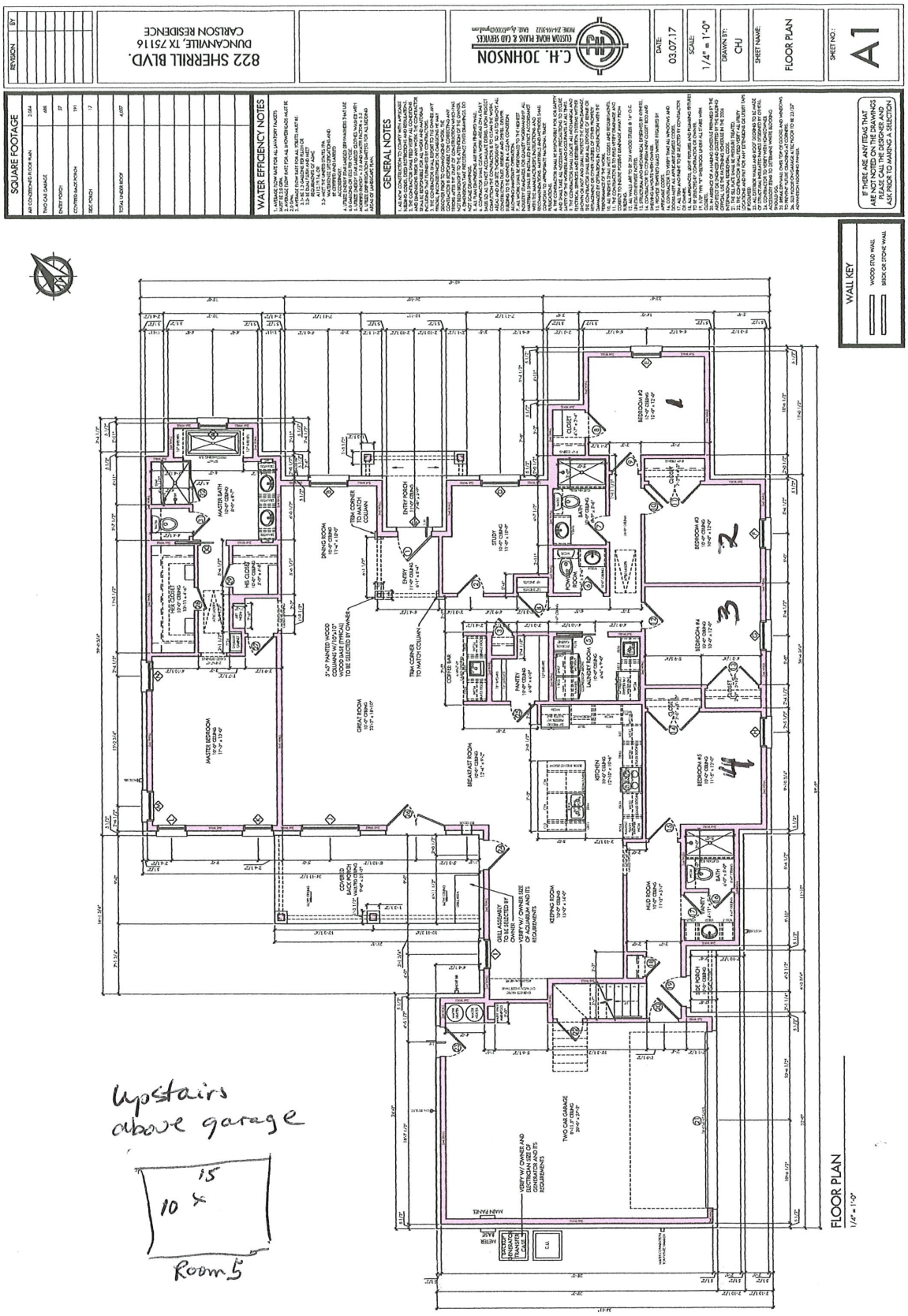
822 SHERRILL BLVD.
DUNCANVILLE, TX 75116
CARLSON RESIDENCE

C.H. JOHNSON
CUSTOM HOME PLANS & CAD SERVICES

DATE: 03.07.17
SCALE: 1/16" = 1'-0"
DRAWN BY: CHJ
SHEET NAME: SITE PLAN
SHEET NO.: SP

SITE NOTES

1. ALL NEW CONSTRUCTION TO COMPLY WITH APPLICABLE BUILDING CODES, DEED RESTRICTIONS AND REGULATIONS.
2. CONTRACTOR TO VERIFY LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.
3. CONTRACTOR TO MAINTAIN POSITIVE DRAINAGE AWAY FROM SLABS.
4. THE CONTRACTOR IS TO FIELD VERIFY DRAINAGE AND CONDUCT TO ENSURE POSITIVE DRAINAGE AWAY FROM BUILDING.
5. THE CONTRACTOR SHALL VERIFY EXISTING DRAINAGE AROUND THE SITE PRIOR TO CONSTRUCTION AND ENSURE THAT NO PONDING AND POSITIVE DRAINING OCCURS AFTER CONSTRUCTION. THE CONTRACTOR SHALL PERFORM MINIMUM FILL IS REQUIRED TO ENSURE THAT PROPER DRAINAGE OCCURS.
6. TRIM TREES AS REQUIRED. FIELD VERIFY AND DISCUSS WITH HOMEOWNER PRIOR TO CUTTING LIMBS OR TREES.
7. THE CONTRACTOR SHALL PROVIDE A POST-A-POSTS ON SITE WHEN ANY CONSTRUCTION STARTS AND DISCUSS WITH THE HOMEOWNER THE LOCATION.
8. CONTRACTOR TO VERIFY INSTALLATION OF NEW AEROBIC SEPTIC SYSTEM WITH OWNER AND PLUMBER.


REVISION
BY
822 SHERRILL BLVD.
DUNCANVILLE, TX 75116
CARLSON RESIDENCE
C.H. JOHNSON
CUSTOM HOME PLANS & CAD SERVICES
DATE:
03.07.17
SCALE:
1/4" = 1'-0"
DRAWN BY:
CHJ
SHEET NAME:
FLOOR PLAN
SHEET NO:
A1
SQUARE FOOTAGE
WATER EFFICIENCY NOTES
GENERAL NOTES
IF THERE ARE ANY ITEMS THAT ARE NOT CONSTRUCTED ON THESE DRAWINGS PLEASE CALL THE DESIGNER AND ASK PRIOR TO MARKING A SELECTION
WALL KEY
WOOD STUD WALL
BRICK OR STONE VENEER WALL
FLOOR PLAN
1/4" = 1'-0"
Upstairs above garage
10 x 15
Room 5

Attachment 4

Stuart and Ruth Carlson
822 Sherrill Blvd
Duncanville, Texas 75116
February 22, 2022

To the City of Duncanville:

We are applying for a special use permit to use our residence as a place to welcome people to our city - people such as traveling nurses, students, and other folks who need a transitional place to stay until they get their feet under them. Most of our guests stay with us for more than a full month, but our most common time period to host a guest is from 3 to 6 months.

There are times, however, when a guest is just traveling through town and needs a place for a night or two; or perhaps a mother has come to town to visit her son who is attending college. While we do not seek to have short term guests, we do try to accommodate them if the need arises. Last year we hosted short term guests in our home about 1% of the time, and this is why we are applying for a short term rental permit.

We love sharing our home with our guests! Our set up is reminiscent of a tiny hotel, but much better. Each guest has the privacy and security afforded by a keyed door to their bedroom; but they have access to and use of all the common areas: the living room, kitchen, dining room, bathrooms, laundry room, patio, and back and front yards. Some of our guests work night shifts, others during the day, some work from home, and others work on site. Some of our guests have been able to save enough money while living with us to buy their own homes here in Duncanville. Many enduring relationships have been created, and a good number of our guests have become part of our family.

We believe we are bringing much richness to Duncanville: good people are able to work at Charlton Methodist and other businesses; shopping and use of Uber, Lyft, and UberEats is increased, giving more of our citizens opportunities to make money serving our guests; and because of the welcome and care our guests receive, a positive image of this city is being fostered.

Our home is not a party home. Although many of our guests come to us through the Airbnb platform, none of our guests have ever come to vacation and party, but rather to work and/or study. Our home is quiet, very organized, clean, and safe, and we have had no complaints.

Thank you for your care for Duncanville. We understand how important it is to make sure that neighborhoods remain peaceful, clean, and safe, and we assure you that we are doing our part to create a great atmosphere in Duncanville.

Sincerely,

Stuart and Ruth Carlson

Attachment 5

City of Duncanville Planning Division
Public Works Department
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878; (f) 972-780-6426
(e) lromero@duncanville.com

March 30, 2022

Zoning File: 2022-08

Dear Property Owner:

Stuart and Ruth Carlson, Applicants and Owners, are requesting approval of a Specific Use Permit to allow for the use of Short-Term Rental on Irwin Keasler Dev Red Bird 5, PT Lot 0006, more commonly known as 822 Sherrill Boulevard, in the City of Duncanville, Dallas County, Texas.

Your property is NOT being rezoned. You have been sent this notice because you are within the required 200-foot notification area of property that is being considered for rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

The Planning and Zoning Commission will hold a public hearing on Monday, April 11, 2022, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, May 3, 2022, at 7:00 p.m., both in the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change. If you oppose the zoning change, however, the attached survey must be completed and returned by May 3, 2022, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary or to Skye Thibodeaux, Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email lromero@duncanville.com stating your position. You are encouraged to participate in the public hearing and offer comments.

Sincerely,

Skye Thibodeaux
Secretary, Planning and Zoning Commission

Enclosures

City of Duncanville Planning Division
Public Works Department
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878; (f) 972-780-6426
(e) lromero@duncanville.com

Marzo 30, 2022

Archivo de zonificación: 2022-08

Estimado propietario:

Stuart y Ruth Carlson, solicitantes y propietarios, están solicitando la aprobación de un Permiso de Uso Específico para permitir el uso de Alquileres a Corto Plazo en Irwin Keasler Dev Red Bird 5, PT Lot 0006, más comúnmente conocido como 822 Sherrill Boulevard, en la ciudad de Duncanville, condado de Dallas, Texas.

Su propiedad NO está siendo rezonificada. Se le ha enviado este aviso porque se encuentra dentro del área de notificación requerida de 200 pies de la propiedad que se está considerando para la rezonificación para esta audiencia pública en particular. Consulte el mapa adjunto que indica qué propiedad se está rezonificando.

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 11 de Abril de 2022, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 3 de Mayo de 2022, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto. Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del 3 de Mayo de 2022, para cumplir con los requisitos legales para una protesta formal por escrito.

Como ciudadano interesado, puede enviar comentarios públicos al Secretario de la Ciudad o a Skye Thibodeaux, Secretario de la Comisión de Planificación y Zonificación, P.O. Box 380280, Duncanville, Texas, 75138-0280 o enviar un correo electrónico lromero@duncanville.com indicando su posición. Se le anima a participar en la audiencia pública y ofrecer comentarios.

Sinceramente

Skye Thibodeaux
Secretario de la Comisión de Planificación y Zonificación

Recintos

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2022-08 Stuart and Ruth Carlson, Applicants and Owners, are requesting approval of a Specific Use Permit (SUP) to allow for the use of Short-Term Rental on Irwin Keasler Dev Red Bird 5, PT Lot 0006, more commonly known as 822 Sherrill Boulevard, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of Short-Term Rental.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, April 11, 2022, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, May 3, 2022, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by May 3, 2022, to fulfill legal requirements for a written formal protest.

Please check one:

_____ ***In favor** of granting the zoning request.*

_____ ***Not in favor** of granting the zoning request.*

My reasons are as follows:

1).

2).

3).

Printed Name: _____ Address: _____

Signature: _____ Date: _____

El siguiente formulario puede ser llenado y enviado por correo a:

Planning and Zoning Commission
City of Duncanville
Attention: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Caso No. 2022-08 Stuart y Ruth Carlson, Solicitantes y Propietarios, están solicitando la aprobación de un Permiso de Uso Específico (SUP) para permitir el uso de Alquiler a Corto Plazo en Irwin Keasler Dev Red Bird 5, PT Lot 0006, comúnmente conocido como 822 Sherrill Boulevard, en la Cuidad de Duncanville, condado de Dallas, Texas. Esta es la primera de dos audiencias públicas que se han programado para recibir más información sobre el cambio de zonificación solicitado.

NOTA: El propósito de la solicitud es permitir el uso de alquiler a corto plazo.

Se le ha enviado este aviso ya que su propiedad está dentro del área de notificación de 200 pies de la propiedad que se solicita para un cambio de zonificación. **Su propiedad no está siendo rezonificada.**

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 11 de Abril 2022, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 3 de Mayo de 2022, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto.

Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del 3 de Mayo de 2022, para cumplir con los requisitos legales para una protesta formal por escrito.

Por favor, marque uno:

_____ ***A favor*** de conceder la solicitud de *zonificación.*

_____ ***No a favor*** de otorgar la solicitud de *zonificación.*

Mis razones son las siguientes:

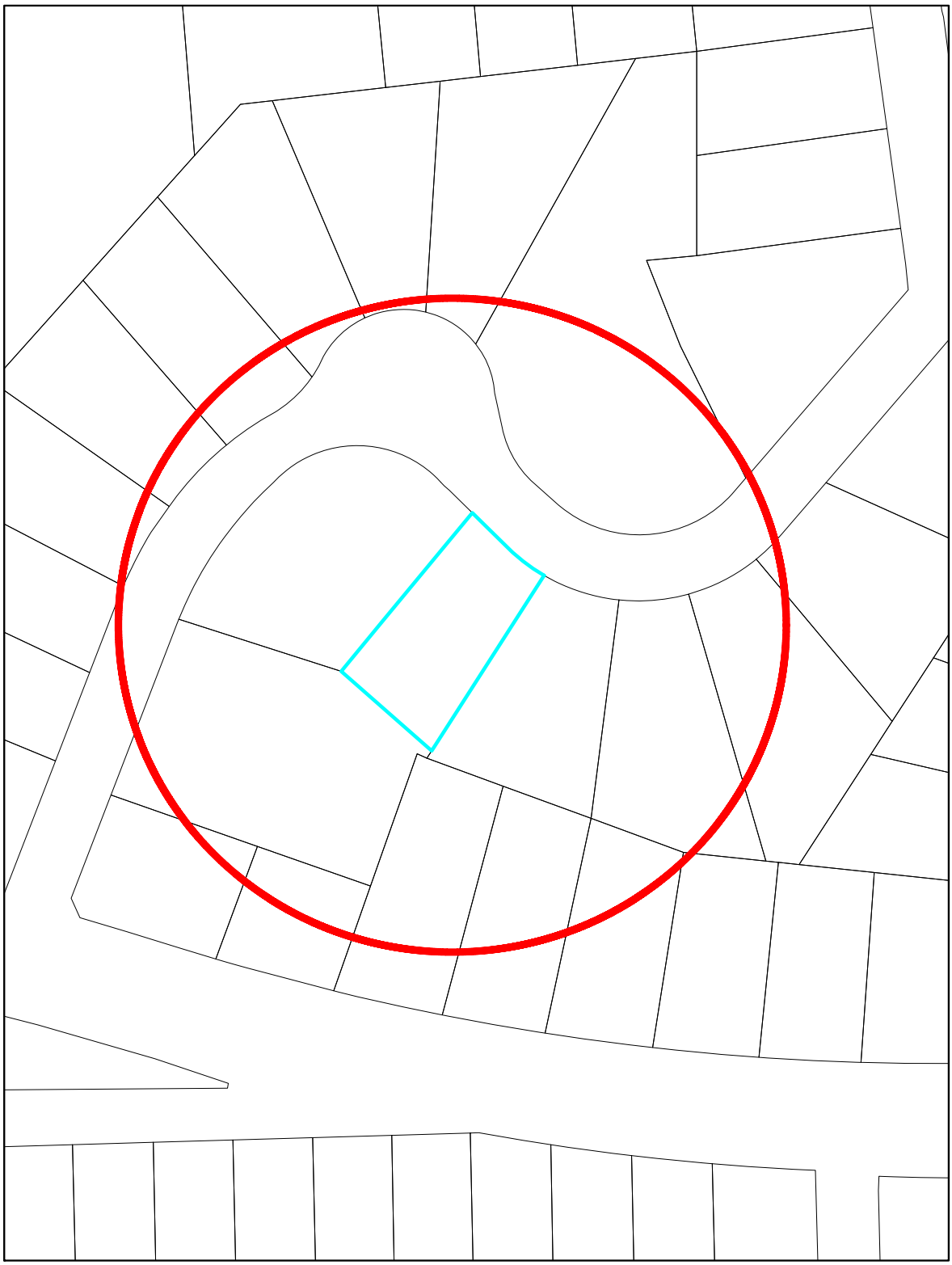
1).

2).

3).

Nombre impreso: _____ Dirección: _____

Firma: _____ Fecha: _____



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If you oppose the zoning change, however, the attached survey must be completed and returned by May 3, 2022, to fulfill legal requirements for a written formal protest.

Please check one:

✓ ***In favor*** *of granting the zoning request.*

_____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1). they are good people

2). they are quiet people

3).

Printed Name: B.W. Sellers Address: 830 Sherrill

Signature: B.W. Sellers Date: 4-4-22

Sellers
830 Sherrill
Duncanville, TX 75116

NORTH TEXAS TX P&DC
DALLAS TX 750
4 APR 2022 PM 3 L

Planning & Zoning Committee
City of Duncanville
Attn Public Works Dept
P.O. Box 380280
Duncanville, TX 75138-0280

75138-028080

RECEIVED 04/11/22 L Romero

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2022-08 Stuart and Ruth Carlson, Applicants and Owners, are requesting approval of a Specific Use Permit (SUP) to allow for the use of Short-Term Rental on Irwin Keasler Dev Red Bird 5, PT Lot 0006, more commonly known as 822 Sherrill Boulevard, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

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Please check one:

✓ ***In favor*** *of granting the zoning request.*

_____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1).

2).

3).

Printed Name: Phil & Renee McNeely Address: 839 Sherrill Blvd.

Signature: Renee McNeely Date: 4-6-2022

Phil McNeely

McNeily
839 Sherrill Blvd.
Duncanville, Tx 75116

NORTH TEXAS TX P&DC
DALLAS TX 750
6 APR 2022 PM 3 L

City of Duncanville / Attn. Public Works Dept.
Planning & Zoning Commission
P.O. Box 380280
Duncanville, Tx 75138-0280

75138-028080

From: Becky Morrison
To: Lynette Romero
Subject: Short Term Rentals
Date: Monday, April 11, 2022 3:32:38 PM

Dear Ms. Romero and Chamber,

I am writing to tell you my story and advocate for the need for short term rentals in the form of an Air BNB. I live in Houston, Texas, but I was hired in August of 2021 to teach at Dallas Baptist University. Because my husband's job is in Houston and we own a home there, I needed something that was reasonable, in a safe neighborhood, and that had someone who would know my coming and going. Stuart and Ruth Carlson's Air BNB offered all those things to me. At a reasonable rate, I was able to have a private bedroom, access to washer/dryer, and a small kitchenette for warming up frozen meals, or meals I had purchased. I lived at 822 Sherrill for seven (7) months. Stuart and Ruth were wonderful! The home was very quiet, the other guests were very courteous and there was enough parking for each guest without encroaching on the street. It was the perfect scenario for me and my needs.

Not only did the Air BNB meet my needs, but it met the needs of several other guest during my tenure. Each person was a hard-working professional that just needed some temporary housing without being locked into a lease or paying large deposits and fees. I appreciated the hospitality of the Carlson's and their process for choosing their guests. I believe this type of arrangement meets needs that have long been ignored without any kind of reasonable, affordable solution. The Air BNB industry is a great help and I hope they will continue to be a viable option for people like me.

Thank you for your time.

Gratefully,

Becky L. Morrison, DMA
Associate Professor of Music, Music Education
Dallas Baptist University
3000 Mountain Creek Parkway
Dallas, TX 75211
[redacted]
www.dbu.edu

From: Noah Hughes
To: Lynette Romero
Subject: Re:
Date: Monday, April 11, 2022 4:25:23 PM

822 Sherrill Blvd, Duncanville, TX 75116

On Mon, Apr 11, 2022 at 4:10 PM Lynette Romero <lromero@duncanville.com> wrote:

> Thank you for your response. Could you please tell me what address this is for?
>
> Lynette Romero
> Planning Technician
>
> 203 E. Wheatland Road
> Duncanville,
> TX 75116
>
> 972-707-3878 P
> www.duncanville.com
>
> OPEN RECORDS NOTICE: In accordance with the Texas Public Information Act (Chapter 552, Texas Government Code) this email and all responses may be subject to disclosure, in part or full, as public information upon request. Please respond accordingly.
>
> **From:** Noah Hughes <[redacted]>
> **Sent:** Monday, April 11, 2022 3:06 PM
> **To:** Lynette Romero <lromero@duncanville.com>
> **Subject:**
>
> I am reaching out to provide my thoughts on the value of the AirBnB provided by Ruth and Stuart Carlson in Duncanville. The AirBnB they provide is a wonderful experience. I stayed

with them a little more than a year, and was able to meet so many wonderful people and explore a town I never knew existed. I will forever be thankful for my time with them, and the kindness they have to open their house for strangers like me.

The following form may be filled out and mailed to:

RECEIVED 04/11/2022 L. Romero

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2022-08 Stuart and Ruth Carlson, Applicants and Owners, are requesting approval of a Specific Use Permit (SUP) to allow for the use of Short-Term Rental on Irwin Keasler Dev Red Bird 5, PT Lot 0006, more commonly known as 822 Sherrill Boulevard, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

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If you oppose the zoning change, however, the attached survey must be completed and returned by May 3, 2022, to fulfill legal requirements for a written formal protest.

Please check one:

✓ ***In favor*** *of granting the zoning request.*

_____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1). We run quiet Air bnb homes, These are our homes; We take care of them ourselves. We do not use a mangent company.
2). We provide a service that is in dmand in this area. Duncanville benifits from this service.
3). Part of our learning curve was letting someone book a whole house for a "birthday party". Clean up cost us more than they paid for the weekend.

Printed Name: Stuart Carlson Address: 822 Sherrill Blvd

Signature: [signature] Date: 4-11-2022

Attachment 6

SIKES MICHAEL R &
810 SHERRILL BLVD
DUNCANVILLE, TEXAS 751162540

MORTIMER GREGORY M &
731 W CAMP WISDOM RD
DUNCANVILLE, TEXAS 751162546

PARKS PHILLIP D & JOANNE
727 W CAMP WISDOM RD
DUNCANVILLE, TEXAS 751162546

WALTON JANICE A
723 W CAMP WISDOM RD
DUNCANVILLE, TEXAS 751162546

TORRES MARIA DEL CARMEN &
719 W CAMP WISDOM RD
DUNCANVILLE, TEXAS 751162546

RUIZ ALBERT
804 SHERRILL BLVD
DUNCANVILLE, TEXAS 751162540

TORRES SANTIAGO & MARIA
838 SHERRILL BLVD
DUNCANVILLE, TEXAS 751162540

BROWN LINDA M
834 SHERRILL BLVD
DUNCANVILLE, TEXAS 751162540

SELLERS B W
830 SHERRILL BLVD
DUNCANVILLE, TEXAS 751162540

SELLERS B W
830 SHERRILL BLVD
DUNCANVILLE, TEXAS 751162540

CARLSON STUART & RUTH
822 SHERRILL BLVD
DUNCANVILLE, TEXAS 751162540

SLATON ROBERT JACK II & LISA G
818 SHERRILL BLVD
DUNCANVILLE, TEXAS 751162540

MCNEELY PHILLIP L & C RENEE
839 SHERRILL BLVD
DUNCANVILLE, TEXAS 751162539

FRIESEN MARK ET AL
739 N MERRILL AVE
DUNCANVILLE, TEXAS 751163522

ALVARADO ERICK
831 SHERRILL BLVD
DUNCANVILLE, TEXAS 751162539

MEEKER TERRY L &
827 SHERRILL BLVD
DUNCANVILLE, TEXAS 751162539

SALAZ ANA L & ERIC Z
823 SHERRILL BLVD
DUNCANVILLE, TEXAS 751162539

Attachment 8

PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
203 E WHEATLAND ROAD
MONDAY, APRIL 11, 2022 @ 7:00 P.M.

A meeting for the Planning and Zoning Commission was held on Monday, April 11, 2022, at 7:00 p.m. with the following present:

Planning and Zoning Commission Members:

Betty Culbreath	Chairman	
Elias Rodriguez	Vice-Chairman	
Eric Pena	Commissioner	
Jana McBroom	Commissioner	
Javar Avery	Commissioner	
Edward Stith	Commissioner	Excused Absence

Staff present:
Jeremy Tennant, Interim Planning Secretary
Lynette Romero, Planning Technician

The meeting was called to order at 7:00 p.m. by Chairman Culbreath.

Item No. 1 – Receive Public Comments

No public comments were made.

Item No. 2 – Approval of meeting minutes for the regular meeting on March 28, 2022.

Commissioner Rodriguez made a motion as seconded by Commissioner McBroom to approve the minutes. The vote was unanimous 5-0 in favor with Commissioner Stith absent.

Item No. 3 – Consider a request for approval of a replat by Matthew Williamson, applicant, representing Italy Family Pharmacy, Inc., owner, to replat Hopco Wedge, more commonly known as 102 East Danieldale Road, Duncanville, Dallas County, Texas.

Jeremy Tennant presented background information regarding the proposed request for replat.

The applicant was present. The applicant did not have anything to comment regarding his request.

Chairman McBroom made a motion as seconded by Commissioner Pena to approve the request for replat. The vote was unanimous 5-0 in favor with Commissioner Stith absent.

Before introducing the next item, Chairman Culbreath explained to the audience what a Specific Use Permit is and its purpose. She also explained to the audience that the City recently passed an ordinance in December of 2021 for the regulation of short-term rentals, and that prior to this ordinance being

passed there were no rules or regulations set for the operation of short-term rentals within the City of Duncanville.

Item No. 4 – Conduct a public hearing (2022-06) for consideration and action regarding the request of Stuart and Ruth Carlson, applicants and owners, to include a Specific Use Permit "SUP" for Short-Term rental on Duncanville Estates 1, Block C, Lot 4, City of Duncanville, Dallas County, Texas, more commonly known as 103 South Capri Drive.

Jeremy Tennant presented background information regarding the proposed SUP.

Chairman Culbreath opened the public hearing.

Stuart Carlson, applicant and owner, spoke in favor of his request.

Chairman Culbreath opened the floor for comments.

There were two residents that spoke in opposition of the request.

1. Leesha Bateman of 907 Huntington Drive, Duncanville, Texas 75116
2. Charles Bateman of 907 Huntington Drive, Duncanville, Texas 75116

There were four people that spoke in favor of the request.

1. Pamela Miller of 126 County Road 2980, Alba, TX 75410
2. Michael Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116
3. Lorenzo Aytes – did not provide address
4. Alla Wilkins of 234 Walnut Circle, Duncanville, Texas 75116

Three citizen public comment cards were submitted in support of the request, however; the residents chose not to speak during the hearing.

Ruth Carlson, applicant and owner, provided a response to the Commission regarding the resident's items of opposition.

Commissioner McBroom made a motion to close the public hearing with motion seconded by Commissioner Avery.

Commissioner Avery made a comment that the Commission decides with the whole city in mind and not district by district. He stated that the main controversy of short-term rentals are property values. Commissioner Avery stated he believes in property owners utilizing their property as they choose to the extent that that the law allows; however, as it pertains to the City of Duncanville, he feels that he must be consistent with previous decisions made, and due to that he would deny the request.

Commissioner McBroom made a motion to approve the request for SUP as seconded by Chairman Culbreath. The vote was 2-3 in favor, with Commissioner Avery, Commissioner Rodriguez and

Commissioner Pena in opposition and Commissioner Stith absent.

Item No. 5 – Conduct a public hearing (2022-07) for consideration and action regarding the request of Stuart and Ruth Carlson, applicants, representing Lydia W. Carlson, owner, to include a Specific Use Permit "SUP" for Short-Term Rental on River Oaks, Block K, Lot 5, City of Duncanville, Dallas County, Texas, more commonly known as 350 Linklea Drive.

Jeremy Tennant presented background information regarding the proposed request for SUP.

Chairman Culbreath opened the public hearing.

Stuart Carlson, applicant, spoke in favor of the request.

One resident, Marlene Skinner of 359 Linklea Drive, Duncanville, Texas 75137, spoke in opposition of the request.

Chairman Culbreath made a comment that all people have the right to have an opinion, but do not have a right to oppose others' opinions. She stated that she found it interesting how the applicants have been operating for quite some time, and all who had spoken had never made a complaint about these specific properties until today. She went on to state that neighborhood services have not received any complaints regarding these properties ever since they have been in operation.

There were three residents that spoke in favor of the request.

1. Michael Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116
2. Caroline Carlson of 710 Markwood Drive, Duncanville, Texas 75116
3. Paul Carlson of 710 Markwood Drive, Duncanville, Texas 75116

Four citizen public comment cards were submitted in support of the request, however; the residents chose not to speak during the hearing.

In between these individuals speaking, the commission made comments regarding the company Airbnb and their own personal experiences with the company. Commissioner Rodriguez also addressed the audience concerning the commission reviewing each case separately and its obligation in determining what is best for the City.

Commissioner McBroom made a motion to close the public hearing as seconded by Commissioner Pena.

Commissioner McBroom made a motion to approve the request for SUP, seconded by Chairman Culbreath. The vote was 2-3 in favor with Commissioner Avery, Commissioner Rodriguez and Commissioner Pena in opposition and Commissioner Stith absent.

Item No. 6 – Conduct a public hearing (2022-08) for consideration and action regarding the request of

Stuart and Ruth Carlson, applicants and owners, to include a Specific Use Permit "SUP" for Short-Term Rental on Irwin Keasler Dev Red Bird 5, PT Lot 0006, Duncanville, Dallas County, Texas, more commonly known as 822 Sherrill Boulevard.

Jeremy Tennant presented background information regarding the proposed request for SUP.

Chairman Culbreath opened the public hearing.
Mr. Carlson, applicant and owner, did not speak on this case.

Chairman Culbreath opened the floor for comments. She also stated that there was a letter received by resident Judith Reed of 935 Green Rock Drive, Duncanville, Texas, 75137, in support of the request. Three citizen public comment cards were also submitted in support of the request, however; the residents chose not to speak during the hearing.

There were five people who spoke in favor of the request.

1. Pamela Miller of 126 County Road 2980, Alba, Texas 75410
2. Peter D'Amato of 211 North Casa Grande Circle, Duncanville, Texas 75116
3. Evelyn Kirby of 822 Sherrill Boulevard, Duncanville, Texas 75116
4. Elaine Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116
5. Michael Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116

Chairman Culbreath commented that these properties were in operation prior to the ordinance going into effect, and that the property owners have not received any code complaints and have been doing a very good job. She stated that street parking issues are not related to Airbnb, and that recently, an ordinance was passed that prohibits overparking in all single-family residential districts. She went on to state that maybe residents need to bring these issues to City Council.

Commissioner McBroom asked the applicant, Mr. Carlson, questions pertaining to the living situation at this property. Mr. Carlson stated that this property is operated in the same manner as his other two properties with the only difference being that he resides at this property.

Commissioner Rodriguez made a comment that he would support the approval of the request for SUP for this case because the owner resides at the property, and he seems to have a good history of the management process.

Commissioner Avery made a comment that his position on short-term rentals does not change. He went on to state to those who spoke that even though a precedent has been set that it does not mean it is not possible for it to change, and that compelling arguments bring forth change, which is what those who spoke demonstrated during this hearing. He commented to the audience to keep in mind that these cases must still move forward to City Council for final decision.

Commissioner McBroom made a motion to close the public hearing as seconded by Commissioner Pena.

Commissioner McBroom made a motion to approve the request for SUP as seconded by Commissioner

Pena. The vote was 4-1 in favor with Commissioner Avery in opposition and Commissioner Stith absent.

After voting was completed, various members of the audience asked questions pertaining to the process to take place after the first hearing. The commission responded to their questions.

There were three citizen public comment cards submitted in support all checked not to speak. These three comment cards did not have an agenda item number or topic listed.

The three citizens listed on these public comment cards were:

1. Joe Leszko of 822 Sherrill Boulevard, Duncanville, Texas 75116
2. Steve Landtroop of 1315 Heather Glen Street, Duncanville, Texas 75116
3. Elaine Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116

Item No. 7 – Continue discussion pertaining to the five-year Comprehensive Plan update. Analyze the FLUP Map and determine which areas need minor revisions and which areas need significant modification.
Jeremy Tennant asked the Commission if they had been able to review chapters 1 and 2 of the Comprehensive Plan, and if so, were there any sections they believed required minor revisions or major modifications.

The commission responded that they would need some time to review the chapters. The commission decided to form a small group consisting of Commissioner Avery, Commissioner Rodriguez, and Commissioner Pena. The selected commissioners will review chapters 1 and 2 and present their findings at the next Planning and Zoning Meeting. The commission will discuss the findings before moving onto next chapters.

Item No. 8 – The meeting adjourned at 8:28 p.m.

_____ _____

Jeremy Tennant, Interim Planning Secretary Betty Culbreath, Chairman

ORDINANCE NO. 2434

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING SF-10 SINGLE-FAMILY RESIDENTIAL DISTRICT TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR SHORT-TERM RENTAL ON REAL PROPERTY LOCATED ON IRWIN KEASLER DEV RED BIRD 5, PT LOT 0006, MORE COMMONLY KNOWN AS 822 SHERRILL BOULEVARD, CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR SPECIAL CONDITIONS, IF ANY;; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and City Council of the City of Duncanville, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the City Council is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended as provided herein.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, by amending the existing SF-10 Single-Family Residential District zoning to grant a Specific Use Permit “SUP” to allow for Short-Term Rental on real property located on Irwin Keasler Dev Red Bird 5, PT Lot 0006, more commonly known as 822 Sherrill Boulevard, in the City of Duncanville, Dallas County, Texas, and being more particularly described in Exhibit “A”, attached hereto and made a part hereof for all purposes (the “Property”).

SECTION 2. That the above-described property shall be used and developed only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Duncanville and regulations under the Code of Ordinance, as heretofore amended, and subject to the following additional special conditions:

- No Loud and raucous noise may be present on the property between the hours of 10:00 p.m. and 7:00 a.m.
- The owner shall comply with Short-Term Rental registration ordinance as provided in the Code of Ordinances.

- The property must continue to be in good standing by not having any outstanding issues related to taxes or code compliance provisions.
- A report must be submitted to Planning staff each January that indicates the following:
  - The number of nights the unit was rented as a Short-Term Rental in the previous year
  - Proof of payment of Hotel Occupancy Tax
  - Proof of current property insurance
- The property will be suspended or removed from the registration list for one (1) year if false or misleading information is provided, there has been a violation of the terms, conditions, or restrictions or if the Hotel Occupancy Tax has not been paid in a timely manner.
- Continue operation of a Short-Term rental without permit or violation of this Ordinance.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That all provisions of the Ordinance of the City of Duncanville in conflict with provisions of this Ordinance be, and same are hereby repealed, and all other provisions of the ordinances of the City of Duncanville not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That the above-described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Duncanville, as amended herein by the granting of this special use permit.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Comprehensive Zoning Ordinance as amended hereby shall be deemed guilty of a misdemeanor, and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollar s ($2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 7. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

DULY ORDAINED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 21st day of June, 2022.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION

Being all of an approximately 0.45-acre lot, tract, or parcel of land recorded as PT Lot 0006, Irwin Keasler Dev Red Bird 5, Duncanville, Dallas County, Texas, more commonly known as 822 Sherrill Boulevard.

STAFF REPORT

MEETING: City Council - 21 Jun 2022

TITLE:
Conduct a Public Hearing and consider an Ordinance amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by amending the existing SF-7 Single-Family Residential District to grant a Specific Use Permit to allow for Short-Term Rental on real property located on River Oaks, Block K, Lot 5, more commonly known as 350 Linklea Drive.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Promote: Innovative Ideas for Development and Re-development**
  - **Pursue a diverse and robust economy through various business, housing, and employment opportunities that encourage forward-thinking community and economic development.**

STAFF RESPONSIBLE:
Jeremy Tennant, Director of Planning and Neighborhood Services

BACKGROUND/HISTORY:
Item is a continuance from the May 17, 2022 Regular City Council Meeting.

Comprehensive Plan
The subject property has a Future Land Use Designation of Low Density Residential. The Plan states that low density residential represents a traditional single-family detached neighborhood and includes housing and living units for people with a range of incomes and needs. Low density residential areas generally range between three and five dwelling units per acre.

The Plan goes on to list the following policies to guide low density areas:

- They should be protected from, but accessible to, the major roadway network, commercial establishments, and industrial areas.
- Subdivisions should be accessible to collector and arterial streets, but should directly access only local streets, creating a balanced land-use pattern across the City.
- They should not be directly accessible to major arterials and freeways without adequate buffering and access management.

Staff believes this request, as it relates to compatibility with the Comprehensive Plan, is dependent on the manner in which the single-family residential structure is utilized for the purpose of a short-term

rental. If the structure is intended to be constantly rented out much the same as a hotel room, staff would not believe the request is compatible with the Comprehensive Plan. However, if the structure was intended to be lived-in by the property owner throughout the majority of the year and rented out for a select number of weekends, staff feels such a request may be viewed to be more inline with the Comprehensive Plan.

Project Scope
The applicants are seeking approval to allow for the use of Short-Term Rental at the subject property. The associated structure consists of a single-family residence, approximately 1,372 square feet in size with attached garage. Exterior features include existing trees and front drive.

Surrounding Land Use and Zoning
The subject property is surrounded by existing single-family residences zoned SF-7 Single-Family Residential District.

Zoning and Land Use
Section 6.05. (Specific Use Permits) of the Zoning Ordinance, states the in considering an application for a SUP, the Planning and Zoning Commission and the City Council shall consider that the proposed use is:

- consistent and compatible with the adjacent land use and zoning.
- consistent with the architecture and characteristics of the adjacent properties.
- may promote innovative use of modern development concepts, without having an adverse impact on adjacent properties.
- consistent with the goals and objectives of the City of Duncanville.
- an enhancement or improvement beyond the minimum standards set forth by the Zoning Ordinance.
- will not be detrimental to the general health, safety, and welfare of the community.
- would stabilize and improve property values within the City of Duncanville.
- would protect and enhance the city's attractiveness to residents, businesses, tourists, and visitors
- would strengthen and help diversify the economy of the City of Duncanville.

Recommendation
Staff recommended that the Commission consider the bulleted items contained in Section 6.05 of the Zoning Ordinance and make an appropriate recommendation to City Council. The Planning and Zoning Commission recommended not to approve the request.

POLICY EXPLANATION:
Notification
Thirty-seven (37) notices were sent out for this public hearing. As of this writing, no responses have been received. Letters will be received until Tuesday, May 17, 2022, to fulfill legal requirements for a written formal protest to City Council. The request is tentatively scheduled to proceed to the Tuesday, May 17, 2022, City Council hearing.

FUNDING SOURCE:

ORG and Object Number
N/A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:

1. Approval of Ordinance.
2. Do not approve Ordinance.
3. Other actions as directed by Council.

ATTACHMENTS:

Attachment 1 - Legal Advertisement for Public Hearing
Attachment 2 - Area of Request Maps
Attachment 3 - Site Plan & Applicant Exhibits
Attachment 4 - Letter From Applicant- Property Owner
Attachment 5 - Letters to Property Owners Within 200' Buffer
Attachment 6 - List of Property Owners Within 200' Buffer
Attachment 7 - PZ Minutes - April 11 2022 Final
Attachment 8 - Ordinance No. - 2433 - SUP - 350 Linklea Drive

Attachment 1

Advertise 1 time - By March 30

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL
ZONING FILE #2022-07

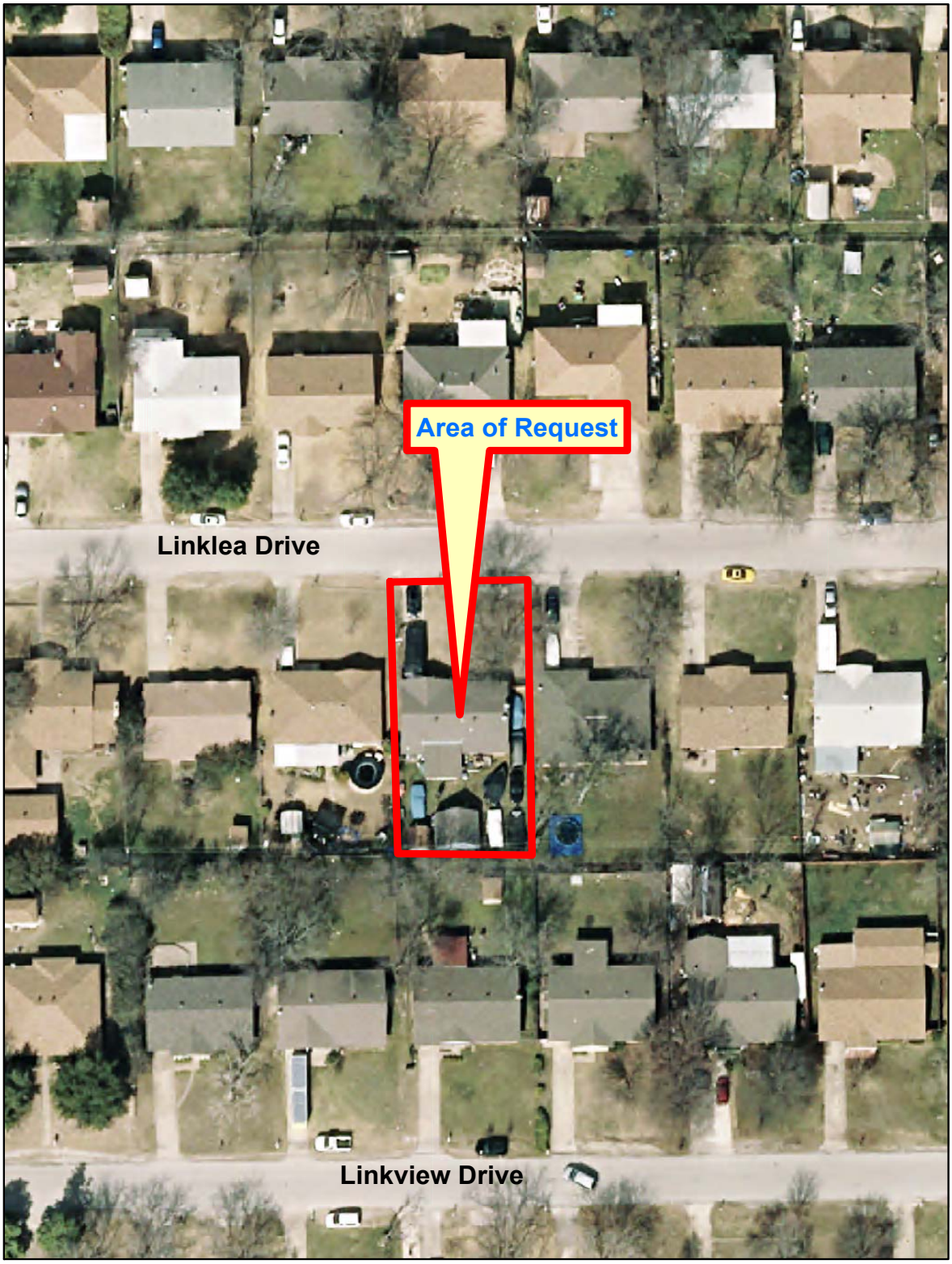
A public hearing will be held before the Planning & Zoning Commission on Monday, April 11, 2022 at 7:00 p.m., and before City Council on Tuesday, May 3, 2022, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to hear a request of the City of Duncanville for a Specific Use Permit to allow for the use of Short-Term Rental, on River Oaks, Block K, Lot 5, more commonly known as 350 Linklea Drive, City of Duncanville, Dallas County, Texas.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary or to Skye Thibodeaux, Interim Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Kristin Downs
City Secretary

Skye Thibodeaux,
City Planner

Attachment 2



Duncanville
City of Champions

Proposed Zoning Change
Aerial Location
350 Linklea Drive

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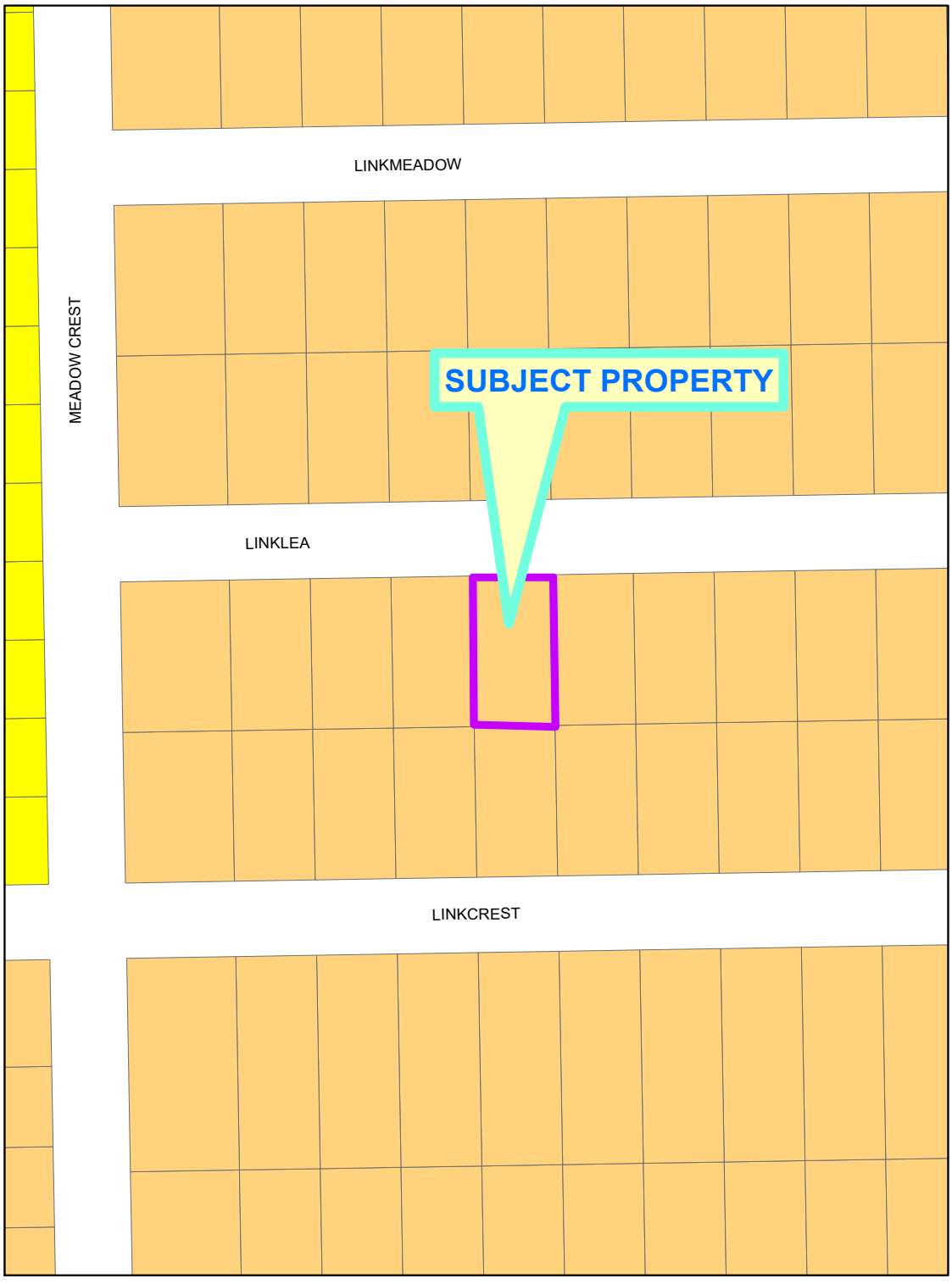

Duncanville
City of Champions

Zoning Case 2022-07
SUP Request for
Short-Term Rental

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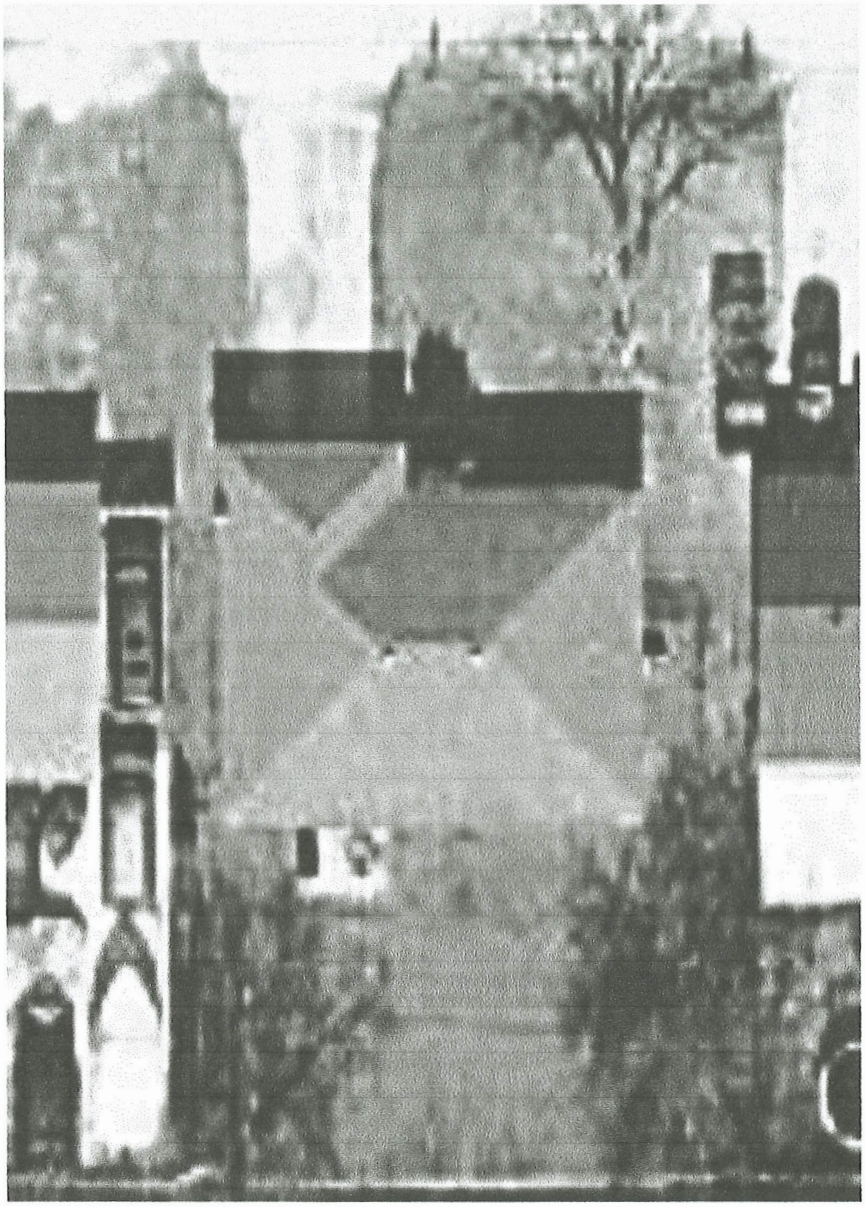
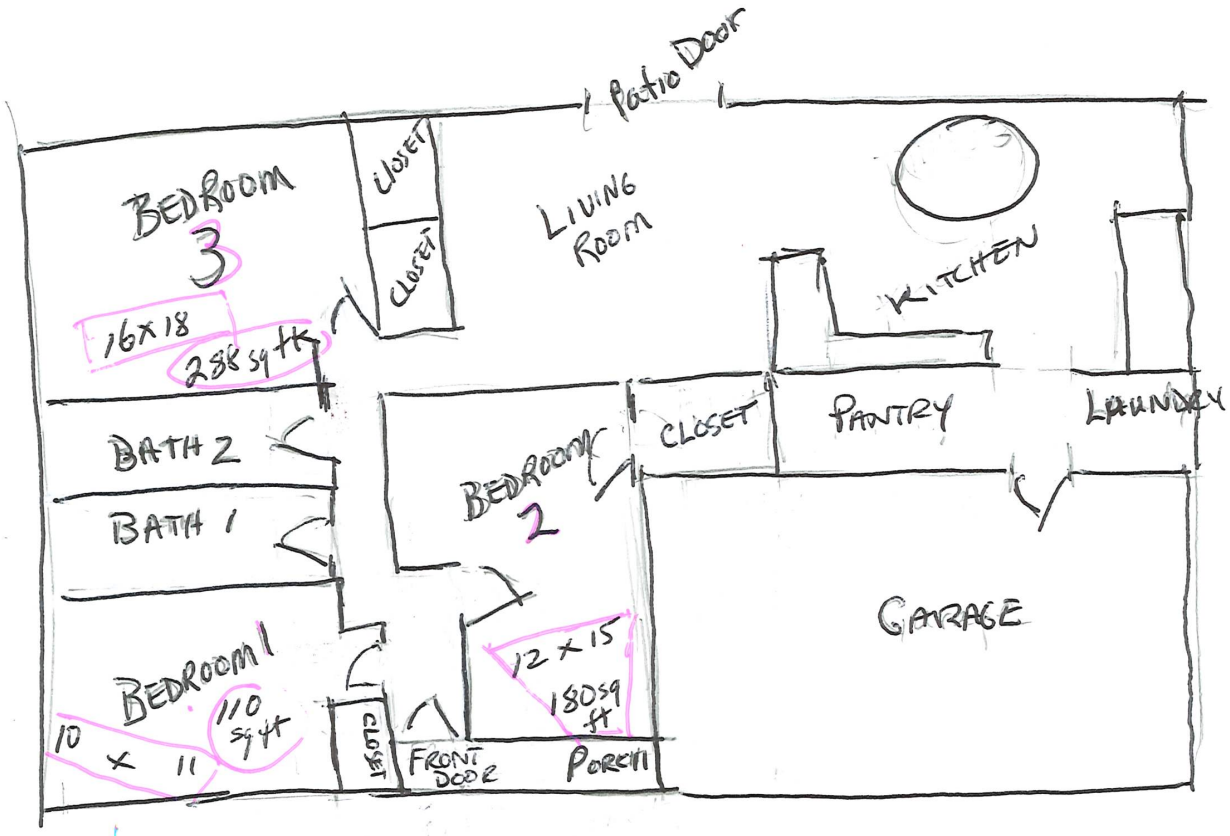
Attachment 3

350 Linklea Blvd, Duncanville, TX 75137



River Oaks Blk K Lot 5

350 LINKLEAF DRIVE, DUNCANVILLE 75137



Attachment 4

Stuart and Ruth Carlson
~~822 Sherrill Blvd~~ 350 Linklea Dr
Duncanville, Texas 75116
February 22, 2022

To the City of Duncanville:

We are applying for a special use permit to use a home in our family trust at 350 Linklea Drive, Duncanville, as a place to welcome people to our city - people such as traveling nurses, students, and other folks who need a transitional place to stay until they get their feet under them. Most of our guests will likely stay with us for 3 months to a year, or longer.

There are times, however, when a guest is just traveling through town and needs a place for a night or two; or perhaps a mother has come to town to visit her son who is attending college. While we do not seek to have short term guests, we do try to accommodate them if the need arises. Last year we hosted a few short term guests in our other homes, and this is why we are applying for a short term rental permit.

We love sharing our home with our guests! Our setup is reminiscent of a tiny hotel, but much better. Each guest has the privacy and security afforded by a keyed door to their bedroom; but they have access to and use of all the common areas: the living room, kitchen, dining room, bathrooms, laundry room, patio, and front and back yards. Some of our guests work night shifts, others during the day, some work from home, and others work on site. In the past, some of our guests have been able to save enough money while living in our home to buy their own homes here in Duncanville. We like to stop in to have a cup of coffee with a guest and chat, or to attend to maintenance and cleaning of the house and yard. Many enduring relationships will be created.

We believe we are bringing much richness to Duncanville: good people are able to work at Charlton Methodist and other businesses; shopping and use of Uber, Lyft, and UberEats is increased, giving more of our citizens opportunities to make money serving our guests; and because of the welcome and care our guests receive, a positive image of this city is being fostered.

This cute little home is not a party home. Although many of our guests come to us through the Airbnb platform, none of our guests will come to vacation and party, but rather to work and/or study. Funny enough, if one of the guests were to attempt to throw a party (which is against the rules), the other guests would object and report the person to me. What a serendipity that our system is self-monitoring! Our home is quiet, very organized, clean, and safe.

Thank you for your care for Duncanville. We understand how important it is to make sure that neighborhoods remain peaceful, clean, and safe, and we assure you that we are doing our part to create a great atmosphere in Duncanville.

Sincerely,

Stuart and Ruth Carlson

Attachment 5

City of Duncanville Planning Division
Public Works Department
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878; (f) 972-780-6426
(e) lromero@duncanville.com

March 30, 2022

Zoning File: 2022-07

Dear Property Owner:

Stuart and Ruth Carlson, Applicants, representing Lydia W. Carlson, Owner, are requesting approval of a Specific Use Permit to allow for the use of Short-Term Rental on River Oaks, Block K, Lot 5, more commonly known as 350 Linklea Drive, in the City of Duncanville, Dallas County, Texas.

Your property is NOT being rezoned. You have been sent this notice because you are within the required 200-foot notification area of property that is being considered for rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

The Planning and Zoning Commission will hold a public hearing on Monday, April 11, 2022, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, May 3, 2022, at 7:00 p.m., both in the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change. If you oppose the zoning change, however, the attached survey must be completed and returned by May 3, 2022, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary or to Skye Thibodeaux, Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email lromero@duncanville.com stating your position. You are encouraged to participate in the public hearing and offer comments.

Sincerely,

Skye Thibodeaux
Secretary, Planning and Zoning Commission

Enclosures

City of Duncanville Planning Division
Public Works Department
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878; (f) 972-780-6426
(e) lromero@duncanville.com

Marzo 30, 2022

Archivo de zonificación: 2022-07

Estimado propietario:

Stuart y Ruth Carlson, solicitantes, representando Lydia W. Carlson, propietaria, están solicitando la aprobación de un Permiso de Uso Específico para permitir el uso de Alquileres a Corto Plazo en River Oaks, Block K, Lot 5, más comúnmente conocido como 350 Linklea Drive, en la ciudad de Duncanville, condado de Dallas, Texas.

Su propiedad NO está siendo rezonificada. Se le ha enviado este aviso porque se encuentra dentro del área de notificación requerida de 200 pies de la propiedad que se está considerando para la rezonificación para esta audiencia pública en particular. Consulte el mapa adjunto que indica qué propiedad se está rezonificando.

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 11 de Abril de 2022, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 3 de Mayo de 2022, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto. Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del 3 de Mayo de 2022, para cumplir con los requisitos legales para una protesta formal por escrito.

Como ciudadano interesado, puede enviar comentarios públicos al Secretario de la Ciudad o a Skye Thibodeaux, Secretario de la Comisión de Planificación y Zonificación, P.O. Box 380280, Duncanville, Texas, 75138-0280 o enviar un correo electrónico lromero@duncanville.com indicando su posición. Se le anima a participar en la audiencia pública y ofrecer comentarios.

Sinceramente

Skye Thibodeaux
Secretario de la Comisión de Planificación y Zonificación

Recintos

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2022-07 Stuart and Ruth Carlson, Applicants, representing Lydia W Carson, Owner, are requesting approval of a Specific Use Permit (SUP) to allow for the use of Short-Term Rental on River Oaks, Block K, Lot 5, more commonly known as 350 Linklea Drive, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of Short-Term Rental.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, April 11, 2022, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, May 3, 2022, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by May 3, 2022, to fulfill legal requirements for a written formal protest.

Please check one:

_____ ***In favor** of granting the zoning request.*

_____ ***Not in favor** of granting the zoning request.*

My reasons are as follows:

1).

2).

3).

Printed Name: _____ Address: _____

Signature: _____ Date: _____

El siguiente formulario puede ser llenado y enviado por correo a:

Planning and Zoning Commission
City of Duncanville
Attention: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Caso No. 2022-07 Stuart y Ruth Carlson, Solicitantes, representando Lydia W. Carlson, Propietaria, están solicitando la aprobación de un Permiso de Uso Específico (SUP) para permitir el uso de Alquiler a Corto Plazo en River Oaks, Block K, Lot 5, comúnmente conocido como 822 Sherrill Boulevard, en la Cuidad de Duncanville, condado de Dallas, Texas. Esta es la primera de dos audiencias públicas que se han programado para recibir más información sobre el cambio de zonificación solicitado.

NOTA: El propósito de la solicitud es permitir el uso de alquiler a corto plazo.

Se le ha enviado este aviso ya que su propiedad está dentro del área de notificación de 200 pies de la propiedad que se solicita para un cambio de zonificación. **Su propiedad no está siendo rezonificada.**

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 11 de Abril 2022, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 3 de Mayo de 2022, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto.

Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del 3 de Mayo de 2022, para cumplir con los requisitos legales para una protesta formal por escrito.

Por favor, marque uno:

_____ ***A favor*** de conceder la solicitud de *zonificación.*

_____ ***No a favor*** de otorgar la solicitud de *zonificación.*

Mis razones son las siguientes:

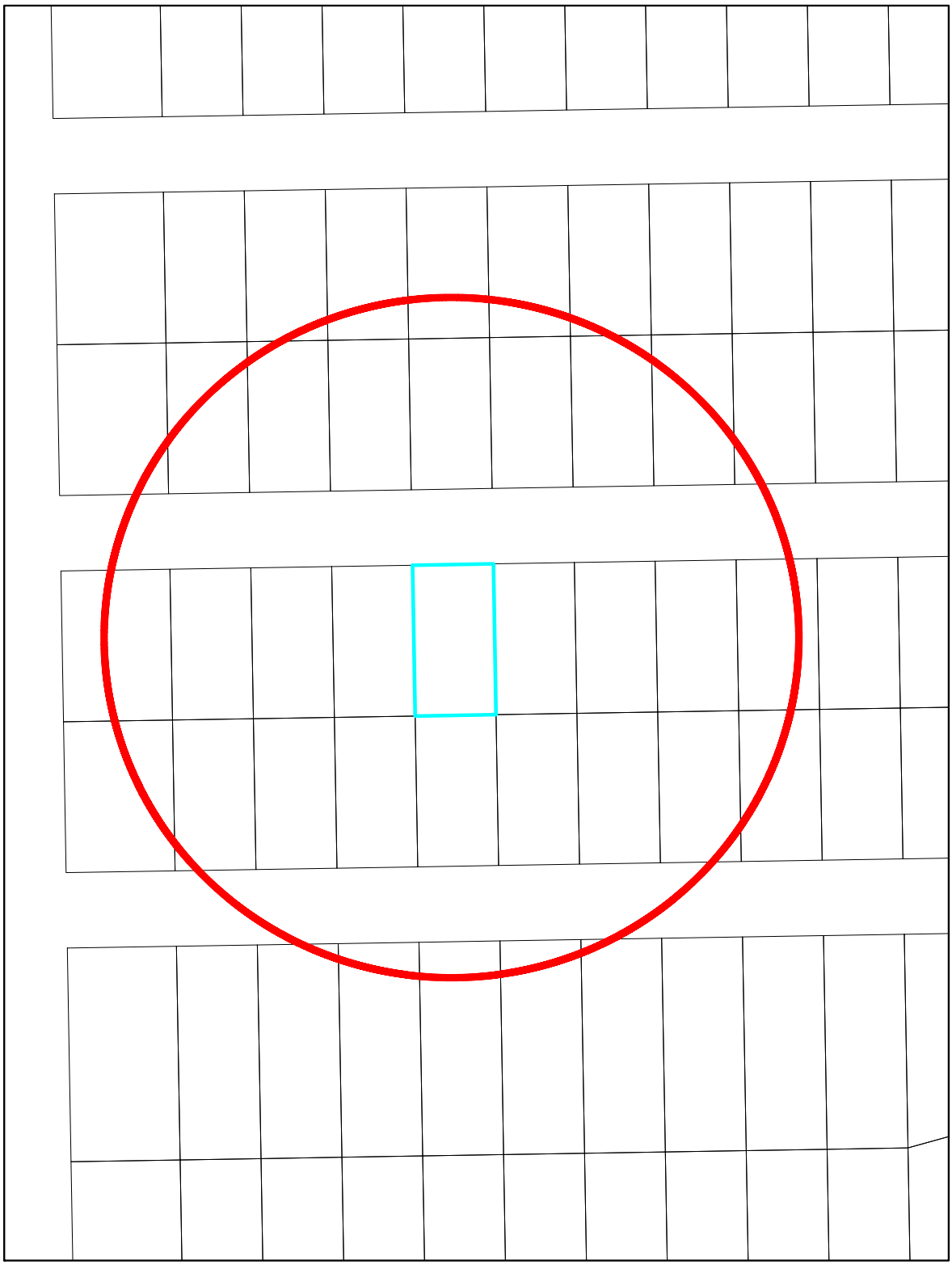
1).

2).

3).

Nombre impreso: _____ Dirección: _____

Firma: _____ Fecha: _____



Attachment 6

JUAREZ PABLO
342 LINKCREST DR
DUNCANVILLE, TEXAS 751374308

BARKER VICTORIA A
346 LINKCREST DR
DUNCANVILLE, TEXAS 751374308

RODRIGUEZ FRANCISCO ESPINOZA
350 LINKCREST DR
DUNCANVILLE, TEXAS 751374308

AUGER MARK
354 LINKCREST DR
DUNCANVILLE, TEXAS 751374308

KENNEDY KATHY A
358 LINKCREST DR
DUNCANVILLE, TEXAS 751374308

BRODNAX JENNILEA KIRK
PO BOX 382753
DUNCANVILLE, TEXAS 751382753

PEREZ ARJENA
363 LINKCREST DR
DUNCANVILLE, TEXAS 751374307

SHAW DEBBIE R
359 LINKCREST DR
DUNCANVILLE, TEXAS 751374307

SEMBRANO PAULINA &
355 LINKCREST DR
DUNCANVILLE, TEXAS 751374307

BENCOMO JESUS G &
351 LINKCREST DR
DUNCANVILLE, TEXAS 751374307

GONZALEZ ESEQUIEL
347 LINKCREST DR
DUNCANVILLE, TEXAS 751374307

REYARANDA LLC
4350 MAPLE AVE
DALLAS, TEXAS 752192409

MARIN FLAVIO
339 LINKCREST DR
DUNCANVILLE, TEXAS 751374307

ROJAS SALVADOR G
335 LINKCREST DR
DUNCANVILLE, TEXAS 751374307

SERRANO ARMANDO
220 BUCKSKIN DR
WAXAHACHIE, TEXAS 751674837

GARCIA JUANITA
338 LINKLEA DR
DUNCANVILLE, TEXAS 751374312

ALVARADO MAINOR RIVAS
342 LINKLEA DR
DUNCANVILLE, TEXAS 751374312

MORENO MARCO A
346 LINKLEA DR
DUNCANVILLE, TEXAS 751374312

CARLSON LYDIA W
7500 W CAMP WISDOM RD # G02
DALLAS, TEXAS 752365629

MATLOCK OSCAR &
354 LINKLEA DR
DUNCANVILLE, TEXAS 751374312

JUSTICE RALPH RICHARD &
358 LINKLEA DR
DUNCANVILLE, TEXAS 751374312

MILLER CINDY L
134 CREEK DR
WHITNEY, TEXAS 766927536

WOODDELL GARY D &
366 LINKLEA DR
DUNCANVILLE, TEXAS 751374312

GARZA MARTINA R
367 LINKLEA DR
DUNCANVILLE, TEXAS 751374311

VILLALTA RAFAEL E
363 LINKLEA DR
DUNCANVILLE, TEXAS 751374311

SKINNER LEONARD E
359 LINKLEA DR
DUNCANVILLE, TEXAS 751374311

MOORE SAMUEL & JANE
355 LINKLEA DR
DUNCANVILLE, TEXAS 751374311

LOPEZ RODOLFO
351 LINKLEA DR
DUNCANVILLE, TEXAS 751374311

RESICAP TEXAS OWNER II LLC
3630 PEACHTREE RD NE
ATLANTA, GEORGIA 303260000

ARANJO MISAEL JAMIE &
343 LINKLEA DR
DUNCANVILLE, TEXAS 751374311

DEAN RONNIE &
2528 RICHLAND AVE
FARMERS BRANCH, TEXAS 752344732

RUIZ GREGORIO
335 LINKLEA DR
DUNCANVILLE, TEXAS 751374311

ALLISON LALIYA
342 LINKMEADOW DR
DUNCANVILLE, TEXAS 751374314

GONZALES J G TR &
346 LINKMEADOW DR
DUNCANVILLE, TEXAS 751374314

PARKER BOBBY RAY &
350 LINKMEADOW DR
DUNCANVILLE, TEXAS 751374314

DAVIS BARBARA J
354 LINKMEADOW DR
DUNCANVILLE, TEXAS 751374314

MARROQUIN RAFAEL A
117 W SCHRIEBER ST
GARLAND, TEXAS 750408806

Attachment 8

PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
203 E WHEATLAND ROAD
MONDAY, APRIL 11, 2022 @ 7:00 P.M.

A meeting for the Planning and Zoning Commission was held on Monday, April 11, 2022, at 7:00 p.m. with the following present:

Planning and Zoning Commission Members:

Betty Culbreath	Chairman	
Elias Rodriguez	Vice-Chairman	
Eric Pena	Commissioner	
Jana McBroom	Commissioner	
Javar Avery	Commissioner	
Edward Stith	Commissioner	Excused Absence

Staff present:
Jeremy Tennant, Interim Planning Secretary
Lynette Romero, Planning Technician

The meeting was called to order at 7:00 p.m. by Chairman Culbreath.

Item No. 1 – Receive Public Comments

No public comments were made.

Item No. 2 – Approval of meeting minutes for the regular meeting on March 28, 2022.

Commissioner Rodriguez made a motion as seconded by Commissioner McBroom to approve the minutes. The vote was unanimous 5-0 in favor with Commissioner Stith absent.

Item No. 3 – Consider a request for approval of a replat by Matthew Williamson, applicant, representing Italy Family Pharmacy, Inc., owner, to replat Hopco Wedge, more commonly known as 102 East Danieldale Road, Duncanville, Dallas County, Texas.

Jeremy Tennant presented background information regarding the proposed request for replat.

The applicant was present. The applicant did not have anything to comment regarding his request.

Chairman McBroom made a motion as seconded by Commissioner Pena to approve the request for replat. The vote was unanimous 5-0 in favor with Commissioner Stith absent.

Before introducing the next item, Chairman Culbreath explained to the audience what a Specific Use Permit is and its purpose. She also explained to the audience that the City recently passed an ordinance in December of 2021 for the regulation of short-term rentals, and that prior to this ordinance being

passed there were no rules or regulations set for the operation of short-term rentals within the City of Duncanville.

Item No. 4 – Conduct a public hearing (2022-06) for consideration and action regarding the request of Stuart and Ruth Carlson, applicants and owners, to include a Specific Use Permit "SUP" for Short-Term rental on Duncanville Estates 1, Block C, Lot 4, City of Duncanville, Dallas County, Texas, more commonly known as 103 South Capri Drive.

Jeremy Tennant presented background information regarding the proposed SUP.

Chairman Culbreath opened the public hearing.

Stuart Carlson, applicant and owner, spoke in favor of his request.

Chairman Culbreath opened the floor for comments.

There were two residents that spoke in opposition of the request.

1. Leesha Bateman of 907 Huntington Drive, Duncanville, Texas 75116
2. Charles Bateman of 907 Huntington Drive, Duncanville, Texas 75116

There were four people that spoke in favor of the request.

1. Pamela Miller of 126 County Road 2980, Alba, TX 75410
2. Michael Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116
3. Lorenzo Aytes – did not provide address
4. Alla Wilkins of 234 Walnut Circle, Duncanville, Texas 75116

Three citizen public comment cards were submitted in support of the request, however; the residents chose not to speak during the hearing.

Ruth Carlson, applicant and owner, provided a response to the Commission regarding the resident's items of opposition.

Commissioner McBroom made a motion to close the public hearing with motion seconded by Commissioner Avery.

Commissioner Avery made a comment that the Commission decides with the whole city in mind and not district by district. He stated that the main controversy of short-term rentals are property values. Commissioner Avery stated he believes in property owners utilizing their property as they choose to the extent that that the law allows; however, as it pertains to the City of Duncanville, he feels that he must be consistent with previous decisions made, and due to that he would deny the request.

Commissioner McBroom made a motion to approve the request for SUP as seconded by Chairman Culbreath. The vote was 2-3 in favor, with Commissioner Avery, Commissioner Rodriguez and

Commissioner Pena in opposition and Commissioner Stith absent.

Item No. 5 – Conduct a public hearing (2022-07) for consideration and action regarding the request of Stuart and Ruth Carlson, applicants, representing Lydia W. Carlson, owner, to include a Specific Use Permit "SUP" for Short-Term Rental on River Oaks, Block K, Lot 5, City of Duncanville, Dallas County, Texas, more commonly known as 350 Linklea Drive.

Jeremy Tennant presented background information regarding the proposed request for SUP.

Chairman Culbreath opened the public hearing.

Stuart Carlson, applicant, spoke in favor of the request.

One resident, Marlene Skinner of 359 Linklea Drive, Duncanville, Texas 75137, spoke in opposition of the request.

Chairman Culbreath made a comment that all people have the right to have an opinion, but do not have a right to oppose others' opinions. She stated that she found it interesting how the applicants have been operating for quite some time, and all who had spoken had never made a complaint about these specific properties until today. She went on to state that neighborhood services have not received any complaints regarding these properties ever since they have been in operation.

There were three residents that spoke in favor of the request.

1. Michael Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116
2. Caroline Carlson of 710 Markwood Drive, Duncanville, Texas 75116
3. Paul Carlson of 710 Markwood Drive, Duncanville, Texas 75116

Four citizen public comment cards were submitted in support of the request, however; the residents chose not to speak during the hearing.

In between these individuals speaking, the commission made comments regarding the company Airbnb and their own personal experiences with the company. Commissioner Rodriguez also addressed the audience concerning the commission reviewing each case separately and its obligation in determining what is best for the City.

Commissioner McBroom made a motion to close the public hearing as seconded by Commissioner Pena.

Commissioner McBroom made a motion to approve the request for SUP, seconded by Chairman Culbreath. The vote was 2-3 in favor with Commissioner Avery, Commissioner Rodriguez and Commissioner Pena in opposition and Commissioner Stith absent.

Item No. 6 – Conduct a public hearing (2022-08) for consideration and action regarding the request of

Stuart and Ruth Carlson, applicants and owners, to include a Specific Use Permit "SUP" for Short-Term Rental on Irwin Keasler Dev Red Bird 5, PT Lot 0006, Duncanville, Dallas County, Texas, more commonly known as 822 Sherrill Boulevard.

Jeremy Tennant presented background information regarding the proposed request for SUP.

Chairman Culbreath opened the public hearing.
Mr. Carlson, applicant and owner, did not speak on this case.

Chairman Culbreath opened the floor for comments. She also stated that there was a letter received by resident Judith Reed of 935 Green Rock Drive, Duncanville, Texas, 75137, in support of the request. Three citizen public comment cards were also submitted in support of the request, however; the residents chose not to speak during the hearing.

There were five people who spoke in favor of the request.

1. Pamela Miller of 126 County Road 2980, Alba, Texas 75410
2. Peter D'Amato of 211 North Casa Grande Circle, Duncanville, Texas 75116
3. Evelyn Kirby of 822 Sherrill Boulevard, Duncanville, Texas 75116
4. Elaine Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116
5. Michael Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116

Chairman Culbreath commented that these properties were in operation prior to the ordinance going into effect, and that the property owners have not received any code complaints and have been doing a very good job. She stated that street parking issues are not related to Airbnb, and that recently, an ordinance was passed that prohibits overparking in all single-family residential districts. She went on to state that maybe residents need to bring these issues to City Council.

Commissioner McBroom asked the applicant, Mr. Carlson, questions pertaining to the living situation at this property. Mr. Carlson stated that this property is operated in the same manner as his other two properties with the only difference being that he resides at this property.

Commissioner Rodriguez made a comment that he would support the approval of the request for SUP for this case because the owner resides at the property, and he seems to have a good history of the management process.

Commissioner Avery made a comment that his position on short-term rentals does not change. He went on to state to those who spoke that even though a precedent has been set that it does not mean it is not possible for it to change, and that compelling arguments bring forth change, which is what those who spoke demonstrated during this hearing. He commented to the audience to keep in mind that these cases must still move forward to City Council for final decision.

Commissioner McBroom made a motion to close the public hearing as seconded by Commissioner Pena.

Commissioner McBroom made a motion to approve the request for SUP as seconded by Commissioner

Pena. The vote was 4-1 in favor with Commissioner Avery in opposition and Commissioner Stith absent.

After voting was completed, various members of the audience asked questions pertaining to the process to take place after the first hearing. The commission responded to their questions.

There were three citizen public comment cards submitted in support all checked not to speak. These three comment cards did not have an agenda item number or topic listed.

The three citizens listed on these public comment cards were:

1. Joe Leszko of 822 Sherrill Boulevard, Duncanville, Texas 75116
2. Steve Landtroop of 1315 Heather Glen Street, Duncanville, Texas 75116
3. Elaine Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116

Item No. 7 – Continue discussion pertaining to the five-year Comprehensive Plan update. Analyze the FLUP Map and determine which areas need minor revisions and which areas need significant modification.
Jeremy Tennant asked the Commission if they had been able to review chapters 1 and 2 of the Comprehensive Plan, and if so, were there any sections they believed required minor revisions or major modifications.

The commission responded that they would need some time to review the chapters. The commission decided to form a small group consisting of Commissioner Avery, Commissioner Rodriguez, and Commissioner Pena. The selected commissioners will review chapters 1 and 2 and present their findings at the next Planning and Zoning Meeting. The commission will discuss the findings before moving onto next chapters.

Item No. 8 – The meeting adjourned at 8:28 p.m.

_____ _____

Jeremy Tennant, Interim Planning Secretary Betty Culbreath, Chairman

ORDINANCE NO. 2433

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING SF-7 SINGLE-FAMILY RESIDENTIAL DISTRICT TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR SHORT-TERM RENTAL ON REAL PROPERTY LOCATED ON RIVER OAKS, BLOCK K, LOT 5, MORE COMMONLY KNOWN AS 350 LINKLEA DRIVE, CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR SPECIAL CONDITIONS, IF ANY; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and City Council of the City of Duncanville, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the City Council is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended as provided herein.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, by amending the existing SF-7 Single-Family Residential District zoning to grant a Specific Use Permit “SUP” to allow for Short-Term Rental on real property located on River Oaks, Block K, Lot 5, Cit more commonly known as 350 Linklea Drive, in the City of Duncanville, Dallas County, Texas, and being more particularly described in Exhibit “A”, attached hereto and made a part hereof for all purposes (the “Property”).

SECTION 2. That the above-described property shall be used and developed only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Duncanville and regulations under the Code of Ordinance, as heretofore amended, and subject to the following additional special conditions:

- No Loud and raucous noise may be present on the property between the hours of 10:00 p.m. and 7:00 a.m.
- The owner shall comply with Short-Term Rental registration ordinance as provided in the Code of Ordinances.

- The property must continue to be in good standing by not having any outstanding issues related to taxes or code compliance provisions.
- A report must be submitted to Planning staff each January that indicates the following:
  - The number of nights the unit was rented as a Short-Term Rental in the previous year
  - Proof of payment of Hotel Occupancy Tax
  - Proof of current property insurance
- The property will be suspended or removed from the registration list for one (1) year if false or misleading information is provided, there has been a violation of the terms, conditions, or restrictions or if the Hotel Occupancy Tax has not been paid in a timely manner.
- Continue operation of a Short-Term rental without permit or violation of this Ordinance.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That all provisions of the Ordinance of the City of Duncanville in conflict with provisions of this Ordinance be, and same are hereby repealed, and all other provisions of the ordinances of the City of Duncanville not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That the above-described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Duncanville, as amended herein by the granting of this special use permit.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Comprehensive Zoning Ordinance as amended hereby shall be deemed guilty of a misdemeanor, and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollar s ($2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 7. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

DULY ORDAINED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 21st day of June, 2022.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION

Being all of an approximately 0.174-acre lot, tract, or parcel of land recorded as Block K, Lot 5, River Oaks, City of Duncanville, Dallas County, Texas, more commonly known as 350 Linklea Drive.

PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
203 E WHEATLAND ROAD
MONDAY, APRIL 11, 2022 @ 7:00 P.M.

A meeting for the Planning and Zoning Commission was held on Monday, April 11, 2022, at 7:00 p.m. with the following present:

Planning and Zoning Commission Members:

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Elias Rodriguez	Vice-Chairman	
Eric Pena	Commissioner	
Jana McBroom	Commissioner	
Javar Avery	Commissioner	
Edward Stith	Commissioner	Excused Absence

Staff present:
Jeremy Tennant, Interim Planning Secretary
Lynette Romero, Planning Technician

The meeting was called to order at 7:00 p.m. by Chairman Culbreath.

Item No. 1 – Receive Public Comments

No public comments were made.

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Commissioner Rodriguez made a motion as seconded by Commissioner McBroom to approve the minutes. The vote was unanimous 5-0 in favor with Commissioner Stith absent.

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Jeremy Tennant presented background information regarding the proposed SUP.

Chairman Culbreath opened the public hearing.

Stuart Carlson, applicant and owner, spoke in favor of his request.

Chairman Culbreath opened the floor for comments.

There were two residents that spoke in opposition of the request.

1. Leesha Bateman of 907 Huntington Drive, Duncanville, Texas 75116
2. Charles Bateman of 907 Huntington Drive, Duncanville, Texas 75116

There were four people that spoke in favor of the request.

1. Pamela Miller of 126 County Road 2980, Alba, TX 75410
2. Michael Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116
3. Lorenzo Aytes – did not provide address
4. Alla Wilkins of 234 Walnut Circle, Duncanville, Texas 75116

Three citizen public comment cards were submitted in support of the request, however; the residents chose not to speak during the hearing.

Ruth Carlson, applicant and owner, provided a response to the Commission regarding the resident's items of opposition.

Commissioner McBroom made a motion to close the public hearing with motion seconded by Commissioner Avery.

Commissioner Avery made a comment that the Commission decides with the whole city in mind and not district by district. He stated that the main controversy of short-term rentals are property values. Commissioner Avery stated he believes in property owners utilizing their property as they choose to the extent that that the law allows; however, as it pertains to the City of Duncanville, he feels that he must be consistent with previous decisions made, and due to that he would deny the request.

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Chairman Culbreath opened the public hearing.

Stuart Carlson, applicant, spoke in favor of the request.

One resident, Marlene Skinner of 359 Linklea Drive, Duncanville, Texas 75137, spoke in opposition of the request.

Chairman Culbreath made a comment that all people have the right to have an opinion, but do not have a right to oppose others' opinions. She stated that she found it interesting how the applicants have been operating for quite some time, and all who had spoken had never made a complaint about these specific properties until today. She went on to state that neighborhood services have not received any complaints regarding these properties ever since they have been in operation.

There were three residents that spoke in favor of the request.

1. Michael Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116
2. Caroline Carlson of 710 Markwood Drive, Duncanville, Texas 75116
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Four citizen public comment cards were submitted in support of the request, however; the residents chose not to speak during the hearing.

In between these individuals speaking, the commission made comments regarding the company Airbnb and their own personal experiences with the company. Commissioner Rodriguez also addressed the audience concerning the commission reviewing each case separately and its obligation in determining what is best for the City.

Commissioner McBroom made a motion to close the public hearing as seconded by Commissioner Pena.

Commissioner McBroom made a motion to approve the request for SUP, seconded by Chairman Culbreath. The vote was 2-3 in favor with Commissioner Avery, Commissioner Rodriguez and Commissioner Pena in opposition and Commissioner Stith absent.

Item No. 6 – Conduct a public hearing (2022-08) for consideration and action regarding the request of

Stuart and Ruth Carlson, applicants and owners, to include a Specific Use Permit "SUP" for Short-Term Rental on Irwin Keasler Dev Red Bird 5, PT Lot 0006, Duncanville, Dallas County, Texas, more commonly known as 822 Sherrill Boulevard.

Jeremy Tennant presented background information regarding the proposed request for SUP.

Chairman Culbreath opened the public hearing.
Mr. Carlson, applicant and owner, did not speak on this case.

Chairman Culbreath opened the floor for comments. She also stated that there was a letter received by resident Judith Reed of 935 Green Rock Drive, Duncanville, Texas, 75137, in support of the request. Three citizen public comment cards were also submitted in support of the request, however; the residents chose not to speak during the hearing.

There were five people who spoke in favor of the request.

1. Pamela Miller of 126 County Road 2980, Alba, Texas 75410
2. Peter D'Amato of 211 North Casa Grande Circle, Duncanville, Texas 75116
3. Evelyn Kirby of 822 Sherrill Boulevard, Duncanville, Texas 75116
4. Elaine Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116
5. Michael Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116

Chairman Culbreath commented that these properties were in operation prior to the ordinance going into effect, and that the property owners have not received any code complaints and have been doing a very good job. She stated that street parking issues are not related to Airbnb, and that recently, an ordinance was passed that prohibits overparking in all single-family residential districts. She went on to state that maybe residents need to bring these issues to City Council.

Commissioner McBroom asked the applicant, Mr. Carlson, questions pertaining to the living situation at this property. Mr. Carlson stated that this property is operated in the same manner as his other two properties with the only difference being that he resides at this property.

Commissioner Rodriguez made a comment that he would support the approval of the request for SUP for this case because the owner resides at the property, and he seems to have a good history of the management process.

Commissioner Avery made a comment that his position on short-term rentals does not change. He went on to state to those who spoke that even though a precedent has been set that it does not mean it is not possible for it to change, and that compelling arguments bring forth change, which is what those who spoke demonstrated during this hearing. He commented to the audience to keep in mind that these cases must still move forward to City Council for final decision.

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Commissioner McBroom made a motion to approve the request for SUP as seconded by Commissioner

Pena. The vote was 4-1 in favor with Commissioner Avery in opposition and Commissioner Stith absent.

After voting was completed, various members of the audience asked questions pertaining to the process to take place after the first hearing. The commission responded to their questions.

There were three citizen public comment cards submitted in support all checked not to speak. These three comment cards did not have an agenda item number or topic listed.

The three citizens listed on these public comment cards were:

1. Joe Leszko of 822 Sherrill Boulevard, Duncanville, Texas 75116
2. Steve Landtroop of 1315 Heather Glen Street, Duncanville, Texas 75116
3. Elaine Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116

Item No. 7 – Continue discussion pertaining to the five-year Comprehensive Plan update. Analyze the FLUP Map and determine which areas need minor revisions and which areas need significant modification.
Jeremy Tennant asked the Commission if they had been able to review chapters 1 and 2 of the Comprehensive Plan, and if so, were there any sections they believed required minor revisions or major modifications.

The commission responded that they would need some time to review the chapters. The commission decided to form a small group consisting of Commissioner Avery, Commissioner Rodriguez, and Commissioner Pena. The selected commissioners will review chapters 1 and 2 and present their findings at the next Planning and Zoning Meeting. The commission will discuss the findings before moving onto next chapters.

Item No. 8 – The meeting adjourned at 8:28 p.m.

_____ _____

Jeremy Tennant, Interim Planning Secretary Betty Culbreath, Chairman

STAFF REPORT

MEETING: City Council - 21 Jun 2022

TITLE:
Conduct a Public Hearing and consider an Ordinance amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by amending the existing SF-10 Single-Family Residential District to grant a Specific Use Permit to allow for Short-Term Rental on real property located on Duncanville Estates 1, Block C, Lot 4, more commonly known as 103 South Capri Drive.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Promote: Innovative Ideas for Development and Re-development**
  - **Pursue a diverse and robust economy through various business, housing, and employment opportunities that encourage forward-thinking community and economic development.**

STAFF RESPONSIBLE:
Jeremy Tennant, Director of Planning and Neighborhood Services

BACKGROUND/HISTORY:
Item is a continuance from the May 17, 2022 Regular City Council Meeting.

Comprehensive Plan
The subject property has a Future Land Use Designation of Low Density Residential. The Plan states that low density residential represents a traditional single-family detached neighborhood and includes housing and living units for people with a range of incomes and needs. Low density residential areas generally range between three and five dwelling units per acre.

The Plan goes on to list the following policies to guide low density areas:

- They should be protected from, but accessible to, the major roadway network, commercial establishments, and industrial areas.
- Subdivisions should be accessible to collector and arterial streets, but should directly access only local streets, creating a balanced land-use pattern across the City.
- They should not be directly accessible to major arterials and freeways without adequate buffering and access management.

Staff believes this request, as it relates to compatibility with the Comprehensive Plan, is dependent on the manner in which the single-family residential structure is utilized for the purpose of a short-term rental. If the structure is intended to be constantly rented out much the same as a hotel room, staff would not believe the request is compatible with the Comprehensive Plan. However, if the structure was intended to be lived-in by the property owner throughout the majority of the year and rented out for a select number of weekends, staff feels such a request may be viewed to be more in-line with the Comprehensive Plan.

Project Scope

The applicants are seeking approval to allow for the use of Short-Term Rental at the subject property. The associated structure consists of a single-family residence, approximately 2,762 square feet in size. Exterior features include existing trees, rear carport, and rear drive.

Surrounding Land Use and Zoning

The subject property is surrounded by existing single-family residences zoned SF-10 Single-Family Residential District.

Zoning and Land Use

Section 6.05. (Specific Use Permits) of the Zoning Ordinance, states the in considering an application for a SUP, the Planning and Zoning Commission and the City Council shall consider that the proposed use is:

- consistent and compatible with the adjacent land use and zoning.
- consistent with the architecture and characteristics of the adjacent properties.
- may promote innovative use of modern development concepts, without having an adverse impact on adjacent properties.
- consistent with the goals and objectives of the City of Duncanville.
- an enhancement or improvement beyond the minimum standards set forth by the Zoning Ordinance.
- will not be detrimental to the general health, safety, and welfare of the community.
- would stabilize and improve property values within the City of Duncanville.
- would protect and enhance the city's attractiveness to residents, businesses, tourists, and visitors.
- would strengthen and help diversify the economy of the City of Duncanville.

Recommendation

Staff recommended that the Commission consider the bulleted items contained in Section 6.05 of the Zoning Ordinance and make an appropriate recommendation to City Council. The Planning and Zoning Commission recommended not to approve the request.

POLICY EXPLANATION:

Notification

Nineteen (19) notices were sent out for this public hearing. Letters will be received until Tuesday, May 17, 2022, to fulfill legal requirements for a written formal protest to City Council. The request is tentatively scheduled to proceed to the Tuesday, May 17, 2022, City Council hearing.

FUNDING SOURCE:

ORG and Object Number
N/A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:

1. Approval of Ordinance.
2. Do not approve Ordinance.
3. Other actions as directed by Council.

ATTACHMENTS:

Attachment 1 - Legal Advertisement for Public Hearing
Attachment 2 - Area of Request Maps
Attachment 3 - Site Plan & Applicant Exhibits
Attachment 4 - Letter From Applicant-Property Owner
Attachment 5 - Letters to Property Owners Within 200' Buffer & Responses
Attachment 6 - List of Property Owners Within 200' Buffer
Attachment 7 - PZ Minutes - April 11 2022 Final
Attachment 8 - Ordinance No. - 2432 - SUP - 103 South Capri Drive

Attachment 1

Advertise 1 time - By March 30

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL
ZONING FILE #2022-06

A public hearing will be held before the Planning & Zoning Commission on Monday, April 11, 2022 at 7:00 p.m., and before City Council on Tuesday, May 3, 2022, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to hear a request of the City of Duncanville for a Specific Use Permit to allow for the use of Short-Term Rental, on Duncanville Estates 1, Block C, Lot 4, more commonly known as 103 South Capri Drive, City of Duncanville, Dallas County, Texas.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary or to Skye Thibodeaux, Interim Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Kristin Downs
City Secretary

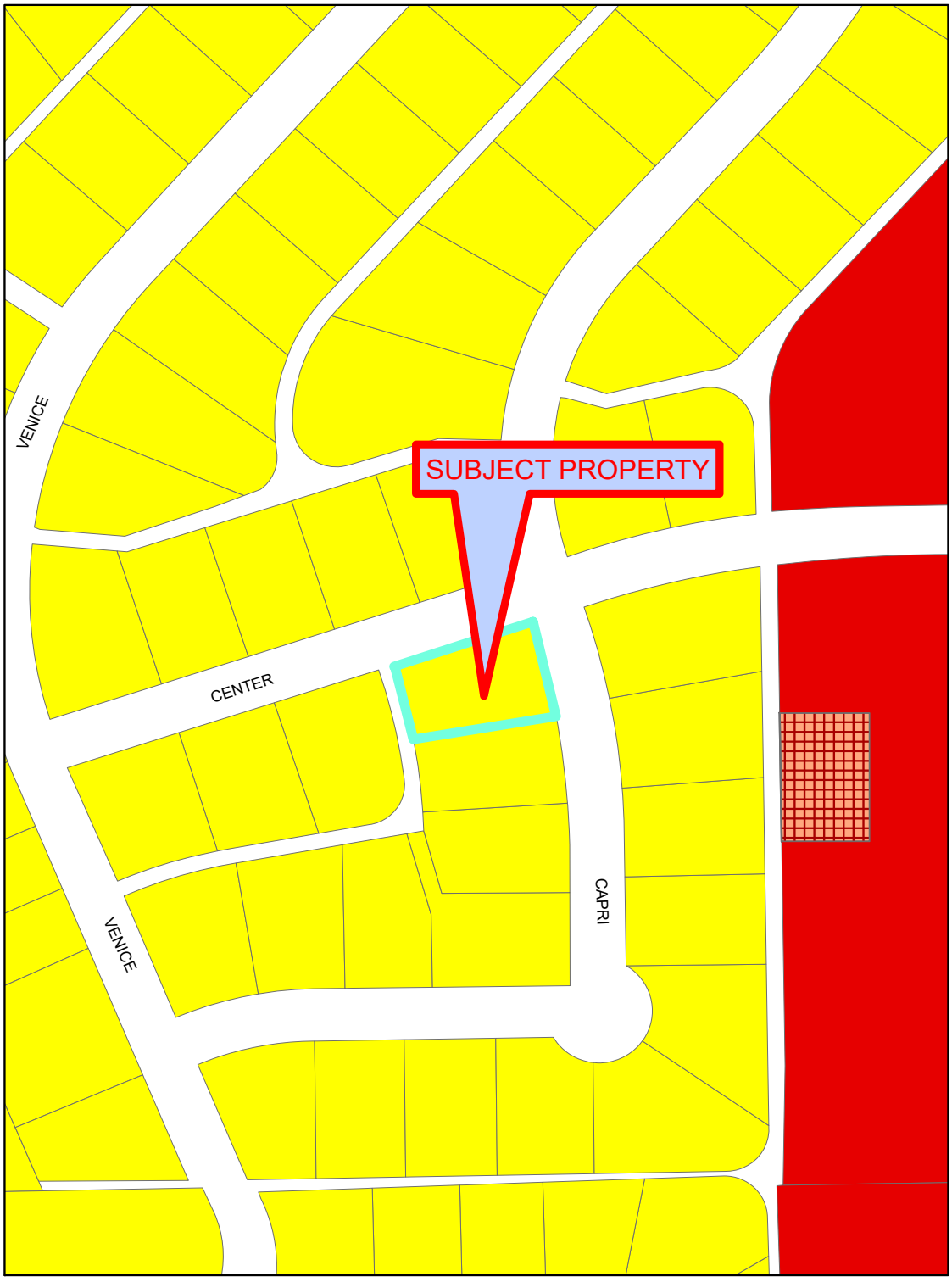
Skye Thibodeaux,
City Planner

Attachment 2

Duncanville
City of Champions

Proposed Zoning Change
Aerial Location
103 South Capri Drive

N
W E
S



Duncanville
City of Champions

Zoning Case 2022-06
SUP Request for
Short-Term Rental

N
W E
S

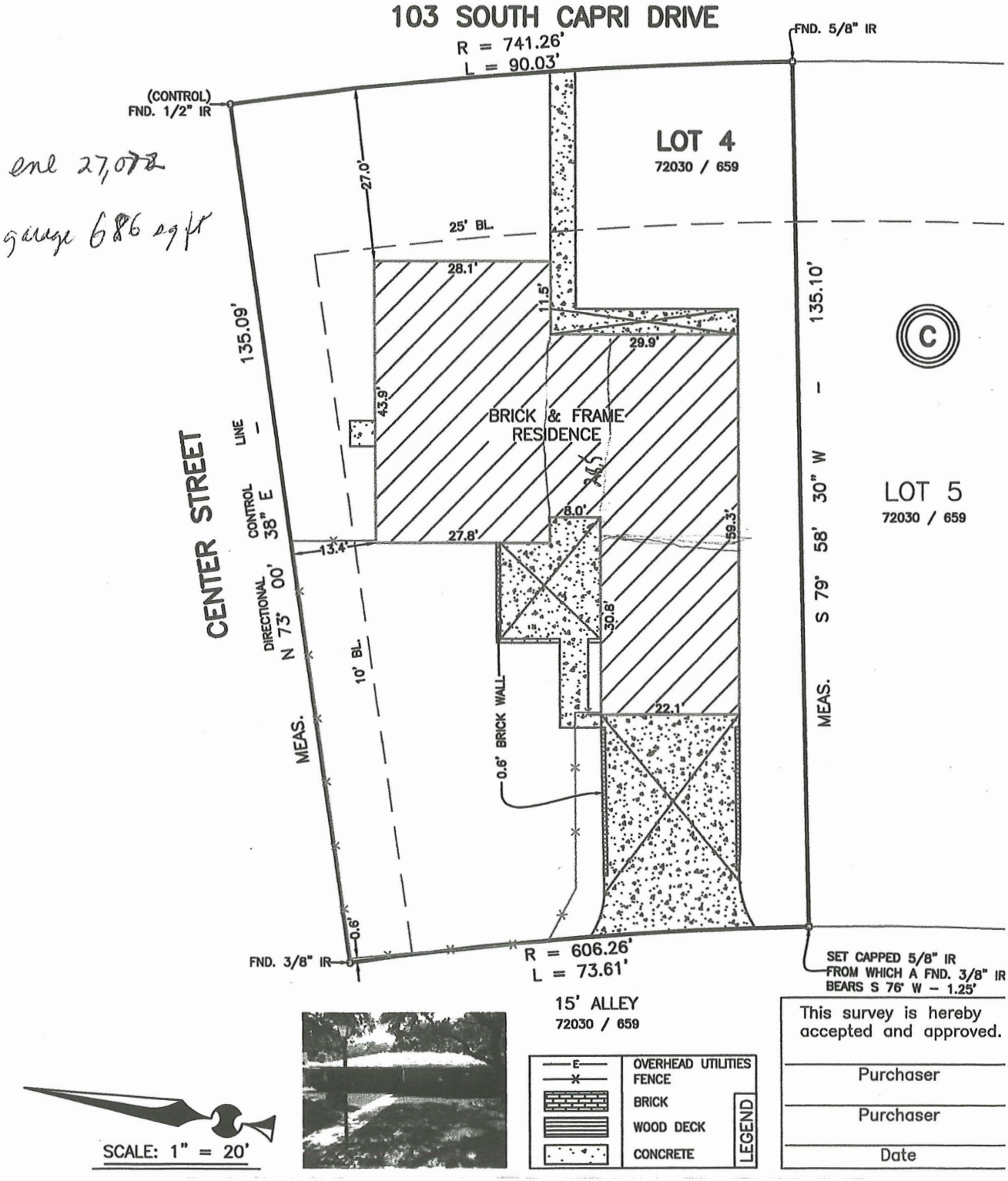
Attachment 3

Reference No: 2599Y14 G.F. No: 102001735
Title Co: PROVIDENCE TITLE COMPANY
Purchaser: CARLSON

PROPERTY DESCRIPTION

Lot 4, Block C, D'VILLE ESTATES, INSTALLMENT NO. 1, an Addition to the City of Duncanville, Dallas County, Texas, according to the plat thereof recorded in Volume 72030, Page 659, Plat Records, Dallas County, Texas.

Easement recorded in 85141/5324, DRDCT, does not affect this property.



end 27,072

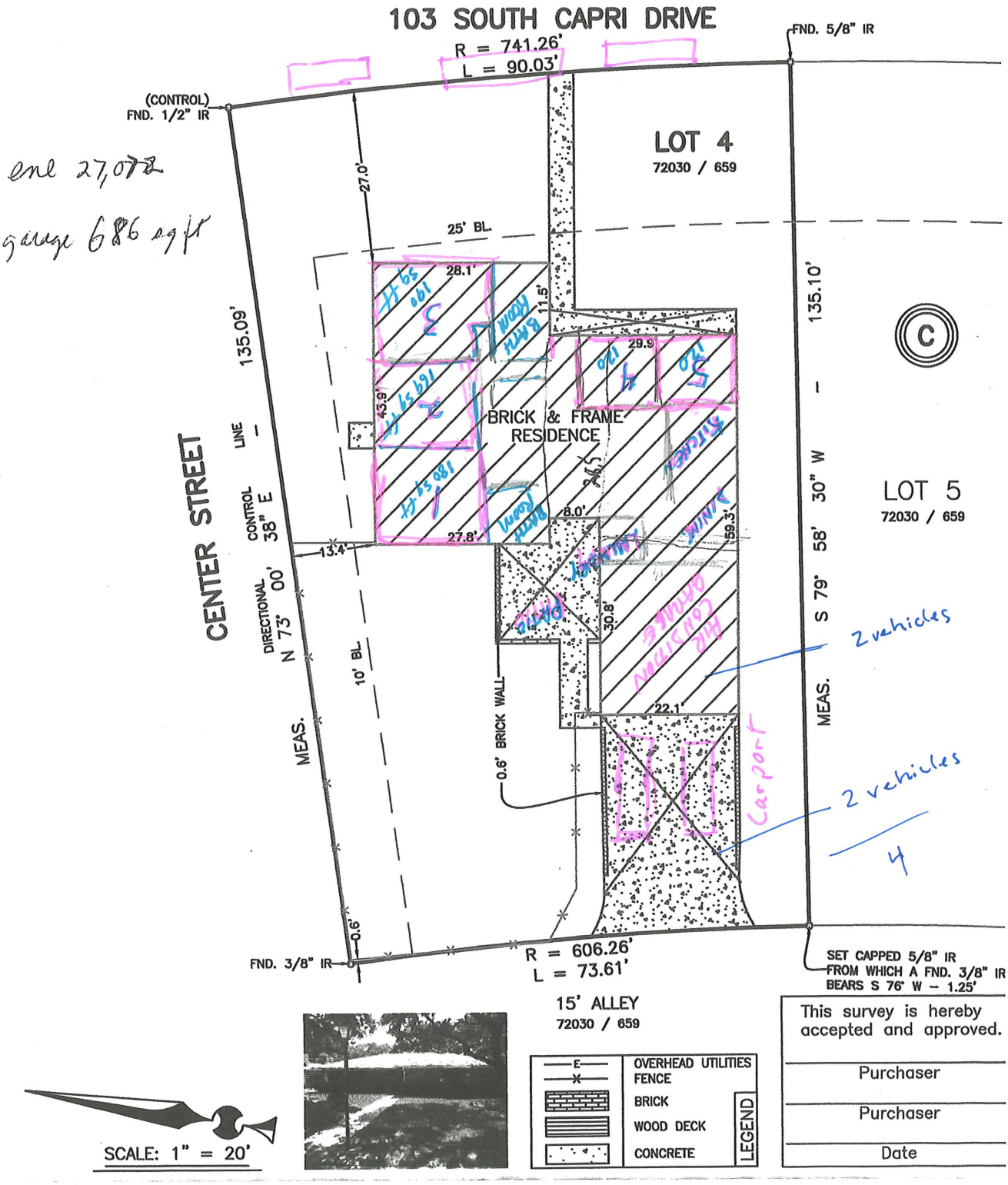
garage 686 sq ft

Reference No: 2599Y14 G.F. No: 102001735
Title Co: PROVIDENCE TITLE COMPANY
Purchaser: CARLSON

PROPERTY DESCRIPTION

Lot 4, Block C, D'VILLE ESTATES, INSTALLMENT NO. 1, an Addition to the City of Duncanville, Dallas County, Texas, according to the plat thereof recorded in Volume 72030, Page 659, Plat Records, Dallas County, Texas.

Easement recorded in 85141/5324, DRDCT, does not affect this property.



Attachment 4

Stuart and Ruth Carlson
822 Sherrill Blvd
Duncanville, Texas 75116
February 22, 2022

To the City of Duncanville:

We are applying for a special use permit to use our previous residence, 103 South Capri Drive, as a place to welcome people to our city - people such as traveling nurses, students, and other folks who need a transitional place to stay until they get their feet under them. Most of our guests stay with us for more than a full month, but our most common time period to host a guest is from 3 to 6 months.

There are times, however, when a guest is just traveling through town and needs a place for a night or two; or perhaps a mother has come to town to visit her son who is attending college. While we do not seek to have short term guests, we do try to accommodate them if the need arises. Last year we hosted short term guests in this home about 1% of the time, and this is why we are applying for a short term rental permit.

We love sharing our home with our guests! Our setup is reminiscent of a tiny 5-room hotel, but much better. Each guest has the privacy and security afforded by a keyed door to their bedroom; but they have access to and use of all the common areas: the living room, kitchen, dining room, bathrooms, laundry room, patio, and front and back yards. Some of our guests work night shifts, others during the day, some work from home, and others work on site. Some of our guests have been able to save enough money while living in our home to buy their own homes here in Duncanville. We often stop in to have a cup of coffee with a guest or to attend to maintenance and cleaning of the house and yard. Many enduring relationships have been created, and a good number of our guests have become part of our family.

We believe we are bringing much richness to Duncanville: good people are able to work at Charlton Methodist and other businesses; shopping and use of Uber, Lyft, and UberEats is increased, giving more of our citizens opportunities to make money serving our guests; and because of the welcome and care our guests receive, a positive image of this city is being fostered.

This cozy home is not a party home. Although many of our guests come to us through the Airbnb platform, none of our guests have ever come to vacation and party, but rather to work and/or study. Funny enough, if one of the guests attempted to throw a party (which is against the rules), the other guests would object and report the person to me. What a serendipity that our system is self-monitoring! Our home is quiet, very organized, clean, and safe, and we have had no complaints.

Thank you for your care for Duncanville. We understand how important it is to make sure that neighborhoods remain peaceful, clean, and safe, and we assure you that we are doing our part to create a great atmosphere in Duncanville.

Sincerely,

Stuart and Ruth Carlson

Attachment 5

City of Duncanville Planning Division
Public Works Department
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878; (f) 972-780-6426
(e) lromero@duncanville.com

March 30, 2022

Zoning File: 2022-07

Dear Property Owner:

Stuart and Ruth Carlson, Applicants, representing Lydia W. Carlson, Owner, are requesting approval of a Specific Use Permit to allow for the use of Short-Term Rental on River Oaks, Block K, Lot 5, more commonly known as 350 Linklea Drive, in the City of Duncanville, Dallas County, Texas.

Your property is NOT being rezoned. You have been sent this notice because you are within the required 200-foot notification area of property that is being considered for rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

The Planning and Zoning Commission will hold a public hearing on Monday, April 11, 2022, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, May 3, 2022, at 7:00 p.m., both in the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change. If you oppose the zoning change, however, the attached survey must be completed and returned by May 3, 2022, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary or to Skye Thibodeaux, Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email lromero@duncanville.com stating your position. You are encouraged to participate in the public hearing and offer comments.

Sincerely,

Skye Thibodeaux
Secretary, Planning and Zoning Commission

Enclosures

City of Duncanville Planning Division
Public Works Department
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878; (f) 972-780-6426
(e) lromero@duncanville.com

Marzo 30, 2022

Archivo de zonificación: 2022-07

Estimado propietario:

Stuart y Ruth Carlson, solicitantes, representando Lydia W. Carlson, propietaria, están solicitando la aprobación de un Permiso de Uso Específico para permitir el uso de Alquileres a Corto Plazo en River Oaks, Block K, Lot 5, más comúnmente conocido como 350 Linklea Drive, en la ciudad de Duncanville, condado de Dallas, Texas.

Su propiedad NO está siendo rezonificada. Se le ha enviado este aviso porque se encuentra dentro del área de notificación requerida de 200 pies de la propiedad que se está considerando para la rezonificación para esta audiencia pública en particular. Consulte el mapa adjunto que indica qué propiedad se está rezonificando.

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 11 de Abril de 2022, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 3 de Mayo de 2022, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto. Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del 3 de Mayo de 2022, para cumplir con los requisitos legales para una protesta formal por escrito.

Como ciudadano interesado, puede enviar comentarios públicos al Secretario de la Ciudad o a Skye Thibodeaux, Secretario de la Comisión de Planificación y Zonificación, P.O. Box 380280, Duncanville, Texas, 75138-0280 o enviar un correo electrónico lromero@duncanville.com indicando su posición. Se le anima a participar en la audiencia pública y ofrecer comentarios.

Sinceramente

Skye Thibodeaux
Secretario de la Comisión de Planificación y Zonificación

Recintos

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2022-07 Stuart and Ruth Carlson, Applicants, representing Lydia W Carson, Owner, are requesting approval of a Specific Use Permit (SUP) to allow for the use of Short-Term Rental on River Oaks, Block K, Lot 5, more commonly known as 350 Linklea Drive, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of Short-Term Rental.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, April 11, 2022, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, May 3, 2022, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by May 3, 2022, to fulfill legal requirements for a written formal protest.

Please check one:

_____ ***In favor*** *of granting the zoning request.*

_____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1).

2).

3).

Printed Name: _____ Address: _____

Signature: _____ Date: _____

El siguiente formulario puede ser llenado y enviado por correo a:

Planning and Zoning Commission
City of Duncanville
Attention: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Caso No. 2022-07 Stuart y Ruth Carlson, Solicitantes, representando Lydia W. Carlson, Propietaria, están solicitando la aprobación de un Permiso de Uso Específico (SUP) para permitir el uso de Alquiler a Corto Plazo en River Oaks, Block K, Lot 5, comúnmente conocido como 822 Sherrill Boulevard, en la Cuidad de Duncanville, condado de Dallas, Texas. Esta es la primera de dos audiencias públicas que se han programado para recibir más información sobre el cambio de zonificación solicitado.

NOTA: El propósito de la solicitud es permitir el uso de alquiler a corto plazo.

Se le ha enviado este aviso ya que su propiedad está dentro del área de notificación de 200 pies de la propiedad que se solicita para un cambio de zonificación. **Su propiedad no está siendo rezonificada.**

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 11 de Abril 2022, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 3 de Mayo de 2022, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto.

Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del 3 de Mayo de 2022, para cumplir con los requisitos legales para una protesta formal por escrito.

Por favor, marque uno:

_____ ***A favor*** de conceder la solicitud de *zonificación.*

_____ ***No a favor*** de otorgar la solicitud de *zonificación.*

Mis razones son las siguientes:

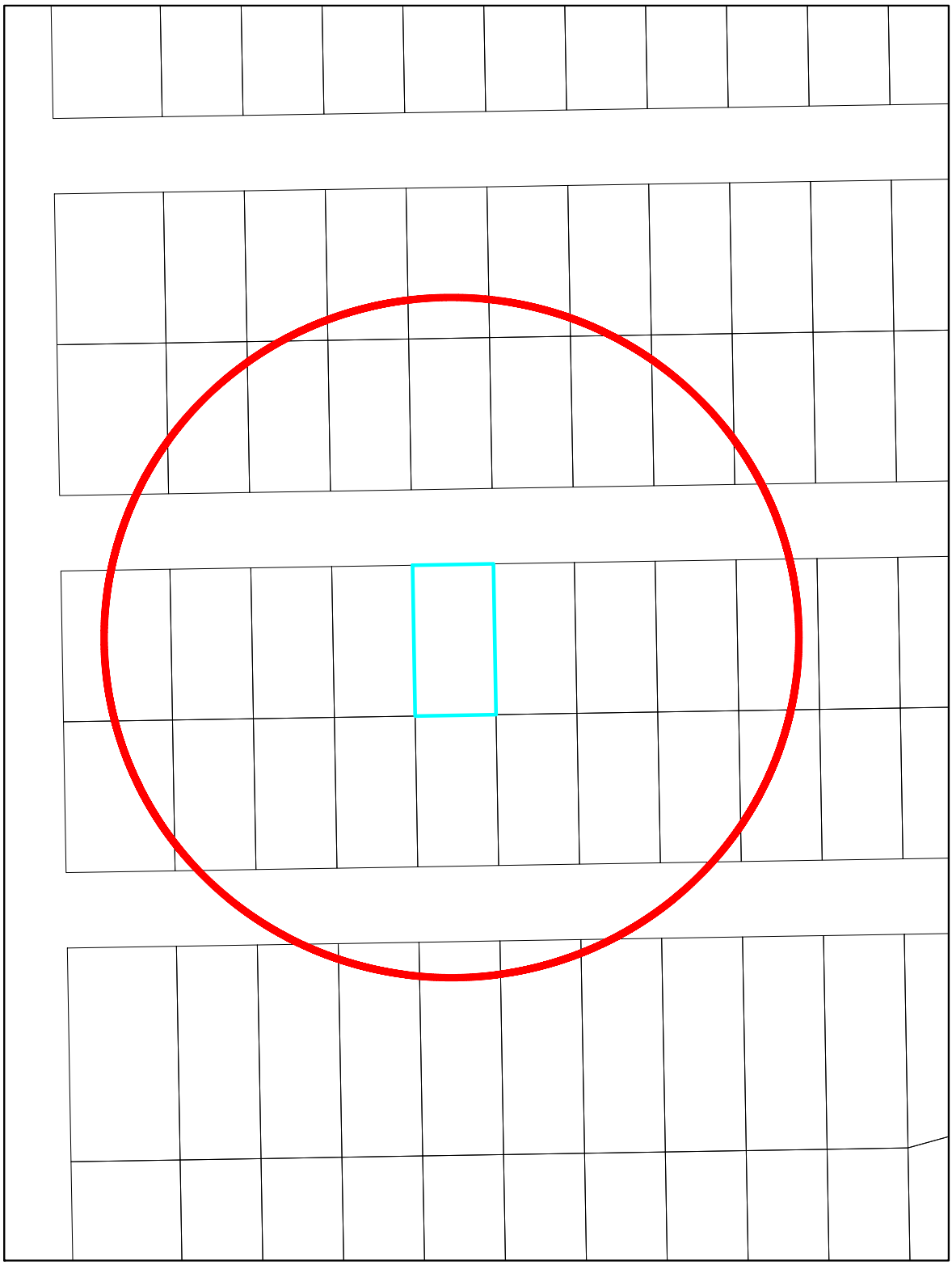
1).

2).

3).

Nombre impreso: _____ Dirección: _____

Firma: _____ Fecha: _____



Attachment 6

RAMIREZ OCTAVIO &
915 W CENTER ST
DUNCANVILLE, TEXAS 75116

RODRIGUEZ ESPERANZA & JOSE DEJ
243 HAMILTON ST
DUNCANVILLE, TEXAS 751164719

DAWSON VIRGINIA A
PO BOX 382475
DUNCANVILLE, TEXAS 751382475

PEREZ WILLIE & NOEMI
107 S CAPRI DR
DUNCANVILLE, TEXAS 751164311

PARKER JAMES L
910 W CENTER ST
DUNCANVILLE, TEXAS 751164316

BONILLA LUIS
106 S CAPRI DR
DUNCANVILLE, TEXAS 751164312

PUEBLA MARIA E
839 W CENTER ST
DUNCANVILLE, TEXAS 751164313

WALKER JULIAN E & VICKI L
911 W CENTER ST
DUNCANVILLE, TEXAS 751164315

BERUMEN MARTHA Y
107 N CAPRI DR
DUNCANVILLE, TEXAS 751164305

PADILLA SANTOS S JR &
115 S CAPRI DR
DUNCANVILLE, TEXAS 751164311

CARLSON RUTH G & STUART P CARLSON
103 S CAPRI DR
DUNCANVILLE, TEXAS 751164311

RILEY JAMES A
215 NAPLES DR
DUNCANVILLE, TEXAS 751164325

BOLES HERMAN R
102 S CAPRI DR
DUNCANVILLE, TEXAS 751164312

KHALEEL RASHEED
907 W CENTER ST
DUNCANVILLE, TEXAS 751164315

HOFFMAN BARBARA
135 S CAPRI DR
DUNCANVILLE, TEXAS 751164311

WARNER DAVID & SHERON
111 S CAPRI DR
DUNCANVILLE, TEXAS 751164311

MILLER MICHAEL & MAISIE O
906 W CENTER ST
DUNCANVILLE, TEXAS 751164316

NANCE DOROTHY
2224 WORTHINGTON GREENS DR
SUN CITY CENTER, FLORIDA 335738045

FLORES RIGOBERTO &
835 W CENTER ST
DUNCANVILLE, TEXAS 751164313

Attachment 8

PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
203 E WHEATLAND ROAD
MONDAY, APRIL 11, 2022 @ 7:00 P.M.

A meeting for the Planning and Zoning Commission was held on Monday, April 11, 2022, at 7:00 p.m. with the following present:

Planning and Zoning Commission Members:

Betty Culbreath	Chairman	
Elias Rodriguez	Vice-Chairman	
Eric Pena	Commissioner	
Jana McBroom	Commissioner	
Javar Avery	Commissioner	
Edward Stith	Commissioner	Excused Absence

Staff present:
Jeremy Tennant, Interim Planning Secretary
Lynette Romero, Planning Technician

The meeting was called to order at 7:00 p.m. by Chairman Culbreath.

Item No. 1 – Receive Public Comments

No public comments were made.

Item No. 2 – Approval of meeting minutes for the regular meeting on March 28, 2022.

Commissioner Rodriguez made a motion as seconded by Commissioner McBroom to approve the minutes. The vote was unanimous 5-0 in favor with Commissioner Stith absent.

Item No. 3 – Consider a request for approval of a replat by Matthew Williamson, applicant, representing Italy Family Pharmacy, Inc., owner, to replat Hopco Wedge, more commonly known as 102 East Danieldale Road, Duncanville, Dallas County, Texas.

Jeremy Tennant presented background information regarding the proposed request for replat.

The applicant was present. The applicant did not have anything to comment regarding his request.

Chairman McBroom made a motion as seconded by Commissioner Pena to approve the request for replat. The vote was unanimous 5-0 in favor with Commissioner Stith absent.

Before introducing the next item, Chairman Culbreath explained to the audience what a Specific Use Permit is and its purpose. She also explained to the audience that the City recently passed an ordinance in December of 2021 for the regulation of short-term rentals, and that prior to this ordinance being

passed there were no rules or regulations set for the operation of short-term rentals within the City of Duncanville.

Item No. 4 – Conduct a public hearing (2022-06) for consideration and action regarding the request of Stuart and Ruth Carlson, applicants and owners, to include a Specific Use Permit "SUP" for Short-Term rental on Duncanville Estates 1, Block C, Lot 4, City of Duncanville, Dallas County, Texas, more commonly known as 103 South Capri Drive.

Jeremy Tennant presented background information regarding the proposed SUP.

Chairman Culbreath opened the public hearing.

Stuart Carlson, applicant and owner, spoke in favor of his request.

Chairman Culbreath opened the floor for comments.

There were two residents that spoke in opposition of the request.

1. Leesha Bateman of 907 Huntington Drive, Duncanville, Texas 75116
2. Charles Bateman of 907 Huntington Drive, Duncanville, Texas 75116

There were four people that spoke in favor of the request.

1. Pamela Miller of 126 County Road 2980, Alba, TX 75410
2. Michael Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116
3. Lorenzo Aytes – did not provide address
4. Alla Wilkins of 234 Walnut Circle, Duncanville, Texas 75116

Three citizen public comment cards were submitted in support of the request, however; the residents chose not to speak during the hearing.

Ruth Carlson, applicant and owner, provided a response to the Commission regarding the resident's items of opposition.

Commissioner McBroom made a motion to close the public hearing with motion seconded by Commissioner Avery.

Commissioner Avery made a comment that the Commission decides with the whole city in mind and not district by district. He stated that the main controversy of short-term rentals are property values. Commissioner Avery stated he believes in property owners utilizing their property as they choose to the extent that that the law allows; however, as it pertains to the City of Duncanville, he feels that he must be consistent with previous decisions made, and due to that he would deny the request.

Commissioner McBroom made a motion to approve the request for SUP as seconded by Chairman Culbreath. The vote was 2-3 in favor, with Commissioner Avery, Commissioner Rodriguez and

Commissioner Pena in opposition and Commissioner Stith absent.

Item No. 5 – Conduct a public hearing (2022-07) for consideration and action regarding the request of Stuart and Ruth Carlson, applicants, representing Lydia W. Carlson, owner, to include a Specific Use Permit "SUP" for Short-Term Rental on River Oaks, Block K, Lot 5, City of Duncanville, Dallas County, Texas, more commonly known as 350 Linklea Drive.

Jeremy Tennant presented background information regarding the proposed request for SUP.

Chairman Culbreath opened the public hearing.

Stuart Carlson, applicant, spoke in favor of the request.

One resident, Marlene Skinner of 359 Linklea Drive, Duncanville, Texas 75137, spoke in opposition of the request.

Chairman Culbreath made a comment that all people have the right to have an opinion, but do not have a right to oppose others' opinions. She stated that she found it interesting how the applicants have been operating for quite some time, and all who had spoken had never made a complaint about these specific properties until today. She went on to state that neighborhood services have not received any complaints regarding these properties ever since they have been in operation.

There were three residents that spoke in favor of the request.

1. Michael Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116
2. Caroline Carlson of 710 Markwood Drive, Duncanville, Texas 75116
3. Paul Carlson of 710 Markwood Drive, Duncanville, Texas 75116

Four citizen public comment cards were submitted in support of the request, however; the residents chose not to speak during the hearing.

In between these individuals speaking, the commission made comments regarding the company Airbnb and their own personal experiences with the company. Commissioner Rodriguez also addressed the audience concerning the commission reviewing each case separately and its obligation in determining what is best for the City.

Commissioner McBroom made a motion to close the public hearing as seconded by Commissioner Pena.

Commissioner McBroom made a motion to approve the request for SUP, seconded by Chairman Culbreath. The vote was 2-3 in favor with Commissioner Avery, Commissioner Rodriguez and Commissioner Pena in opposition and Commissioner Stith absent.

Item No. 6 – Conduct a public hearing (2022-08) for consideration and action regarding the request of

Stuart and Ruth Carlson, applicants and owners, to include a Specific Use Permit "SUP" for Short-Term Rental on Irwin Keasler Dev Red Bird 5, PT Lot 0006, Duncanville, Dallas County, Texas, more commonly known as 822 Sherrill Boulevard.

Jeremy Tennant presented background information regarding the proposed request for SUP.

Chairman Culbreath opened the public hearing.
Mr. Carlson, applicant and owner, did not speak on this case.

Chairman Culbreath opened the floor for comments. She also stated that there was a letter received by resident Judith Reed of 935 Green Rock Drive, Duncanville, Texas, 75137, in support of the request. Three citizen public comment cards were also submitted in support of the request, however; the residents chose not to speak during the hearing.

There were five people who spoke in favor of the request.

1. Pamela Miller of 126 County Road 2980, Alba, Texas 75410
2. Peter D'Amato of 211 North Casa Grande Circle, Duncanville, Texas 75116
3. Evelyn Kirby of 822 Sherrill Boulevard, Duncanville, Texas 75116
4. Elaine Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116
5. Michael Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116

Chairman Culbreath commented that these properties were in operation prior to the ordinance going into effect, and that the property owners have not received any code complaints and have been doing a very good job. She stated that street parking issues are not related to Airbnb, and that recently, an ordinance was passed that prohibits overparking in all single-family residential districts. She went on to state that maybe residents need to bring these issues to City Council.

Commissioner McBroom asked the applicant, Mr. Carlson, questions pertaining to the living situation at this property. Mr. Carlson stated that this property is operated in the same manner as his other two properties with the only difference being that he resides at this property.

Commissioner Rodriguez made a comment that he would support the approval of the request for SUP for this case because the owner resides at the property, and he seems to have a good history of the management process.

Commissioner Avery made a comment that his position on short-term rentals does not change. He went on to state to those who spoke that even though a precedent has been set that it does not mean it is not possible for it to change, and that compelling arguments bring forth change, which is what those who spoke demonstrated during this hearing. He commented to the audience to keep in mind that these cases must still move forward to City Council for final decision.

Commissioner McBroom made a motion to close the public hearing as seconded by Commissioner Pena.

Commissioner McBroom made a motion to approve the request for SUP as seconded by Commissioner

Pena. The vote was 4-1 in favor with Commissioner Avery in opposition and Commissioner Stith absent.

After voting was completed, various members of the audience asked questions pertaining to the process to take place after the first hearing. The commission responded to their questions.

There were three citizen public comment cards submitted in support all checked not to speak. These three comment cards did not have an agenda item number or topic listed.

The three citizens listed on these public comment cards were:

1. Joe Leszko of 822 Sherrill Boulevard, Duncanville, Texas 75116
2. Steve Landtroop of 1315 Heather Glen Street, Duncanville, Texas 75116
3. Elaine Sikes of 810 Sherrill Boulevard, Duncanville, Texas 75116

Item No. 7 – Continue discussion pertaining to the five-year Comprehensive Plan update. Analyze the FLUP Map and determine which areas need minor revisions and which areas need significant modification.
Jeremy Tennant asked the Commission if they had been able to review chapters 1 and 2 of the Comprehensive Plan, and if so, were there any sections they believed required minor revisions or major modifications.

The commission responded that they would need some time to review the chapters. The commission decided to form a small group consisting of Commissioner Avery, Commissioner Rodriguez, and Commissioner Pena. The selected commissioners will review chapters 1 and 2 and present their findings at the next Planning and Zoning Meeting. The commission will discuss the findings before moving onto next chapters.

Item No. 8 – The meeting adjourned at 8:28 p.m.

_____ _____

Jeremy Tennant, Interim Planning Secretary Betty Culbreath, Chairman

ORDINANCE NO. 2432

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING SF-10 SINGLE-FAMILY RESIDENTIAL DISTRICT TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR SHORT-TERM RENTAL ON REAL PROPERTY LOCATED ON DUNCANVILLE ESTATES 1, BLOCK C, LOT 4, MORE COMMONLY KNOWN AS 103 SOUTH CAPRI DRIVE., CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR SPECIAL CONDITIONS, IF ANY; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and City Council of the City of Duncanville, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the City Council is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended as provided herein.

NOW, THEREFORE, BE IT ORDIANED BY THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, THAT:

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, by amending the existing SF-10 Single-Family Residential District zoning to grant a Specific Use Permit “SUP” to allow for Short-Term Rental on real property located on Duncanville Estates 1, Block C, Lot 4, more commonly known as 103 South Capri Drive., in the City of Duncanville, Dallas County, Texas, and being more particularly described in Exhibit “A”, attached hereto and made a part hereof for all purposes (the “Property”).

SECTION 2. That the above-described property shall be used and developed only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Duncanville and regulations under the Code of Ordinance, as heretofore amended, and subject to the following additional special conditions:

- No Loud and raucous noise may be present on the property between the hours of 10:00 p.m. and 7:00 a.m.
- The owner shall comply with Short-Term Rental registration ordinance as provided in the Code of Ordinances.

- The property must continue to be in good standing by not having any outstanding issues related to taxes or code compliance provisions.
- A report must be submitted to Planning staff each January that indicates the following:
  - The number of nights the unit was rented as a Short-Term Rental in the previous year
  - Proof of payment of Hotel Occupancy Tax
  - Proof of current property insurance
- The property will be suspended or removed from the registration list for one (1) year if false or misleading information is provided, there has been a violation of the terms, conditions, or restrictions or if the Hotel Occupancy Tax has not been paid in a timely manner.
- Continue operation of a Short-Term rental without permit or violation of this Ordinance.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That all provisions of the Ordinance of the City of Duncanville in conflict with provisions of this Ordinance be, and same are hereby repealed, and all other provisions of the ordinances of the City of Duncanville not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That the above-described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Duncanville, as amended herein by the granting of this special use permit.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Comprehensive Zoning Ordinance as amended hereby shall be deemed guilty of a misdemeanor, and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 7. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

DULY ORDIANED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 21st day of June, 2022.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

Exhibit "A"
Legal Description

Being all of an approximately 0.25-acre lot, tract, or parcel of land recorded as Block C, Lot 4, Duncanville Estates, City of Duncanville, Dallas County, Texas, more commonly known as 103 South Capri Drive.

STAFF REPORT

MEETING: City Council - 21 Jun 2022

TITLE:
Receive the Monthly Financial Report as of April 30, 2022.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
  - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:
Edena J. Atmore, Managing Director, Fiscal Services

BACKGROUND/HISTORY:
The Financial Report is presented to provide actual revenues and expenditures compared to the budget. The report provides financial summary data on key funds, including the General, Utility, Economic Development, and Fieldhouse funds.

POLICY EXPLANATION:
City Council expects to receive monthly reports on the City's financial condition. April is the first month of the third quarter of fiscal year 2021-2022. Revenues and expenditures are expected to approximate a budgeted target of 58.3% for the period ending April 30, 2022. See the attached Monthly Financial Report as of April, for further details on the City's budget and actual revenues and expenditures for all funds.

Fiscal Services has also included the Certified Monthly Property Tax Certification Report and the monthly Sales Tax allocation worksheet for your review on pages 9 through14 of the Duncanville financial report.

FUNDING SOURCE:

ORG and Object Number
N/A

Available Budget	**Purchase Amount**	**After Encumber**
N/A	N/A	N/A

ACTION ALTERNATIVES:
N/A

ATTACHMENTS:
Attachment 1- Monthly Financial Report APRIL 2022

CITY OF DUNCANVILLE
MONTHLY FINANCIAL REPORT

Fiscal Year 2021-2022

YEAR-TO-DATE OPERATIONS

AS OF APRIL 30, 2022

OCTOBER 1, 2021 TO APRIL 30, 2022

We are building a vibrant, inclusive community, driven by a commitment to democratic principles and service above self

Updated and Prepared by
FISCAL SERVICES DEPARTMENT
6/14/2022

Duncanville
City of Champions

MEMORANDUM

TO: Aretha Ferrell-Benavides
City Manager

Robert Brown, Jr.
Assistant City Manager

FROM: Edena J. Atmore
Managing Director, Financial Services

DATE: June 14, 2022

RE: April 2022, Monthly Financial Report for the City of Duncanville, Texas

The Duncanville Monthly Financial Report presents unaudited revenues and expenditures through April 30, 2022, compared to the budgetary numbers for the fiscal year 2021-22. The report provides financial summary data on key funds, including the General, Utility, Economic Development, and the Fieldhouse funds. General Fund is the primary operating fund for the City, so details of revenues by category and expenditures by the department are included for your review. In addition, all other funds that are part of daily operations are included in brief to highlight each fund's revenues, expenditures, and fund balances.

April is the first month of the second quarter of fiscal year (FY) 2021-2022. We expect to collect and spend about 58% of the budgeted revenues and expenditures. Below are highlights of the October 2021 through April 2022 governmental financial reports.

General Fund:
General Fund's unaudited ending fund balance for actuals is approximately $22.9 million to date, which provides an expenditure coverage for 461 days of operations as of April 2022. The fiscal year for General Fund began with an audited fund balance of approximately $15.3 million. This beginning fund balance was affirmed by the completed FY 2021 external audit report.

- Overall, collected General Fund revenues and transfers currently are at 75.4% of the targeted budget of 58%. This variance is well above the targeted percentage of revenues expected to be collected in FY 2022.
  - Current property tax payments are at 98.7% of the budget. Dallas County has collected the majority of property tax revenues, and for the next several months, we will see incremental receipts that will increase our collections rate to 98-99.5% for FY 2022. A certified copy of the Property Tax Collection Report is attached on page 9 of this report for your review.
  - Overall, sales tax revenues for this period are within 1% of the budgeted amount for this same time last year. The data reflects three months of revenue (February sales tax is received in April for FY 2022). A breakdown of the sales tax allocations to city funds is attached for your review on page 11 of this report.
  - Franchise fee revenues are received quarterly in arrears. Payments due to the City for the second quarter of the FY will be remitted to cities in the third quarter. Franchise

revenues consist of gas, electric, telephone, and cable television right-of-way fees collected from providers with city agreements to operate in the City of Duncanville.
- Building permit and licenses revenue are at 60.9% of the annual budgeted amount, which is 22% less than collections from the prior fiscal year. This is an indication of a slowdown in housing permits and development.
- We have collected 6.8% more for Charges for Services revenues than at this same time last year. This source is mainly comprised of recreational and event fees. This trend can indicate that more citizens are becoming active in the community as we recover from the pandemic.
- In addition, attached is a detailed review of General Fund revenues by category.

- General Fund's total operating and project expenditures are 49.3% of the budget.
  - To date, most operating expenditure categories are less than the expenditure target of 58% for the current fiscal year.
  - Transfers to Other Funds have been accelerated to match purchase requirements by other funds, such as fleet replacements or capital projects.
  - In addition, attached is a detailed overview of the General Fund expenditures by department and division.
  - Transfers to other funds include over $2.7 million of excess Fund Balance for one-time projects per adopted budget.

Utility Funds:
The **Utility Operating Fund's** audited beginning fund balance is $14.5 million, with an actual to date fund balance of $14.8 which provides an expenditure coverage for 631 days of operations as of April 2022. However, this fund is planning on expending over $2.2 million of fund balance in FY 2022.

- Total utility revenues are at 49.9% of the budget. In addition, water and sewer utility revenues reflect a lesser amount collected during this the same time last year.
  - Total expenditures are at 42.6% of the budget. This amount includes payments to Dallas Water Utilities (water services) and Trinity River Authority (wastewater services).
  - Expenditures also include a transfer out to the General Fund for the cost of administrative activities performed by General Fund staff such as accounting, city management, information technology, human resources, etc.
  - Transfers also include $5 million in monthly installments to the Utility CIP fund for utility capital improvement projects.
  - The **Utility CIP Fund** is budgeted to expend over $3.3 million over revenues in this current fiscal year. The CIP program for utility infrastructure is being restructured to affordable levels for this current year. The Utility has already engaged a consultant to perform a water rate study that will incorporate the required improvements for a reliable water and sewer infrastructure within the City.

Other Funds:
- The Economic Development Fund's audited beginning fund balance is $5.01 million, with an actual to date fund balance of $3.8 million.
- **Fieldhouse** operating revenues are 59.7% of the budgeted amount compared to 63.8% last year. Operating expenditures represent 60.5% of the period's budgeted target of 58% for this current fiscal year.
- A financial update on all Special Revenue, Debt Service, Capital/Replacement, and minor Enterprise funds of the City is included for your review starting on page 23 of this report.
- The American Rescue and Recovery Act funds of $4.8 million are included in Fund 758 in the Special Revenue Funds report. Plans for spending over $3 million of the funding in compliance

with Federal guidelines have been approved by City Council. To date, the City has expended $588,175 of the American Rescue funds.

Respectfully Submitted,

Financial Services Staff

CITY OF DUNCANVILLE

GENERAL FUND-001 AS OF APRIL 30, 2022

REVENUES and EXPENDITURES	BUDGET	2022 YTD ACTUALS	AVAILABLE BUDGET AMOUNT	% OF BUDGET USED YTD	2021 FY TD ACTUALS	% OF BUDGET PYTD
Revenue						
50 - PROPERTY TAXES	$18,614,836	$18,367,561	$247,275	98.7%	$19,027,629	105.7%
51 - SALES & OTHR TAXES	$8,413,523	$3,635,503	$4,778,020	43.2%	$3,284,663	44.5%
52 - PERMITS & LICENSES	$1,395,050	$849,988	$545,062	60.9%	$975,148	79.0%
53 - FINES & FEES	$476,730	$178,390	$298,340	37.4%	$218,392	38.9%
54 - INTERGOVERNMENTAL	$165,000	$52,324	$112,676	31.7%	$52,961	30.2%
55 - INTEREST	$150,000	$36,859	$113,141	24.6%	$78,317	27.0%
56 - FRANCHISE FEE REV	$1,710,000	$681,423	$1,028,577	39.8%	$675,796	39.5%
57 - CHARGES FOR SERVICES	$283,000	$137,275	$145,725	48.5%	$118,456	41.7%
58 - TRANS FROM OTHR FUND	$2,715,194	$1,583,862	$1,131,332	58.3%	$1,534,983	58.3%
59 - OTHER SOURCES	$386,600	$332,801	$53,799	86.1%	$283,149	81.0%
Revenue Total	**$34,309,933**	**$25,855,985**	**$8,453,948**	**75.4%**	**$26,249,493**	**80.5%**
Expense						
60 - SALARY AND BENEFIT	($21,960,350)	($12,198,359)	($9,760,493)	55.5%	($11,279,871)	52.3%
72 - SUPPLIES	($1,836,427)	($588,558)	($495,188)	32.0%	($467,400)	28.7%
73 - CONTRACT & PROF SVCS	($7,341,320)	($2,673,909)	($2,638,349)	36.4%	($2,390,406)	34.0%
74 - MAINT & REPAIR SVCS	($737,302)	($338,374)	($241,252)	45.9%	($458,132)	60.1%
75 - UTILITIES	($935,803)	($439,721)	($496,082)	47.0%	($409,305)	45.2%
76 - CAPITAL OUTLAY	($182,935)	($99,028)	($30,422)	54.1%	($94,522)	62.4%
77 - DEBT SERVICES	($60,057)	($60,129)	$72	100.1%	($140,133)	58.3%
78 - TRANS TO OTHR FUNDS	($3,460,456)	($1,634,092)	($1,826,364)	47.2%	($491,672)	26.6%
79 - OTHR EXP/FINANCE USE	($369,466)	($149,495)	($215,581)	40.5%	($31,965)	9.8%
Expense Total	**($36,884,115)**	**($18,181,665)**	**($15,703,661)**	**49.3%**	**($15,763,407)**	**45.7%**
Revenues Over/(Under) Exp.	**($2,574,182)**	**$7,674,320**	**($7,249,712)**	**-298.1%**	**$10,486,086**	
BEGINNING FUND BALANCE	**$15,268,747**	**$15,268,747**				
ENDING FUND BALANCE	**$12,694,565**	**$22,943,067**				

TRANSFERS TO OTHER FUNDS INCLUDES $2,703,103 FOR ONE-TIME PROJECTS FROM FUND BALANCE
SEE USE OF FUND BAL SUMMARY-FUND 41

FUND BALANCE RESERVE REQUIREMENT POLICY		
% of Fund Balance to Exp. Ratio	34.4%	126.2%
# of Days Coverage	126	461
Reserve Requirement $$ (60 days)	**$6,063,142**	**$2,988,767**
Reserve Requirement %	**16%**	**16%**
Excess Reserves	**$6,631,422**	**$19,954,300**

CITY OF DUNCANVILLE

GENERAL FUND REVENUE DETAILS AS OF APRIL 30, 2022

REVENUES	2022 FYTD ACTUALS	BUDGET	AVAILABLE BUDGET AMOUNT	% OF ANNUAL BUDGET YTD
50 - PROPERTY TAXES				
501101 - CURRENT TAXES	$18,214,496	$18,324,836	$110,340	99.4%
501102 - DELINQUENT TAXES	$71,367	$150,000	$78,633	47.6%
501103 - PENALTIES AND INTEREST	$81,698	$140,000	$58,302	58.4%
50 - PROPERTY TAXES Total	**$18,367,561**	**$18,614,836**	**$247,275**	**98.7%**
51 - SALES & OTHR TAXES				
501201 - STATE SALES TAX CITY PORTION	$2,386,249	$5,558,349	$3,172,100	42.9%
501202 - SALES TAX PROPERTY TAX RELIEF	$1,193,124	$2,779,174	$1,586,050	42.9%
501204 - ALCOHOLIC BEVERAGE TAX	$56,130	$76,000	$19,870	73.9%
51 - SALES & OTHR TAXES Total	**$3,635,503**	**$8,413,523**	**$4,778,020**	**43.2%**
52 - PERMITS & LICENSES				
502101 - BUILDING PERMITS	$205,253	$275,000	$69,747	74.6%
502102 - ELECTRICAL PERMITS	$21,350	$17,000	($4,350)	125.6%
502103 - SOLICITOR LICENSES	($0)	$1,500	$1,500	0.0%
502105 - EMERGENCY MEDICAL SERVICE	$462,567	$850,000	$387,433	54.4%
502106 - SIGN PERMITS	$12,800	$15,000	$2,200	85.3%
502108 - HEALTH FOOD INSPECTION FEES	$28,733	$70,000	$41,267	41.0%
502109 - PLUMBING AND AC PERMITS	$39,087	$55,000	$15,913	71.1%
502111 - ZONING & SPEC USE PERMIT	$5,925	$8,500	$2,575	69.7%
502114 - RENTAL PROPERTY REGISTRATION	$45,770	$50,000	$4,230	91.5%
502120 - ALARM PERMITS	$25,703	$50,000	$24,297	51.4%
502122 - POOL OR SPA INSPECTION FEE	$2,800	$3,000	$200	93.3%
509607 - ANIMAL PERMITS	($0)	$50	$50	0.0%
52 - PERMITS & LICENSES Total	**$849,988**	**$1,395,050**	**$545,062**	**60.9%**
53 - FINES & FEES				
502107 - WRECKER AND STORAGE FEES	($0)	$3,000	$3,000	0.0%
502112 - EMS SVCS COST SETTLEMENT	($0)	($0)	($0)	
502113 - SMALL CELL/ NETWORK NODE FEES	($0)	$500	$500	0.0%
503101 - MUNICIPAL COURT FINES	$133,154	$350,000	$216,846	38.0%
503102 - COURT RELATED FEES	$33,960	$110,000	$76,040	30.9%
503103 - SCHOOL CROSSING FEES	$1,637	$3,000	$1,363	54.6%
503201 - LIBRARY FINES	$2,796	($0)	($2,796)	
503301 - FALSE ALARM FINES	$6,772	$10,000	$3,228	67.7%
509609 - RETURN CHECK FEES	$70	$230	$160	30.4%
53 - FINES & FEES Total	**$178,390**	**$476,730**	**$298,340**	**37.4%**
54 - INTERGOVERNMENTAL				
504102 - DISD SCHOOL CROSSING GUARDS	($0)	$35,000	$35,000	0.0%
504103 - DALLAS COUNTY CROSSING GUARD	$20,072	$40,000	$19,928	50.2%
504109 - REIMB FOR REG EMERG MANAGER	$32,251	$90,000	$57,749	35.8%
54 - INTERGOVERNMENTAL Total	**$52,324**	**$165,000**	**$112,676**	**31.7%**
55 - INTEREST				
505101 - INTEREST ON GOVT POOL INVEST	$1,444	$10,000	$8,556	14.4%
505103 - CERT OF DEPOSIT INTEREST	$18,159	$80,000	$61,841	22.7%
505105 - NANCE BOOK LEGACY INTEREST	($0)	($0)	($0)	
505106 - MONEY MARKET INTEREST	$17,255	$60,000	$42,745	28.8%
55 - INTEREST Total	**$36,859**	**$150,000**	**$113,141**	**24.6%**

CITY OF DUNCANVILLE

GENERAL FUND REVENUE DETAILS AS OF APRIL 30, 2022

REVENUES	2022 FYTD ACTUALS	BUDGET	AVAILABLE BUDGET AMOUNT	% OF ANNUAL BUDGET YTD
56 - FRANCHISE FEE REV				
501301 - FRANCHISE FEE ELECTRIC	$526,318	$1,150,000	$623,682	45.8%
501302 - FRANCHISE FEE GAS	$86,650	$300,000	$213,350	28.9%
501303 - FRANCHISE FEE TELEPHONE	$23,566	$110,000	$86,434	21.4%
501304 - FRANCHISE FEE CABLE TV	$44,888	$150,000	$105,112	29.9%
501306 - FRANCHISE VIDEO SERV	($0)	($0)	($0)	
56 - FRANCHISE FEE REV Total	**$681,423**	**$1,710,000**	**$1,028,577**	**39.8%**
57 - CHARGES FOR SERVICES				
507102 - RECREATION FEES	$103,189	$250,000	$146,811	41.3%
507104 - SENIOR CENTER ANNUAL USER FEE	$1,353	$5,000	$3,648	27.1%
507106 - RECREATION CENTER CAMPS	($0)	($0)	($0)	
507107 - RECREATION CENTER CLASSES	$11,191	$8,000	($3,191)	139.9%
507108 - SPECIAL EVENTS	$12,994	$8,000	($4,994)	162.4%
507109 - SENIOR CLASS/TRIPS	$1,044	$4,000	$2,956	26.1%
509603 - LIBRARY SERVICE FEES	$7,504	$8,000	$496	93.8%
57 - CHARGES FOR SERVICES Total	**$137,275**	**$283,000**	**$145,725**	**48.5%**
58 - TRANS FROM OTHR FUND				
598002 - PILOT FEE TZ-CITY WWW UTILITY	$317,254	$543,862	$226,608	58.3%
599001 - TRANS FROM GEN FUND-001	($0)	($0)	($0)	
599002 - TRANS FROM UTILITY FUND-002	$1,057,511	$1,812,874	$755,363	58.3%
599005 - TRANS FROM DEBT FUND-005	($0)	($0)	($0)	
599010 - TRANS FROM HOTEL FUND-010	$32,137	$55,091	$22,954	58.3%
599012 - TRANS FROM EDC FUND-012	$64,785	$111,070	$46,285	58.3%
599019 - TRANS FROM SANITATION FND-019	$112,175	$192,297	$80,122	58.3%
599031 - TRANS FROM TRAFFIC IMP FND-031	($0)	($0)	($0)	
599041 - TRANS FROM 1-TIME PROJ FND-041	($0)	($0)	($0)	
599757 - TRANS FROM EMERG MANG FND-757	($0)	($0)	($0)	
801901 - (CLOSED) TRANSF IN	($0)	($0)	($0)	
58 - TRANS FROM OTHR FUND Total	**$1,583,862**	**$2,715,194**	**$1,131,332**	**58.3%**
59 - OTHER SOURCES				
503202 - LIBRARY DONATIONS	($0)	($0)	($0)	
509101 - SALE OF FIXED ASSETS	($0)	($0)	($0)	
509102 - GAIN/ LOSS ON SALE FIXED ASSET	($0)	($0)	($0)	
509105 - SALE OF MATERIALS	$2,010	$1,000	($1,010)	201.0%
509201 - INSURANCE RECOVERY	($0)	($0)	($0)	
509501 - COLLECTION OF BAD DEBTS	($0)	$2,000	$2,000	0.0%
509502 - MISCELLANEOUS WRITEOFFS	($0)	$100	$100	0.0%
509601 - MISCELLANEOUS REVENUE	$127,707	$100,000	($27,707)	127.7%
509602 - CASH OVER AND SHORT	($266)	($0)	$266	
509604 - POLICE ACCIDENT REPORTS	$1,837	$3,500	$1,663	52.5%
509605 - PAY PHONE COMMISSIONS	($0)	($0)	($0)	
509606 - AUCTION PROCEEDS	($0)	$5,000	$5,000	0.0%
509611 - SCRAP METAL SALES	($0)	($0)	($0)	
509612 - CITY SERVICES REIMBURSEMENT	$33,856	$58,000	$24,144	58.4%
509613 - WORKERS COMP REIMBURSEMENT	$42,042	$20,000	($22,042)	210.2%
509614 - RENTAL OF TOWER	$118,164	$194,000	$75,836	60.9%
509617 - LEASE INCOME	($0)	($0)	($0)	

CITY OF DUNCANVILLE

GENERAL FUND REVENUE DETAILS AS OF APRIL 30, 2022

REVENUES	2022 FYTD ACTUALS	BUDGET	AVAILABLE BUDGET AMOUNT	% OF ANNUAL BUDGET YTD
509618 - GAS WELL OIL REVENUE	$7,451	$3,000	($4,451)	248.4%
516200 - DONATIONS	($0)	($0)	($0)	
518100 - STREET MAINTENANCE FEE	($0)	($0)	($0)	
59 - OTHER SOURCES Total	**$332,801**	**$386,600**	**$53,799**	**86.1%**
Total Revenues	**$25,855,985**	**$34,309,933**	**$8,453,948**	**75.4%**

PROPERTY TAX COLLECTIONS

MONTHLY FINANCIAL REPORT

Prepared by
FINANCIAL SERVICES DEPARTMENT

CITY OF DUNCANVILLE
Property Tax Collections Report
April 01 - 30, 2022

	Report Name	Base Tax Levy	Penalty & Interest	Collection Fees	Total
Collections:					
Payments Received	AC003P	$127,091.55	$17,262.80	$5,690.66	$150,045.01
Adjustments to Collections:					
Refunds/Levy Corrections	AC003A	($29,255.58)	($177.16)	$0.00	($29,432.74)
Return Check Items	AC003A	($4,222.38)	($386.60)	$0.00	($4,608.98)
Transfers/Reversals	AC003A	$1.44	($104.30)	$18.22	($84.64)
Total Adjustments to Collections	**AC003A**	**($33,476.52)**	**($668.06)**	**$18.22**	**($34,126.36)**
Maintenance & Operations	AC002A	$87,635.20	$15,403.35	$5,708.88	$108,747.43
Interest & Sinking	AC002A	$5,979.83	$1,191.39	$0.00	$7,171.22
Net Collections	**AC002A**	**$93,615.03**	**$16,594.74**	**$5,708.88**	**$115,918.65**
Transferred Refund from Escrow	AC002A	$0.00			$0.00
Rendition Penalty	AC006A	($16.88)			($16.88)
Collections Fee		$0.00			$0.00
Total Miscellaneous Items		**($16.88)**			**($16.88)**
M&O Net Payment to Entity		$87,618.32	$15,403.35		$103,021.67
I&S Net Payment to Entity		$5,979.83	$1,191.39		$7,171.22
Total Net Payment to Entity		**$93,598.15**	**$16,594.74**		**$110,192.89**
Net Adjustment to Levy	AR006A	($25,262.25)			
Current Year Collection Percentage Based on Monthly Collections:				**97.33%**	

Total Net Payment to Entity = (Payments Received - Total Adj to Coll - Total Misc. Items)

M&O Net Payment to Entity = (Maintenance & Operations - Total Miscellaneous Items)

Detail reports will not be attached if no activity occurred for the month.

In accordance with the requirements of the Texas Property Tax Code, Chapter 31, Section 31.10 Paragraph (a), the attached tax collections report is respectfully submitted.

I, John R. Ames, CTA, Dallas County Tax Assessor/Collector, do hereby certify the attached collection totals, to the best of my knowledge.

John R. Ames, CTA
Dallas County Tax Assessor/Collector

Notary Public, State of Texas

Sworn and subscribed before me, this 10 day of May, 2022.

Laura Mati
My Commission Expires
10/22/2025
Notary ID
129600804

SALES TAX ALLOCATION WORKSHEETS

MONTHLY FINANCIAL REPORT

Prepared by
FINANCIAL SERVICES DEPARTMENT

SALES TAX ALLOCATION HISTORICAL SUMMARIES

City of Duncanville
Authority Code: 2057084
2 CENT AUTHORIZATION

TOTAL SALES TAXES COLLECTED AND RECEIVED

.02 CENT ALLOCATION		FY	FY	FY	FY	FY	FY
COLLECTION MONTH	RECEIVED MONTH	2021-22	2020-21	2019-20	2018-19	2017-18	2016-17
OCT	DEC	**785,673.18**	**830,234.09**	899,967.44	808,134.72	795,078.73	757,765.62
NOV	JAN	**970,431.17**	**802,203.37**	799,874.76	761,307.93	767,921.23	734,158.60
DEC	FEB	**1,207,624.54**	**1,045,330.25**	1,093,884.42	982,541.46	1,022,043.71	954,232.76
JAN	MAR	**915,721.95**	**798,307.67**	692,647.12	751,474.37	758,469.91	729,618.81
FEB	APR	$ **867,075.56**	**816,989.85**	677,611.75	763,496.18	749,939.85	728,094.64
MAR	MAY		**1,215,345.22**	888,123.96	1,069,253.79	1,098,423.67	1,051,996.14
APRIL	JUN		**1,073,951.31**	773,096.95	846,390.05	859,016.38	758,411.66
MAY	JUL		**895,092.16**	809,543.87	879,867.74	914,446.54	913,708.88
JUNE	AUG		**1,130,684.16**	1,021,135.56	1,018,284.27	1,017,289.66	810,341.53
JULY	SEP		**1,013,137.28**	**774,925.04**	861,472.41	906,973.60	776,192.36
AUG	OCT		**917,440.10**	806,953.30	885,497.37	871,174.23	786,931.83
SEPT	NOV		**1,169,399.73**	1,036,229.49	1,023,608.43	1,027,247.60	945,418.23
TOTAL		**4,746,526.40**	**11,708,115.19**	**10,273,993.66**	**10,651,328.72**	**10,788,025.11**	**9,946,871.06**

GENERAL FUND CITY and PROPERTY TAX RELIEF SALES TAX ALLOCATION

75% OF .02 CENT ALLOCATION

COLLECTION MONTH	RECEIVED MONTH	2021-22	2020-21	2019-20	2018-19	2017-18	2016-17
OCT	DEC	589,254.89	622,675.57	674,975.58	606,101.04	596,309.05	568,324.22
NOV	JAN	727,823.38	601,652.53	599,906.07	570,980.95	575,940.92	550,618.95
DEC	FEB	905,718.41	783,997.69	820,413.32	736,906.10	766,532.78	715,674.57
JAN	MAR	686,791.46	598,730.75	519,485.34	563,605.78	568,852.43	547,214.11
FEB	APR	650,306.67	612,742.39	508,208.81	572,622.14	562,454.89	546,070.98
MAR	MAY		911,508.92	666,092.97	801,940.34	823,817.75	788,997.11
APRIL	JUN		805,463.48	579,822.71	634,792.54	644,262.29	568,808.75
MAY	JUL		671,319.12	607,157.90	659,900.81	685,834.91	685,281.66
JUNE	AUG		848,013.12	765,851.67	763,713.20	762,967.25	607,756.15
JULY	SEP		759,852.96	581,193.78	646,104.31	680,230.20	582,144.27
AUG	OCT		688,080.08	605,214.98	664,123.03	653,380.67	590,198.87
SEPT	NOV		877,049.80	777,172.12	767,706.32	770,435.70	709,063.67
TOTAL		3,559,894.80	8,781,086.39	7,705,495.25	7,988,496.54	8,091,018.83	7,460,153.30

ECONOMIC DEVELOPMENT CORPORATION

50% OF .01 CENT ALLOCATION-ECONOMIC DEVELOPMENT

COLLECTION MONTH	RECEIVED MONTH	2021-22	2020-21	2019-20	2018-19	2017-18	2016-17
OCT	DEC	196,418.30	207,558.52	224,991.86	202,033.68	198,769.68	189,441.41
NOV	JAN	242,607.79	200,550.84	199,968.69	190,326.98	191,980.31	183,539.65
DEC	FEB	301,906.14	261,332.56	273,471.11	245,635.37	255,510.93	238,558.19
JAN	MAR	228,930.49	199,576.92	173,161.78	187,868.59	189,617.48	182,404.70
FEB	APR	216,768.89	204,247.46	169,402.94	190,874.05	187,484.96	182,023.66
MAR	MAY		303,836.31	222,030.99	267,313.45	274,605.92	262,999.04
APRIL	JUN		268,487.83	193,274.24	211,597.51	214,754.10	189,602.92
MAY	JUL		223,773.04	202,385.97	219,966.94	228,611.64	228,427.22
JUNE	AUG		282,671.04	255,283.89	254,571.07	254,322.42	202,585.38
JULY	SEP		253,284.32	193,731.26	215,368.10	226,743.40	194,048.09
AUG	OCT		229,360.03	201,738.33	221,374.34	217,793.56	196,732.96
SEPT	NOV		292,349.93	259,057.37	255,902.11	256,811.90	236,354.56
TOTAL		**1,186,631.60**	**2,927,028.80**	**2,568,498.42**	**2,662,832.18**	**2,697,006.28**	**2,486,717.77**
	Check Fig. vs. TOTAL	4,746,526.40	11,708,115.19	10,273,993.66	10,651,328.72	10,788,025.11	9,946,871.06

CITY OF DUNCANVILLE

GENERAL FUND EXPENDITURES BY DEPT/DIV- APRIL 30, 2022

OPERATING EXPENDITURES	2022 FYTD ACTUALS	BUDGET	AVAILABLE BUDGET AMOUNT	% OF ANNUAL BUDGET YTD
0101 - GENERAL GOVERNMENT				
01011000 - MAYOR AND COUNCIL	($90,553)	($142,524)	($35,625)	63.5%
01011100 - CITY ADMINISTRATION	($412,827)	($673,594)	($259,502)	61.3%
01011200 - CITY SECRETARY	($138,794)	($313,234)	($172,360)	44.3%
01011300 - HUMAN RESOURCES	($195,493)	($401,190)	($204,759)	48.7%
01011400 - INFO TECHNOLOGY	($460,860)	($955,500)	($303,215)	48.2%
01011500 - PUBLIC INFORMATION OFFICE	($104,377)	($166,055)	($51,135)	62.9%
01011600 - PUBLIC LIBRARY	($525,038)	($949,790)	($385,185)	55.3%
0101 - GENERAL GOVERNMENT Total	**($1,927,943)**	**($3,601,888)**	**($1,411,781)**	**53.5%**
0102 - FISCAL SERVICES				
01022000 - ACCOUNTING & REPORTING	($346,130)	($596,639)	($161,039)	58.0%
01022300 - MUNICIPAL COURT	($246,331)	($478,658)	($154,085)	51.5%
01022500 - PROCUREMENT OFFICE	($92,147)	($143,878)	($480)	64.0%
01022700 - CITY MARSHAL	($49,866)	($96,088)	($45,523)	51.9%
0102 - FISCAL SERVICES Total	**($734,473)**	**($1,315,263)**	**($361,128)**	**55.8%**
0104 - PARK AND RECREATION				
01044000 - PARK & REC ADMINISTRATION	($160,423)	($265,878)	($104,542)	60.3%
01044100 - REC PROGRAM ADMIN	($203,551)	($399,011)	($192,328)	51.0%
01044101 - REC PROGRAM CLASSES	($3,162)	($5,682)	($2,520)	55.6%
01044102 - REC PROGRAM CAMPS	($0)	($0)	($0)	
01044200 - SPECIAL EVENTS ADMIN	($65,101)	($222,463)	($96,732)	29.3%
01044300 - ATHLETIC PROGRAMMING	($178,139)	($393,142)	($178,297)	45.3%
01044500 - HORTICULTURE	($84,028)	($179,926)	($92,897)	46.7%
01044600 - PARK GROUNDS MAINTENANCE	($451,328)	($1,448,375)	($471,422)	31.2%
01044800 - BUILDING MAINTENANCE	($429,849)	($897,750)	($351,641)	47.9%
01044900 - SENIOR CENTER	($101,956)	($200,760)	($97,073)	50.8%
01044901 - SENIOR CENTER CLASSES	($738)	($4,600)	($3,862)	16.0%
01044911 - SENIOR CENTER TRIPS	($0)	($600)	($600)	0.0%
0104 - PARK AND RECREATION Total	**($1,678,275)**	**($4,018,187)**	**($1,591,914)**	**41.8%**
0105 - POLICE				
01055000 - POLICE ADMINISTRATION	($1,237,599)	($1,970,056)	($243,802)	62.8%
01055100 - PATROL	($2,708,601)	($5,027,401)	($2,267,326)	53.9%
01055200 - CRIMINAL INVESTIGATION	($891,957)	($1,541,763)	($638,422)	57.9%
01055300 - ANIMAL CONTROL	($311,286)	($490,157)	($63,769)	63.5%
01055400 - SCHOOL GUARDS	($53,586)	($85,233)	($31,647)	62.9%
01055500 - CRIME PREVENTION	($128,005)	($156,189)	($26,136)	82.0%
01055600 - SWAT ORG	($0)	($0)	($0)	
01055700 - RECORDS	($163,116)	($348,265)	($180,435)	46.8%
01055800 - DETENTION SERVICES	($0)	($0)	($0)	
01055900 - POLICE SPECIAL SERVICES	($232,785)	($562,294)	($328,112)	41.4%
0105 - POLICE Total	**($5,726,935)**	**($10,181,357)**	**($3,779,649)**	**56.2%**
0106 - PUBLIC WORKS				
01066000 - PUBLIC WORKS ENGINEERING/ADMIN	($209,872)	($391,722)	($176,035)	53.6%
01066200 - STREET MAINTENANCE	($791,816)	($3,596,110)	($2,450,076)	22.0%
01066300 - TRAFFIC OPERATIONS	($379,921)	($980,759)	($311,302)	38.7%
01066700 - EQUIPMENT SERVICES	($529,557)	($1,127,605)	($331,369)	47.0%
0106 - PUBLIC WORKS Total	**($1,911,166)**	**($6,096,196)**	**($3,268,782)**	**31.4%**

CITY OF DUNCANVILLE

GENERAL FUND EXPENDITURES BY DEPT/DIV- APRIL 30, 2022

OPERATING EXPENDITURES	2022 FYTD ACTUALS	BUDGET	AVAILABLE BUDGET AMOUNT	% OF ANNUAL BUDGET YTD
0107 - FIRE				
01077000 - FIRE ADMINISTRATION	($399,123)	($660,907)	($237,315)	60.4%
01077100 - FIRE PREVENTION	($150,186)	($338,593)	($184,810)	44.4%
01077200 - FIRE SUPPRESSION	($2,433,193)	($4,425,649)	($1,954,490)	55.0%
01077300 - ADVANCED LIFE SUPPORT	($1,057,199)	($1,817,819)	($694,951)	58.2%
01077500 - EMERGENCY MANAGEMENT ADMIN	($75,097)	($133,390)	($57,574)	56.3%
0107 - FIRE Total	**($4,114,798)**	**($7,376,358)**	**($3,129,139)**	**55.8%**
0108 - NON DEPARTMENTAL				
01088000 - GENERAL NON DEPARTMENTAL	($1,484,311)	($3,133,132)	($1,613,562)	47.4%
0108 - NON DEPARTMENTAL Total	**($1,484,311)**	**($3,133,132)**	**($1,613,562)**	**47.4%**
0103 - NEIGHBORHOOD & PLANNING SVCS				
01036100 - BUILDING INSPECTION	($285,396)	($536,261)	($244,090)	53.2%
01036400 - PLANNING SERVICES 1	($0)	($0)	($0)	
01036401 - PLANNING SERVICES 2	($103,081)	($200,578)	($97,369)	51.4%
01036500 - NEIGHBORHOOD SVCS 1	($215,288)	($424,896)	($206,246)	50.7%
01036501 - CODE SERVICES	($0)	($0)	($0)	
0103 - NEIGHBORHOOD & PLANNING SVCS Total	**($603,764)**	**($1,161,735)**	**($547,705)**	**52.0%**
Total Operating Expenditures	**($18,181,665)**	**($36,884,115)**	**($15,703,661)**	**49.3%**

CITY OF DUNCANVILLE

USE OF GENERAL FUND BALANCE EXPENDITURES AS OF APRIL 30, 2022

EXPENDITURES	2022 FYTD ACTUALS	BUDGET	% OF ANNUAL BUDGET YTD
41010001 - GEN GOVT ONE TIME PROJ	($0)	($100,000)	0.0%
41040001 - PARKS ONE TIME PROJECTS	($0)	($56,000)	0.0%
41050001 - POLICE ONE TIME PROJ	($18,498)	($2,188,003)	0.8%
41060001 - PUBLIC WORKS ONE TIME PROJECTS	($2,640)	($359,100)	0.7%
Total Operating Expenditures	**($21,138)**	**($2,703,103)**	**0.8%**

PROJECTS:

POLICE P-25 COMPLIANT RADIOS
PUBLIC WORKS ERP SYSTEM
PUBLIC WORKS US 67 GATEWAY SIGNAGE
SECURITY UPGRADES (CAMERAS)

WATER/SEWER UTILITY FUNDS

MONTHLY FINANCIAL REPORT

Prepared by
FINANCIAL SERVICES DEPARTMENT

CITY OF DUNCANVILLE

UTILITY OPERATING FUND- 002 AS OF APRIL 30, 2022

REVENUES and EXPENSES	BUDGET	2022 FY TD ACTUALS	BUDGET AMT REMAINING	% OF BUDGET USED YTD	2021 FY TD ACTUALS	% OF BUDGET PYTD
Revenue						
53 - FINES & FEES	$5,000	$1,015	$3,985	20.3%	$3,150	63.00%
54 - INTERGOVERNMENTAL	$600	($0)	$600	0.0%	$0	0.00%
55 - INTEREST	$32,000	$10,621	$21,379	33.2%	$23,363	19.47%
57 - CHARGES FOR SERVICES	$17,953,946	$8,713,175	$9,240,771	48.5%	$8,550,841	47.34%
59 - OTHER SOURCES	$34,550	$277,300	($242,750)	802.6%	$12,283	35.60%
Revenue Total	**$18,026,096**	**$9,002,110**	**$9,023,986**	**49.9%**	**$8,589,636**	**47.14%**
Expense						
60 - SALARY AND BENEFIT	($2,300,829)	($1,114,613)	($1,186,216)	48.4%	($1,145,410)	54.14%
72 - SUPPLIES	($475,800)	($144,658)	($331,142)	30.4%	($171,387)	33.06%
73 - CONTRACT & PROF SVCS	($9,430,662)	($5,174,208)	($4,256,454)	54.9%	($4,856,021)	55.85%
74 - MAINT & REPAIR SVCS	($338,385)	($157,806)	($180,579)	46.6%	($135,244)	33.14%
75 - UTILITIES	($121,416)	($43,071)	($78,345)	35.5%	($47,389)	39.45%
76 - CAPITAL OUTLAY	($21,368)	($0)	($21,368)	0.0%	$0	0.00%
77 - DEBT SERVICES	($0)	($0)	($0)		$0	0.00%
78 - TRANS TO OTHR FUNDS	($7,527,483)	($1,974,361)	($5,553,122)	26.2%	($4,322,038)	58.33%
79 - OTHR EXP/FINANCE USE	($19,085)	($4,133)	($14,952)	21.7%	($3,263)	16.69%
Expense Total	**($20,235,028)**	**($8,612,851)**	**($11,622,177)**	**42.6%**	**($10,680,753)**	**55.32%**
Revenues Over/(Under) Exp.	**($2,208,932)**	**$389,259**	**($2,598,192)**		**($2,091,117)**	
BEGINNING FUND BALANCE	**$14,495,358**	**$14,495,358**				
ENDING FUND BALANCE	**$12,286,426**	**$14,884,618**				

FUND BALANCE RESERVE REQUIREMENT POLICY		
% of Fund Balance To Exp. Ratio	60.7%	172.8%
# of Days Coverage	222	631

CITY OF DUNCANVILLE

UTILITY CIP FUND-017 AS OF APRIL 30, 2022

REVENUES and EXPENSES	BUDGET	2022 FYTD ACTUALS	BUDGET AMT REMAINING	% OF BUDGET USED YTD	2021 FY TD ACTUALS	% OF BUDGET PYTD
Revenue						
55 - INTEREST	$500	($0)	$500	0.0%	$111	4.6%
58 - TRANS FROM OTHR FUND	$5,000,000	$500,000	$4,500,000	10.0%	$2,916,667	58.3%
Revenue Total	**$5,000,500**	**$500,000**	**$4,500,500**	**10.0%**	**$2,916,778**	**58.3%**
Expense						
73 - CONTRACT & PROF SVCS	($206,876)	($93,256)	($113,619)	45.1%	($69,461)	13.6%
76 - CAPITAL OUTLAY	($8,127,523)	($1,601,125)	($6,526,398)	19.7%	($934,329)	10.1%
Expense Total	**($8,334,398)**	**($1,694,381)**	**($6,640,017)**	**20.3%**	**($1,003,790)**	**10.3%**
Revenues Over/(Under) Exp.	**($3,333,898)**	**($1,194,381)**	**($2,139,517)**		**$1,912,988**	
BEGINNING FUND BALANCE	**$846,203**	**$846,203**				
ENDING FUND BALANCE	**($2,487,695)**	**($348,178)**				

OTHER MAJOR FUNDS

MONTHLY FINANCIAL REPORT

Prepared by
FINANCIAL SERVICES DEPARTMENT

CITY OF DUNCANVILLE

ECONOMIC DEVELOPMENT FUND-012 AS OF APRIL 30, 2022

REVENUES and EXPENDITURES	BUDGET	2022 FYTD ACTUALS	AVAILABLE BUDGET AMOUNT	% OF BUDGET USED YTD	2021 FY TD ACTUALS	% OF BUDGET PYTD
Revenue						
51 - SALES & OTHR TAXES	$2,779,174	$1,193,124	$1,586,050	42.9%	1,084,267	44.47%
55 - INTEREST	$2,000	($0)	$2,000	0.0%	401	2.00%
59 - OTHER SOURCES	($0)	($0)	($0)		0	0.00%
Revenue Total	**$2,781,174**	**$1,193,124**	**$1,588,050**	**42.9%**	**1,084,668**	**44.12%**
Expense						
60 - SALARY AND BENEFIT	($395,007)	($189,927)	($205,079)	48.1%	(77,310)	30.70%
72 - SUPPLIES	($63,748)	($40,781)	($20,267)	64.0%	(7,026)	17.54%
73 - CONTRACT & PROF SVCS	($225,474)	($21,050)	($189,307)	9.3%	(20,909)	25.78%
74 - MAINT & REPAIR SVCS	($67,600)	($4,689)	($6,826)	6.9%	(22,541)	33.34%
75 - UTILITIES	($21,100)	($6,278)	($14,822)	29.8%	(3,575)	16.94%
76 - CAPITAL OUTLAY	($77,000)	($20,524)	($31,476)	26.7%	0	0.00%
77 - DEBT SERVICES	($0)	($0)	($0)		487,546	-99.84%
78 - TRANS TO OTHR FUNDS	($653,336)	($582,365)	($70,971)	89.1%	(561,802)	89.03%
79 - OTHR EXP/FINANCE USE	($327,617)	($1,525,474)	$1,208,857	465.6%	(204,649)	42.57%
Expense Total	**($1,830,881)**	**($2,391,088)**	**$670,108**	**130.6%**	**(1,385,358)**	**67.19%**
Revenues Over/(Under) Exp.	**$950,293**	**($1,197,964)**	**$2,258,158**	**-126.1%**	**$300,690**	

BEGINNING FUND BALANCE	**$5,013,633**	**$5,013,633**
ENDING FUND BALANCE	**$5,963,926**	**$3,815,669**

Note:

TRANSFERS TO OTHER FUNDS INCLUDES DEBT SERVICES FOR THE OUTSTANDING SERIES 2016A BONDS IN THE AMOUNT OF $2,025,000. MATURES FEBRUARY 15, 2025.

CITY OF DUNCANVILLE

FIELDHOUSE FUND-456 AT APRIL 30, 2022

REVENUES and EXPENDITURES	BUDGET	2022 FYTD ACTUALS	BUDGET AMT REMAINING	% OF BUDGET USED YTD	2021 FYTD ACTUALS	% OF BUDGET PYTD
Revenue						
57 - CHARGES FOR SERVICES	$1,206,500	$530,832	$675,668	44.0%	$463,952	47.4%
58 - TRANS FROM OTHR FUND	$538,475	$515,375	$23,100	95.7%	$507,425	94.4%
59 - OTHER SOURCES	$140,000	$79,896	$60,104	57.1%	$68,274	59.7%
Revenue Total	**$1,884,975**	**$1,126,103**	**$758,872**	**59.7%**	**$1,039,651**	**63.8%**
Expense						
60 - SALARY AND BENEFIT	($600,436)	($268,408)	($332,028)	44.7%	($242,568)	48.7%
72 - SUPPLIES	($195,276)	($127,084)	($68,192)	65.1%	($64,375)	40.5%
73 - CONTRACT & PROF SVCS	($359,483)	($130,223)	($229,260)	36.2%	($123,644)	38.1%
74 - MAINT & REPAIR SVCS	($69,634)	($50,940)	($18,694)	73.2%	($14,234)	55.1%
75 - UTILITIES	($107,000)	($43,572)	($63,428)	40.7%	($44,671)	42.6%
76 - CAPITAL OUTLAY	($6,000)	($0)	($6,000)	0.0%	$0	0.0%
77 - DEBT SERVICES	($538,975)	($515,825)	($23,150)	95.7%	($507,425)	94.3%
78 - TRANS TO OTHR FUNDS	($3,900)	($2,275)	($1,625)	58.3%	($2,389)	58.3%
79 - OTHR EXP/FINANCE USE	($2,500)	($926)	($1,574)	37.1%	($126)	8.4%
Expense Total	**($1,883,204)**	**($1,139,254)**	**($743,950)**	**60.5%**	**($999,432)**	**60.3%**
Revenues Over/(Under) Exp.	**$1,771**	**($13,151)**	**$14,922**	-742.5%	**$40,219**	
BEGINNING FUND BALANCE	**($1,408,819)**	**($1,408,819)**				
ENDING FUND BALANCE	**($1,407,048)**	**($1,421,970)**				

ALL OTHER FUNDS

MONTHLY FINANCIAL REPORT

Prepared by
FINANCIAL SERVICES DEPARTMENT

SPECIAL REVENUE FUNDS AS OF APRIL 30, 2022

BEGINNING FUND BALANCE	FUND/ ACCT TYPE	FY 2022 ACTUALS	BUDGET	Available Budget	FY to Date Actual % of Budget	ENDING FUND BALANCE
$762,925	008 - COMPREHENSIVE SELF INSURANCE					
	Revenue	$272,776	$468,629	$195,853	74.84%	
	Expense	($531,686)	($551,200)	($19,514)	96.91%	
	008 - COMPREHENSIVE SELF INSURANCE Total	**($258,910)**	**($82,571)**			**$504,015**
$2,731,474	010 - HOTEL TAX FUND					
	Revenue	$456,111	$734,550	$278,439	72.46%	
	Expense	($121,362)	($739,821)	($618,460)	19.73%	
	010 - HOTEL TAX FUND Total	**$334,749**	**($5,271)**			**$3,066,223**
$306,890	013 - GRANT FUND					
	Revenue	$118,982	$39,000	($79,982)	60.93%	
	Expense	($142,252)	($391,160)	($61,264)	40.41%	
	013 - GRANT FUND Total	**($23,270)**	**($352,160)**			**$283,620**
$353,279	033 - TAX INCREMENT FINANCING FUND					
	Revenue	($0)	$75,575	$75,575	0.00%	
	Expense	($0)	($2,750)	($2,750)	0.00%	
	033 - TAX INCREMENT FINANCING FUND Total	**($0)**	**$72,825**			**$353,279**
$88,875	050 - ABANDONED ASSET FORFEITURE					
	Revenue	($0)	$1,300	$1,300	0.00%	
	Expense	($54,924)	($60,774)	($5,850)	90.37%	
	050 - ABANDONED ASSET FORFEITURE Total	**($54,924)**	**($59,474)**			**$33,951**
$134,567	051 - STATE ASSET FORFEITURE FUND					
	Revenue	($0)	$5,500	$5,500	1141.07%	
	Expense	($23,482)	($79,248)	($37,806)	35.52%	
	051 - STATE ASSET FORFEITURE FUND Total	**($23,482)**	**($73,748)**			**$111,085**

SPECIAL REVENUE FUNDS AS OF APRIL 30, 2022

BEGINNING FUND BALANCE	FUND/ ACCT TYPE	FY 2022 ACTUALS	BUDGET	Available Budget	FY to Date Actual % of Budget	ENDING FUND BALANCE
$138,119	052 - FEDERAL ASSET FORFEITURE FUND					
	Revenue	$4,775	$30,000	$25,225	15.92%	
	Expense	($78,458)	($94,136)	($15,678)	85.79%	
	052 - FEDERAL ASSET FORFEITURE FUND Total	**($73,683)**	**($64,136)**	$9,547	118.47%	**$64,436**
$47,418	225 - COURT SECURITY FUND					
	Revenue	$4,816	$12,000	$7,184	45.03%	
	Expense	($0)	($30,366)	($30,366)	0.00%	
	225 - COURT SECURITY FUND Total	**$4,816**	**($18,366)**			**$52,234**
$16,941	230 - JUVENILE CASE MANAGER FUND					
	Revenue	$5,309	$19,500	$14,191	30.52%	
	Expense	($14,338)	($26,109)	($11,770)	66.11%	
	230 - JUVENILE CASE MANAGER FUND Total	**($9,030)**	**($6,609)**			**$7,911**
$35,002	235 - COURT TECHNOLOGY					
	Revenue	$4,208	$12,000	$7,792	39.27%	
	Expense	($0)	($970)	($970)	0.00%	
	235 - COURT TECHNOLOGY Total	**$4,208**	**$11,030**			**$39,210**
($139,079)	757 - EMERGENCY/ DISASTER RELIEF					
	Revenue	$54,285	($0)	($54,285)		
	Expense	($121,603)	($0)	$121,603		
	757 - EMERGENCY/ DISASTER RELIEF Total	**($67,318)**	**($0)**			**($206,397)**
$4,801,199	758 - AMERICAN RESCUE PLAN					
	Revenue	$3,922	($0)	($3,922)		
	Expense	($588,175)	($2,415,000)	($1,725,277)	52.13%	
	758 - AMERICAN RESCUE PLAN Total	**($584,253)**	**($2,415,000)**			**$4,216,946**

DEBT SERVICE AND CAPITAL PROJECT/REPLACEMENT FUNDS AS OF APRIL 30, 2022

BEGINNING FUND BALANCE	FUND/ ACCT TYPE	FY 2022 ACTUALS	BUDGET	AVAILABLE BUDGET	FY to Date Actual % of Budget	ENDING FUND BALANCE
$1,385,475	**005 - DEBT SERVICE FUND**					
	Revenue	$1,247,863	$1,410,657	$162,794	88.59%	
	Expense	($1,128,316)	($1,482,357)	($354,041)	76.12%	
	005 - DEBT SERVICE FUND Total	**$119,547**	**($71,700)**			**$1,505,022**
$2,110,807	**016 - FLEET/EQUIP REPR/REPLACE FUND**					
	Revenue	$521,009	$893,709	$372,700	74.95%	
	Expense	($182,472)	($2,161,838)	($1,385,840)	8.44%	
	016 - FLEET/EQUIP REPR/REPLACE FUND Total	**$338,537**	**($1,268,129)**			**$2,449,344**
$195,745	**020 - STREET CIP FUND**					
	Revenue	($0)	$1,471,000	$1,471,000	26.75%	
	Expense	($41,925)	($1,001,737)	($915,508)	5.32%	
	020 - STREET CIP FUND Total	**($41,925)**	**$469,263**			**$153,819**
$21,043	**024 - PARK CAPITAL IMPROV FUND**					
	Expense	($0)	($0)	($0)		
	024 - PARK CAPITAL IMPROV FUND Total	**($0)**	**($0)**	**($0)**		**$21,043**
$218,837	**025 - ALLEY IMPROVEMENT FUND**					
	Revenue	($0)	$150,000	$150,000	0.00%	
	Expense	($17,621)	($230,591)	($206,158)	7.64%	
	025 - ALLEY IMPROVEMENT FUND Total	**($17,621)**	**($80,591)**			**$201,217**
$19,771,548	**026 - CAPITAL PROJECTS CONSTRUCTION**					
	Revenue	$23,782	$100,000	$76,218	29.28%	
	Expense	($975,122)	($10,439,101)	($7,254,048)	10.23%	
	026 - CAPITAL PROJECTS CONSTRUCTION Total	**($951,340)**	**($10,339,101)**			**$18,820,208**

DEBT SERVICE AND CAPITAL PROJECT/REPLACEMENT FUNDS AS OF APRIL 30, 2022

BEGINNING FUND BALANCE	FUND/ ACCT TYPE	FY 2022 ACTUALS	BUDGET	AVAILABLE BUDGET	FY to Date Actual % of Budget	ENDING FUND BALANCE
$243,522	031 - TRAFFIC IMPROVEMENT & SAFETY					
	Revenue	($0)	($0)	($0)		
	Expense	($0)	($0)	($0)		
	031 - TRAFFIC IMPROVEMENT & SAFETY Total	**($0)**	**($0)**			**$243,522**
$105,798	032 - INFO TECH REPAIR/REPLACE FUND					
	Revenue	$88,676	$152,033	$63,357	74.99%	
	Expense	($201,372)	($129,800)	$79,747	155.14%	
	032 - INFO TECH REPAIR/REPLACE FUND Total	**($112,696)**	**$22,233**			**($6,898)**

OTHER ENTERPRISE FUNDS AS OF APRIL 30, 2022

BEGINNING FUND BALANCE	FUND/ ACCT TYPE	FY 2022 ACTUALS	BUDGET	AVAILABLE BUDGET	FY to Date Actual % of Budget	ENDING FUND BALANCE
$1,125,664	**015 - DRAINAGE FUND**					
	Revenue	$545,726	$841,000	$295,274	72.30%	
	Expense	($183,497)	($1,933,214)	($1,655,100)	11.74%	
	015 - DRAINAGE FUND Total	**$362,229**	**($1,092,214)**			**$1,487,893**
$838,612	**019 - SANITATION FUND**					
	Revenue	$2,084,226	$4,168,500	$2,084,274	61.41%	
	Expense	($1,925,684)	($4,487,839)	($502,451)	55.62%	
	019 - SANITATION FUND Total	**$158,542**	**($319,339)**			**$997,154**

Duncanville
City of Champions

END OF REPORT

PLEASE CONTACT FINANCIAL SERVICES DIRECTOR WITH ANY QUESTIONS CONCERNING THIS REPORT.
edena.atmore@duncanville.com or 972-780-5005.

Prepared by
FINANCIAL SERVICES DEPARTMENT