

HEWITT TEXAS

CITY COUNCIL MEETING AGENDA

July 18, 2016

5:30 PM AND 7:00 PM

CITY HALL, 200 PATRIOT COURT

HEWITT, TX 76643

MAYOR AND CITY COUNCIL

Ed Passalugo – Mayor, Ward 3

Travis Bailey – Mayor Pro Tem, Ward 1

Wilbert Wachtendorf – Council Member, Ward 1

Bill Fuller – Council Member, Ward 2

James Vidrine – Council Member, Ward 2

Steve Fortenberry – Council Member, Ward 3

Alex Snider – Council Member At-Large

CITY STAFF

Adam Miles, City Manager

Charlie Buenger, City Attorney

Miles Whitney, City Engineer

Jim Barton Assistant City Manager

Lydia Lopez, City Secretary

Jim Devlin, Police Chief

Lance Bracco, Fire Chief

James Black, Public Works Director

Lee Garcia, Finance Director

Waynette Ditto, Library Director

Tuck Saunders, Assistant Police Chief

Katie Allgood, Special Projects Coordinator

Tracy Lankford, Community
Development Director

HEWITT TEXAS

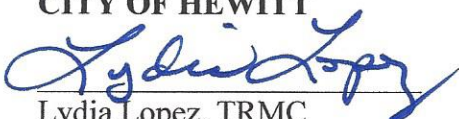
NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Workshop** meeting of the governing body of the City of Hewitt will be held on the **18th day of July, 2016 at 5:30 PM in Hewitt City Hall, Council Workshop Room, 200 Patriot Court, Hewitt, Texas**, at which time the following subjects will be discussed:

1. Call meeting to order.
2. City Manager's update on municipal business:
 - a. Report from City Engineer including review and discussion of Capital Improvement Projects and funding options
 - b. Briefing and discussion concerning proposed FY 2016-2017 Budget and Capital Improvements Projects.
 - c. Briefing and discussion concerning FY 2016-2017 Budget Calendar
 - d. Briefing and discussion concerning Mobile Home District regulations
 - e. Briefing and discussion concerning a bulky item/trash fifth Saturday bonus day.
 - f. Briefing and discussion concerning installation of No Through Truck signage
 - g. Briefing and discussion concerning upcoming events:
 - Summer Concert Series
 - Hewitt Hero Day – July 20, 2016
 - National Night Out – July 28, 2016 – Warren Park
 - h. Briefing and discussion concerning Public Safety operations – Police & Fire.
3. Review regular meeting agenda items.
4. Convene Executive Session pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following:
 - **Pursuant to §551.072 – Purchase, Exchange, Lease, or Value of Real Property.**
 - **Pursuant to §551.087 - Deliberation regarding Economic Development Negotiations.**
6. Close Executive Session.
7. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 5:00 AM/PM on July 14, 2016.

CITY OF HEWITT


Lydia Lopez, TRMC
City Secretary

HEWITT TEXAS

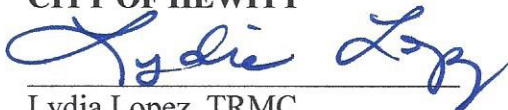
NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Regular** meeting of the governing body of the City of Hewitt will be held on the **18th day of July, 2016 at 7:00 PM in the City Council Chambers at Hewitt City Hall, 200 Patriot Court, Hewitt, Texas**, at which time the following subjects will be discussed:

1. Call meeting to order.
2. Pledge of Allegiance to the U.S. Flag
3. Consider approval of minutes of the City Council Workshop/Regular Meeting of June 20, 2016.
4. Hear visitors on matters pertaining to city business. *Under the Texas Open Meetings Act, the Council is prohibited from discussing, responding, or acting on any comments or items that have not been properly posted on the agenda.*
5. Public hearing and action on an ordinance rezoning of an 8.187 acre tract of land, located at 506 Sun Valley Boulevard, Hewitt, McLennan County, Texas, also known as Carlos O'Campo Abstract 32 tract 9 from R-1 (Single-Family District) to R-5 (Single-Family Attached Dwelling District).
6. Consider and act on an ordinance rezoning of a 1.24 acre tract of land, legally known as Lot 28 Block 2 Wiethorn Addition in the city of Hewitt, McLennan County, Texas, from C-2 (Commercial District) to R-4 (Multi-Family High Density District).
7. Consider and act on an ordinance rezoning of a 2.58 acre tract of land, legally known as the Carlos O'Campo Grant Tract 62B described in a deed to Theresa Dwyer, recorded in MCC No. 2010002105, of the records of McLennan County, Texas, from C-2 (General Commercial District) to R-4 (Multi-Family High Density District).
8. Consider and act on setting date of August 8, 2016, for a public hearing on the Proposed Fiscal Year 2016-2017 Annual Operating and Capital Budget.
9. Consider and act on 2016 proposed tax rate and setting two (2) public hearing dates, August 8 and August 15, 2016.
10. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 5:00 AM/PM on July 14, 2016.

CITY OF HEWITT



Lydia Lopez, TRMC
City Secretary

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact the Hewitt City Secretary at (254) 666-6171 at least 24 hours prior to the meeting, so that appropriate arrangements can be made.



COUNCIL WORKSHOP AGENDA ITEM #2.a



CITY ENGINEER'S REPORT

July 14, 2016

2010 IH-35 Utility Improvements:

We have been in discussions with TxDOT, to bring this project to a close once all contractual itmes are met.

Commerce Park Plant Project and Related Projects:

Plant Contract:

Contractor only lacks small punch list items to complete.

2014 Bond Projects:

First Street Mill and Overlay / Chapman Rd.

Project Contracts are being reviewed to confirm all requirements have been submitted.

2015 Bond Projects:

Lift Station No. 5 Removal

Received some additional data and will need to look at it to see what effect the fill material made to our original plan.

IH - 35 Waterline

Easement documents have been received and will be sent to property owners shortly for their consideration. This project will most likely be broken out into three separate projects, one of which is planned to be done in house. Investigations are being perfomed on locating existing easements for the areas.

Lift Station No. 4; Gravity Line Extension

Preliminary topography along the proposed alignment has been received. This project will most likely combined with the IH - 35 Waterline project.

2016 Slurry Seal:

Working on finishing up the list and reviewing the street conditions to look for needed base repairs prior to this contract work.

HEWITT TEXAS II

CITY ENGINEER'S REPORT

July 14, 2016

By:



Miles W. Whitney, P.E.

Note: All dates are approximate and subject to change.



COUNCIL WORKSHOP AGENDA ITEM #2.c

BUDGET CALENDAR 2016-2017

BUDGET CREATION BEGINS

Date	Required Activity
5/3	CITY MANAGER & DEPT HEAD-BUDGET KICK-OFF
	City Manager gives direction for the budget year at the Department Head meeting and Budget Workbooks are distributed to Department heads, which include budget books, staffing budgets, and capital outlay forms. Finance Director completes budget for Revenue and Debt.
6/1	CAPITAL PROJECTS - FIVE YEAR PLAN
	City Manager, City Engineer and Staff meet to discuss Capital Projects for the upcoming 5 year period. The final Capital Project list is presented to council for review.
6/6	CAPITAL PROJECTS - COUNCIL REVIEW
	Council reviews capital projects list prioritizing projects and determines when financing is needed.
6/7	DEADLINE-DEPARTMENT REQUEST
	City Manager and Finance Director review Revenue estimates and Budget Requests & set up meetings with Department Heads to finalize the Proposed Budget. After final review by City Manager, Finance Director prepares Proposed Budget for Council Workshop. This includes proposed tax rate, debt service, capital outlay items and staffing for the next budget year.
6/20	REGULAR MEETING-BUDGET WORKSHOP
	In preparation for the City Council's Budget Workshop, the City Manager prepares Proposed Budget for council discussion. City Council makes changes to Proposed Budget, if any, in preparation for Record Vote on 7/18.
7/18	REGULAR MEETING- TAKE RECORD VOTE
	* Council determines any tax increase required and takes record vote on tax rate. * Announce date and place for public hearing on the proposed budget on 8/8.
7/25	DEADLINE-CERTIFIED TAX ROLL
	Receive Certified Tax Roll from Appraisal District and and prepare final estimate of property tax revenue and present the Effective, Rollback, I&S and M&O Rates.
BUDGET CREATION ENDS/PUBLICATION & PUBLIC MEETING BEGINS	

Calendar for May 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Calendar for June 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Calendar for July 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Calendar for August 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

6	6/20 - Budget Workshop discussion
20	7/18 - Council takes Record Vote setting upper limit to tax rate & approving proposed budget
25	7/25 - Receive CERTIFIED TAX ROLL
22,29	7/22, 7/29 - Deadlines for publication
8, 15, 22	8/8, 8/15, 8/22 - Required Council meetings in August

PUBLIC NOTICES & PUBLIC MEETINGS BEGIN

Date	Required Activity
7/22	PUBLISH BUDGET NOTICE OF PUBLIC HEARING
	* <i>"Notice of Public Hearing" in paper</i> (budget notice) Per charter, 15 days prior to public hearing on 8/8 * <i>"Notice of Public Hearing" on website</i> (budget notice) * Preliminary Proposed Budget is available for public view in City Secretary's office and on website.
7/29	PUBLISH REQUIRED TAX NOTICE
	* <i>"Notice of 2016 Tax Year Proposed Property Tax Rate for the City of Hewitt" (published by Tax Assessor)</i> (only required to be published one time) * website <i>"Notice of 2016 Tax Year Proposed Property Tax Rate for the City of Hewitt"</i>
8/8	SPECIAL MEETING ON BUDGET & TAX RATE (1 of 2)
	* 1st Public Hearing on tax rate * The Public Hearing on the Budget. * Announce date for Council to vote on tax rate (8/22)
8/15	REGULAR MEETING ON TAX RATE (2 of 2)
	* 2nd Public Hearing on the tax rate. * Announce date of vote (8/22).
8/22	SPECIAL MEETING-ADOPT TAX RATE & BUDGET
	* Ordinance accepting & approving Tax Roll * Ordinance Levying a tax rate; special wording on increase in M&O tax revenue and \$\$ on \$100k home * Ordinance adopting and appropriating budgets
8/22	Council signs paperwork from Tax Assessor setting rates.
8/24	Web Publishing of Adopted Budget.
10/1	Budget becomes effective.
ADOPTED BUDGET IS COMPLETE.	

<i>Calendar for July 2016</i>						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

<i>Calendar for August 2016</i>						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

6	6/20 - Budget Workshop discussion
20	7/18 - Council takes Record Vote setting upper limit to tax rate & approving proposed budget
25	7/25 - Receive CERTIFIED TAX ROLL
22, 29	7/22, 7/29 - Deadlines for publication
8, 15, 22	8/8, 8/15, 8/22 - Required Council meetings in August



COUNCIL WORKSHOP AGENDA ITEM #2g.

2016 Calendar of Events

Event	Location	Date	Time
Hewitt Hero Day	Hewitt Park	Wednesday, July 20th	10:00am
National Night Out Kickoff Party	Warren Park	Thursday, July 28th	6:00pm
Concert #1 - Holly Tucker	Warren Park	Thursday, August 4th	7:00pm
KXXV Movie Night #3 - Zootopia	Warren Park	Friday, August 5th	7:00pm
Concert #3 - Texas Flood	Warren Park	Thursday, August 18th	7:00pm
Library Benefit Concert - Beetlemania 64	Warren Park	Saturday, August 27th	7:00pm
KXXV Movie Night #4 - Cinderella	Warren Park	Friday, September 2nd	7:00pm
Creekside Spooktacular	Warren Park	Saturday, October 29th	5:00pm
Christmas Parade & Tree Lighting	Hewitt Park	TBD	TBD

2016 Library Calendar of Events

Date	Time	Event	Location
7/16/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
7/18/2016	10:30 am -12:30 pm	Mayham and Murder Book Club	Library 200 Patriot Court
7/20/2016	10:30 am -12:30 pm	Hewitt Hero Day	Hewitt Park
7/20/2016	1:00-3:00 pm	Linda's Culinary Club	TBD
7/21/2016	10:30 am -12:30 pm	Kids Movie	Library 200 Patriot Court
7/21/2016	5:30-7:30 pm	Teen Movie	Library 200 Patriot Court
7/23/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
7/27/2016	10:30 am -12:30 pm	Splash Party	Hewitt Park
7/30/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
8/2/2016	4:00-5:00 pm	Crafternoon	Library 200 Patriot Court
8/4/2016	6:30-7:30 pm	Evening Storytime	Library 200 Patriot Court
8/6/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
8/8/2016	6:00-8:00 PM	Teen Game Night	Library 200 Patriot Court
8/9/2016	4:00-5:00 pm	Crafternoon	Library 200 Patriot Court
8/10/2016	2:00-4:00 pm	Linda's Book club	Library 200 Patriot Court
8/11/2016	6:30-7:30 pm	Evening Storytime	Library 200 Patriot Court
8/11/2016	6:30-8:30 pm	Linda's Book club	TBD
8/12/2016	11:30 am -12:30 pm	Friends Author Luncheon	Library 200 Patriot Court
8/13/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
8/15/2016	10:30 am -12:30 pm	Mayham and Murder Book Club	Library 200 Patriot Court
8/16/2016	4:00-5:00 pm	Crafternoon	Library 200 Patriot Court
8/17/2016	1:00-3:00 pm	Linda's Culinary Club	TBD
8/20/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
8/22/2016	5:30-7:30 pm	Movie Monday	Library 200 Patriot Court
8/23/2016	4:00-5:00 pm	Crafternoon	Library 200 Patriot Court
8/27/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
8/27/2016	7:00 - 10:00 pm	Concert in the Park w/ Beatlemania64	Warren Park



COUNCIL AGENDA ITEM FORM

MEETING DATE: July 18, 2016

AGENDA ITEM #: 3

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the City Council Workshop/Regular Meeting of June 20, 2016.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is a draft copy of the meeting minutes. Please review and advise if any corrections are needed.

ATTACHMENTS:

Draft minutes

HEWITT TEXAS

MINUTES OF A CITY COUNCIL WORKSHOP/MEETING HEWITT CITY HALL – 200 PATRIOT COURT June 20, 2016 - 5:30/7:00 PM

Members present: Mayor Ed Passalugo (presiding), Mayor Pro Tem Travis Bailey, Council Members Wilbert “Walky” Wachtendorf, James Vidrine, and Steve Fortenberry

Member absent: Council Members Bill Fuller and Alex Snider

Staff present:, City Attorney Charlie Buenger, City Engineer Miles Whitney, City Manager Adam Miles, Fire Chief Lance Bracco, Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders, Finance Director Lee Garcia, Library Director Waynette Ditto, Community Development Director Tracy Lankford, Special Projects Coordinator Katie Allgood, HR Generalist Stephanie Thompson, and City Secretary Lydia Lopez

Staff absent: Assistant City Manager Jim Barton and Public Works Director James Black

Workshop – 5:30 PM

1. Mayor Ed Passalugo called the meeting to order at 5:30 PM.
2. City Manager presented an update on municipal business:
 - a. Report from City Engineer including review and discussion of Capital Improvement Projects and funding options
 - b. Briefing and discussion concerning proposed FY 2016-2017 Budget and Capital Improvements Projects.
 - c. Briefing and discussion concerning FY 2016-2017 Budget Calendar
 - d. Briefing and discussion concerning upcoming events:
 - o Summer Concert Series
 - o Hewitt Dog Days of Summer – Follow-up
 - o National Night Out – July 28, 2016
 - e. Briefing and discussion concerning Public Safety operations – Police & Fire.
3. The regular meeting agenda items were reviewed.
4. Convene Executive Session pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following: **(NOT HELD)**
 - Pursuant to §551.072 – Purchase, Exchange, Lease, or Value of Real Property.
 - Pursuant to §551.087 - Deliberation regarding Economic Development Negotiations.
6. Close Executive Session. **(NOT HELD)**

7. Adjourn. *A motion was made by Council Member Wilbert “Walky” Wachtendorf and seconded by Mayor Pro Tem Travis Bailey to adjourn the Workshop meeting at 6:47 PM.*

REGULAR MEETING – 7:00 PM

1. **CALL TO ORDER.** Mayor Passalugo called the meeting to order at 7:00 PM.
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Mayor Passalugo asked Finance Director Lee Garcia to lead the Pledge of Allegiance.
3. **SPECIAL PRESENTATION OF DODGING FOR DOLLARS DONATIONS TO FIRST BAPTIST CHURCH OF HEWITT, BRAZOS MEADOWS BAPTIST CHURCH, AND FIRST UNITED METHODIST CHURCH OF HEWITT.** Police Chief Jim Devlin presented checks to each of the churches listed above from funds raised in the Dodging for Dollars Tournament. This was the Police Department’s first Annual Dodgeball Tournament held to benefit the food pantries of local churches in Hewitt.

Mayor Passalugo reordered the agenda for a special presentation by Mr. Bruce Huff.

Mr. Huff presented awards to the Fire Chief Lance Bracco and firefighters Lance Bartels and Gene Geheb for their response to a 9-1-1 call at his residence. He credited these individuals for saving his life.

4. **PRESENTATION OF OFFICERS JOHN COLLIN MILLS AND ANDREW LEE WILLIAMS.** Police Chief Jim Devlin recognized Officers John Collin Mills and Andrew Lee Williams. Both were the first candidates selected and hired from outside of law enforcement to attend the Police Academy. Mayor Ed Passalugo administered the ceremonial oath of office.
5. **PRESENTATION BY WACO TRANSIT SYSTEM DRS SUPERVISOR JORGE GONZALEZ ABOUT SERVICES PROVIDED IN THE MCLENNAN COUNTY RURAL TRANSIT DISTRICT.** Mr. Jorge Gonzalez made a brief presentation on the services provided in the McLennan County Rural Transit District.
6. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP/REGULAR MEETING OF June 6, 2016.** *A motion was made by Council Member Wilbert “Walky” Wachtendorf and seconded by Mayor Pro Tem Travis Bailey to approve the minutes as submitted but allow for corrections; all five in favor, motion passed.*
7. **HEAR VISITORS ON MATTERS PERTAINING TO CITY BUSINESS.** *Under the Texas Open Meetings Act, the Council is prohibited from discussing, responding, or acting on any comments or items that have not been properly posted on the agenda.* The following appeared to express concerns with flooding and drainage issues: Sophia & Jim Ho, owners of property at 706-708 Park Meadows; Betty Smith, 709 Seminole Trail, and Al

Humphrey, 240 E Lindenwood Lane. Mayor Passalugo asked these citizens to meet with city staff after the meeting.

8. **CONSIDER AWARD OF BID FOR 2015 FIRST STREET AND CHAPMAN RD. STREET IMPROVEMENTS TO H&B CONTRACTORS IN THE AMOUNT OF \$636,979.20.** Council Member Wilbert “Walky” Wachtendorf inquired whether staff was confident that the contractors would be able to do a quality job due to previous concerns on another project. City Engineer Miles Whitney responded and advised that he would still recommend the Council approve and award the bid to H&B Contractors. *A motion was made by Council Member James Vidrine and seconded by Mayor Pro Tem Travis Bailey to approve; four in favor, Council Member Wachtendorf in opposition, motion passed.*
9. **PUBLIC HEARING AND ACTION ON AN ORDINANCE REZONING OF A 1.24 ACRE TRACT OF LAND, LEGALLY KNOWN AS LOT 28 BLOCK 2 WIETHORN ADDITION IN THE CITY OF HEWITT, MCLENNAN COUNTY, TEXAS, FROM C-2 (GENERAL COMMERCIAL DISTRICT) TO R-4 (MULTI-FAMILY DISTRICT).** Mayor Passalugo noted a correction to the posted agenda on the zoning classification. He opened the public hearing for those wishing to speak in favor. No one appeared in favor. Mayor Passalugo opened the public hearing for those wishing to speak against. No one appeared against. Public hearing was closed. *A motion was made by Council Member Wilbert “Walky” Wachtendorf to approve the rezone request. Council Member Vidrine asked if there was a representative present to respond to questions. None were present. Council Member Wachtendorf withdrew his motion to approve. A motion was made by Council Member Jim Vidrine and seconded by Mayor Pro Tem Travis Bailey to table this item until the next meeting; all five in favor, motion to table passed.*
10. **PUBLIC HEARING AND ACTION ON AN ORDINANCE REZONING OF A 2.58 ACRE TRACT OF LAND, LEGALLY KNOWN AS THE CARLOS O'CAMPO GRANT TRACT 62B DESCRIBED IN A DEED TO THERESA DWYER, RECORDED IN MCC NO. 2010002105, OF THE RECORDS OF MCLENNAN COUNTY, TEXAS, FROM C-2 (GENERAL COMMERCIAL DISTRICT) TO R-4 (MULTI-FAMILY HIGH DENSITY DISTRICT).** Mayor Passalugo opened the hearing for those wishing to speak in favor. No one appeared. Mayor Passalugo opened the hearing for those speaking against. No one appeared. Public hearing was closed. *A motion was made by Council Member Jim Vidrine and seconded by Mayor Pro Tem Travis Bailey to table this item until the next meeting; all five in favor, motion to table passed.*
11. **CONSIDER AND ACT ON AN ORDINANCE AMENDING THE CITY OF HEWITT CODE OF ORDINANCES, CHAPTER 78, ARTICLE VI, DIVISIONS 1, 2, AND 3, WATER DROUGHT CONTINGENCY PLAN, PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY AND DECLARING AN EMERGENCY.** *A motion was made by Mayor Pro Tem Travis Bailey and seconded by Council Member Wilbert “Walky” Wachtendorf to approve; all five in favor, motion passed.*

- 12. ADJOURN.** *A motion was made by Mayor Pro Tem Travis Bailey and seconded by Council Member James Vidrine to adjourn the meeting at 7:44 PM, all five in favor, motion passed.*

Approved: July 18, 2016

Lydia Lopez, City Secretary

Ed Passalugo, Mayor



ITEM #4 – HEARING OF VISITORS

PROCEDURES FOR CITIZEN PARTICIPATION AT MEETINGS

1. Citizens are encouraged to discuss matters of concern with the staff and individual council members prior to placing items on the agenda. This will allow the matter to be properly investigated before it is presented to the entire council and will often expedite a resolution.

NO CITIZEN OR STAFF MEMBER MAY SPEAK OR OTHERWISE INTERRUPT ANY MEETING UNTIL RECOGNIZED BY THE PRESIDING OFFICER.

2. To maintain decorum at public hearings, the mayor will ask citizens in attendance if they wish to speak for or against the item on the agenda. If so, they will be given an opportunity to speak at the proper time and when recognized by the chair. If more than five citizens wish to address the council on any single agenda item, those citizens are advised to select a spokesperson to present their case.

Only under the agenda item “Hear Visitors” are citizens permitted to speak regarding matters that pertain to city business or address an item on the agenda. **The council is prohibited by law from discussing or acting on any item that has not been posted on the agenda.**

3. Individual citizens that discuss items not listed on the agenda shall be limited to **five minutes**. If five or more citizens wish to discuss a single item or topic that is not listed on the agenda, then the total presentation will be limited to a maximum of twenty-five minutes. City council members shall **not** enter into discussion on any subject that has not been properly placed on the agenda; however, council members may ask questions for clarification purposes.
4. As a general rule, citizens may not participate or address the council or staff during the workshop session.



COUNCIL AGENDA ITEM FORM

MEETING DATE: July 18, 2016

AGENDA ITEM #: 5

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing and action on an ordinance rezoning of an 8.187 acre tract of land, located at 506 Sun Valley Boulevard, Hewitt, McLennan County, Texas, also known as Carlos O'Campo Abstract 32 tract 9 from R-1 (Single-Family District) to R-5 (Single-Family Attached Dwelling District).

STAFF RECOMMENDATION/ITEM SUMMARY:

Mr. Joe Seeber submitted a request to rezone property located at the 506 Sun Valley Boulevard. This is a tract of land located between Sun Valley and Ivy Ln. Mr. Seeber is requesting the rezoning change from R-1 (Single-Family District) to R-5 (Single-Family Attached Dwelling District). The Planning and Zoning Commission met on Tuesday, July 12, 2016 to consider the request. After a public hearing and deliberation, the P&Z Commission recommended to deny the request with a vote of 5 to 0.

If council wishes to overturn the recommendation of P&Z it will have to be by a supermajority vote. A map of the property and copy of the minutes is included in the backup material.

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation
Draft ordinance

HEWITT TEXAS

MINUTES OF THE PLANNING AND ZONING COMMISSION JULY 12, 2017 – 6:00PM

Members present: Charlie Turner, Walt Peterson, Bobby Wolske, Michael Hix, Kurt Krakowian, Jonathan Dulus

Members absent: John Baker

Staff present: Tracy Lankford, Community Development Director
Eva Marie Greenup, Zoning Secretary

Item #1. Call Planning and Zoning Meeting to order. *Charlie Turner called the meeting to order at 6:05PM.*

Item #2. Minutes. *A motion was made by Walt Peterson to accept but allow for corrections and seconded by Kurt Krakowian. No corrections noted; all six in favor, motion passed. Minutes dated June 7, 2016, stand approved.*

Item #3. Discussion and possible action: Change the Comprehensive Plan Future Land Use Map from Low Density Residential to Commercial and zoning from C-1 Restricted Commercial to C-O Outdoor Commercial on property located at the intersection of Old Temple and Spring Valley, more particularly described as, Lot 42 Block 3 Wintergarden Addition, being approximately +/- 1.6 acres. *Those who spoke in favor: None. Those who spoke against: Mary Lynna Jackson, 302 April Lane and Jerry Hann, 314 April Lane. Motion was made by Kurt Krakowian to table this agenda item to the next Planning and Zoning meeting on August 9, 2016 and seconded by Jonathan Dulus. Five in favor, one opposed by Charlie Turner, motion passed.*

Planning and Zoning Commission Minutes

July 12, 2016

Page Two

Item #4. Discussion and possible action: Change the Comprehensive Plan Future Land Use Map from Low Density Residential to High Density Residential and change zoning from R-1 Single Family Residential to R-5 Single-Family.

Attached Dwelling on property located at 506 Sun Valley Boulevard, also known as, O'Campo C Abstract 32 Tract 9 being approximately +/- 8.187 acres.

Those who spoke in favor: Joe Seeber, 506 Sun Valley; David Hodson, 14010 Horseshoe Circle, Woodway TX. Those who spoke against: Paul Buxkemper, 330 Ivy Ann; Freda Gunn, 320 Ivy Lane; Jeffrey Tweed, 329 Ivy Lane; Brooks Gunn, 320 Ivy Lane; Randy Luster, 402 Ivy Lane. A motion was made by Bobby Wolske to deny the rezoning due to it being high density and seconded by Michael Hix. All six in favor, no opposition, motion passed.

Item #5. Adjourn. *A motion was made by Kurt Krakowian and seconded by Walt Peterson to adjourn the meeting at 6:51PM, all six in favor, motion passed.*

Chairman

Date Approved

Eva Marie Greenup, Zoning Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS AMENDING ORDINANCE NO. 11-15-99 AND ALL AMENDMENTS THERETO, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF HEWITT, TEXAS, CHANGING THE ZONING CLASSIFICATIONS OF THE HEREIN DESCRIBED PROPERTY FROM R-1 (SINGLE-FAMILY DISTRICT) TO R-5 (SINGLE-FAMILY ATTACHED DWELLING DISTRICT) PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the Code of Ordinances of the City of Hewitt, a request was submitted by Joe Seeber to rezone a 8.187 acre tract of land, legally known as the Carlos O'Campo Grant Tract 9 also known as 506 Sun Valley Boulevard, Hewitt, McLennan County, Texas, from **R-1 (Single-Family District) to R-5 (Single-Family Attached Dwelling District).**

WHEREAS, public notice was given and property owners within 200' were notified of the rezoning request as required by state law, and

WHEREAS, a public hearing in relation thereto at which parties in interest and citizens had an opportunity to be heard was held by the City Council of the City of Hewitt on July 18, 2016, after due notice in the manner provided by law; and

WHEREAS, a public hearing of the Planning and Zoning Commission at which parties in interest and citizens had an opportunity to be heard was held on Tuesday, July 12, 2016, after due notice in the manner provided by law; and

WHEREAS, a site plan of the proposed development was presented and discussed, and

WHEREAS, the said Commission has made a report to the City Council of the City of Hewitt, Texas, recommending approval of this rezoning request by a unanimous vote; and

WHEREAS, the City Council of the City of Hewitt, Texas deems that this rezoning is in accordance with the Comprehensive Land Use Plan and is in the public interest;

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

SECTION ONE. All that certain tract or parcel of land in McLennan County, Texas, being 8.187 acre tract of land, legally known as the Carlos O'Campo Grant Tract 9 also known as 506 Sun Valley Boulevard, Hewitt, McLennan County, Texas, from **R-1 (Single-Family District) to R-5 (Single-Family Attached Dwelling District).**

SECTION TWO. A proposed map of area is shown in Exhibit "A".

SECTION THREE. All ordinances, statutes, restrictions and regulations applicable to this property shall be complied with as well as all zoning restrictions and regulations that are

applicable to this property.

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

SECTION FIVE. Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

SECTION SIX. Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed Two Thousand and No/100 Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION SEVEN. The caption of this Ordinance shall be published within ten (10) days of its passage in a newspaper of general circulation in the City of Hewitt.

SECTION EIGHT. This Ordinance shall become effective ten (10) days after the date of its passage and upon its publication as required by law.

PASSED AND APPROVED this the ____ day of _____, 2016 at a Regular Meeting of the City Council of the City of Hewitt, Texas.

CITY OF HEWITT

BY: _____
Ed Passalugo, Mayor

ATTEST:

Lydia Lopez, City Secretary

SCALE: 1" = 30'

1.672 ACRES
77845 SQ. FT.
LOT 42
BLOCK 3
(VACANT)

LOT 41
C1534/125
FOUND IRON 11 29 01'02" W 160.36
SET 3/8"x12" SPIKE
CONC. DRIVE
1/2" (120')

LOT 43
(1534/125)
FOUND 3/8" IRON
SET 3/8"x12" SPIKE
7.5' EASEMENT PLAT 1534/125 (1464/854)

LOT 34
(1464/854)
SET 3/8"x12" SPIKE
N 75° 43' 00" W 197.52
WOOD FENCE
17.5' UTILITY EASEMENT

20' UTILITY EASEMENT PLAT 1534/125
S 14° 14' 50" W 350.00 (PLAT 1464/854)
(BASE BEARING)

OLD WACO-TEMPLE ROAD
(60' R.O.W. - ASPHALT)
No Curb Cut-off

10' WATER LINE EASEMENT (1108/106; 1200/860)
PLAT 1534/125
VAC. 1534/125
No Curb Cut-off

SET 3/8"x12" SPIKE

N 60° 56' 05" E 364.86 <N 60° 56' E 365.0>
S 53° 36' 55" E 45.28

SPRING VALLEY ROAD (F.M. 2113)
(100' R.O.W. - ASPHALT)
No Cane. CURB GUTTER

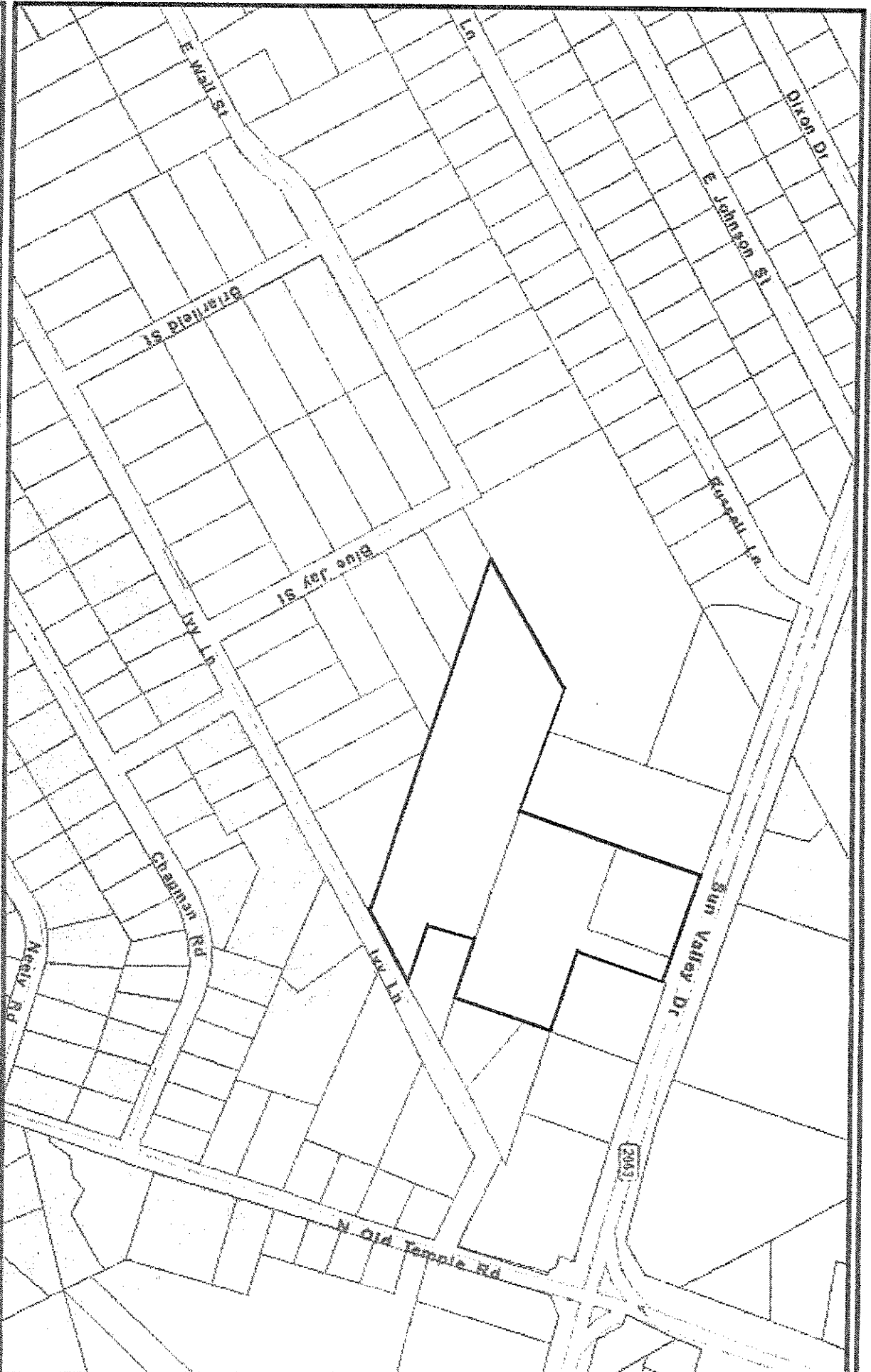
STANLEY L. JAHN

1519

506 SUN VALLEY BLVD

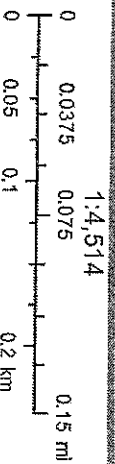
ZONING REQUEST

HEWITT
TEXAS



July 6, 2016

☐ Parcels





COUNCIL AGENDA ITEM FORM

MEETING DATE: July 18, 2016

AGENDA ITEM #: 6

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Consider and act on an ordinance rezoning of a 1.24 acre tract of land, legally known as Lot 28 Block 2 Wiethorn Addition in the City of Hewitt, McLennan County, Texas, from C-2 (General Commercial District) to R-4 (Multi-Family High Density District).

STAFF RECOMMENDATION/ITEM SUMMARY:

Mr. Jesse Blackwell submitted a request to rezone property located at 111 Post Office Drive. This is a vacant tract of land immediately East of the Mackie Office tract. Mr. Blackwell is requesting the rezoning change from C-2 (General Commercial District) to R-4 (Multi-Family High Density District). The Planning and Zoning Commission met on Tuesday, June 7, 2016, to consider the request. After a public hearing and deliberation, the P&Z Commission voted 4 to 0 in favor of the rezoning request. A map of the property and copy of the minutes are included in the backup material.

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation
Draft ordinance

HEWITT TEXAS

MINUTES OF THE PLANNING AND ZONING COMMISSION

June 7, 2016 – 6:00PM

Members present: Walt Peterson, Bobby Wolske, John Baker, Michael Hix, Kurt Krakowian

Members absent: Charlie Turner, Jonathan Dulus

Staff present: Tracy Lankford, Community Development Director
Miles Whitney, City of Hewitt Engineer
Eva Marie Greenup, Zoning Secretary

Item #1. Call Planning and Zoning Meeting to order. *Walt Peterson called the meeting to order at 6:02PM.*

Item #2. Minutes. *A motion was made by John Baker to accept but allow for corrections and seconded by Bobby Wolske. No corrections noted; all five in favor, motioned passed. Minutes dated May 3, 2016, stand approved.*

Item #3. Discussion and possible action: Change zoning from C-2 to R-4 on a Lot addressed as 111 Post Office Drive, Hewitt Texas 76643, known as Wiethorn Addition, Lot 28 Block 2, to the City of Hewitt, being approximately 1.24 +/- acres. *Jesse Blackwell, with Blackhill Restoration, 3966 Fox Ranch Road, Bruceville, TX and Tony Tomchesson with Barnett Contractors, 981 FM 56, Valley Mills, TX, were present and available for questions. No public attendance, a motion was made by John Baker to accept and seconded by Kurt Krakowian, all five in favor, motion passed.*

Item #4. Discussion and possible action: Change zoning from C-2 to R-4 on a lot with site address of Post Office Drive Dead End, Hewitt Texas 86643, known as Carlos O'Campo C A-32 Tract 62B, to the City of Hewitt, being approximately 2.58 +/- acres. *Jesse Blackwell, with Blackhill Restoration, 3966 Fox Ranch Road, Bruceville, TX and Tony Tomchesson with Barnett Contractors, 981 FM 56, Valley Mills, TX, were present and available for questions. No public attendance, a motion*

was made by John Baker to accept and seconded by Michael Hix, all five in favor, motion passed.

Item #5. Adjourn. *A motion was made by John Baker and seconded by Michael Hix to adjourn the meeting at 6:07PM, all five in favor, motion passed.*

Chairman

Date Approved

Eva Marie Greenup, Zoning Secretary

APPLICATION REVIEW

Z-2016-3

HEARING DATE: June 7, 2016

1. **CASE #** Z-2016-3
PROPERTY ADDRESS: 111 Post Office Dr.
LEGAL DESCRIPTION: Lot 28, Block 2 Wiethorn Addition

2. **APPLICANT:** Jesse Blackwell
MAILING ADDRESS: 3966 Box Ranch Rd. Bruceville, TX. 76630

When a zoning proposal is received that is not consistent with the Comprehensive Land Use Plan, the City may consider a change in the plan's policies or the Future Land Use Map. The review of the proposal should consider the following criteria:

- Will the proposed change enhance the site and the surrounding area
- Is the proposed change a better use than that recommended by the existing Future Land Use Map
- Will the proposed use impact adjacent residential areas in a negative manner, or will the proposed use be compatible with, and/or enhance adjacent residential areas
- Are the uses adjacent to the proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility
- Does the proposed change do an equally good job of achieving the Comprehensive Plan's other policies related to livability and growth
- Can the proposed use be served by available public facilities and services
- Does the proposed use present a significant benefit to the public health, safety, and welfare of the community, and would it contribute to the City's long-term economic well-being

3. **REQUEST:**

LAND USE DESIGNATION:

From **COMMERCIAL** to **HIGH DENSITY RESIDENTIAL**

(Land Use designation of COMMERCIAL to R-4 MULTIFAMILY HIGH DENSITY DISTRICT)

ZONING:

From **C-2 GENERAL COMMERCIAL** to **R-4 MULTIFAMILY HIGH DENSITY**

SUMMARY DESCRIPTION OF USES IN R-4: High density multiple-family zoning is primarily intended as the appropriate designation for lands suitable for higher impact development and higher volume traffic, while serving the residential needs for higher density living quarters. Permitted Uses are as shown in Section 2.104(B).

PLANNING SERVICES REVIEW

NEIGHBORHOOD CHARACTER:

This property is located within a mixed area of Residential and Commercial uses. The large majority of the surrounding area is residential in nature.

PLANNING SERVICES RECOMMENDATION:

LAND USE:

Community Development recommends ***APPROVAL*** of the land use designation change from ***COMMERCIAL to HIGH DENSITY RESIDENTIAL*** based on the following findings:

- 1) Commercial/Retail and Residential land use is the dominant land use designation for the surrounding neighborhood. The encroachment of the residential land use designation into this commercial neighborhood is considered compatible.
- 2) The public infrastructure is adequate to provide for zoning districts allowed in the proposed residential land use designation.
- 3) The property is located at the end of a public street.
- 4) There is an adequate supply of vacant land currently designated for commercial and retail land use located in the surrounding area.

ZONING:

Community Development recommends ***APPROVAL*** of this request to change the zoning from ***C-2 to R-4*** based on the following findings:

- 1) The proposed zoning is in keeping with the land use component of the Comprehensive Plan.
- 2) The public infrastructure is adequate to provide for uses allowed in R-4 zoning district.
- 3) The property meets all the size and width requirements for R-4 zoning.
- 4) The property is located on a public street.

Notices: 13 mailed; 2 returned,

ENGINEERING SERVICES DATA

1. Street condition: Good____ Acceptable X Needs Reconstruction____

2. Street width: Existing: ROW 50' Pavement 30'

Required: ROW__ Pavement

3. Curb and Gutter:

Needs to be installed____ Exists____ Needs Reconstruction____

4. Offsite Drainage facilities are adequate to meet additional runoff resulting from the rezoning.

5. Water is available to the property, and it will serve the heaviest uses allowed under the requested zoning.

6. Sewer is available to the property.

Engineering Department comments and recommendations:

No Comments

INSPECTION SERVICES REVIEW

Comments

No objections.

FIRE DEPARTMENT REVIEW:

ANTICIPATED FIRE RESPONSE TIME:

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

Fire Department Comments and Recommendations:

No Comments

HEALTH DEPARTMENT REVIEW

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

DATE OF INSPECTION: To be determined

Health Department Comments and Recommendations: None

POLICE DEPARTMENT REVIEW

No Comments

PROPERTY OWNERS LIST

Applicant: Jesse Blackwell

Owner: Doodnauth Harrykissoon
Theresa Dwyer

June 3rd, 2016

To Whom it may concern,

HISTORY/BIO:

Russ Davis Homes and Blachil Properties are pleased to present our \$8,000,000 real estate development, Eagles Landing in Hewitt.

Russ Davis has 11 years of experience in the construction industry, the last 6 of which he has been owner of his own company, Russ Davis Homes Inc. Originally he is from Abilene, TX, but graduated from Baylor University in 2004 with a business degree. Russ currently serves as vice president for the Heart of Texas Builders Association. He builds spec homes, as well as custom homes, and strives to please his customers throughout the entire home building process.

Blachil Properties is owned by Jesse Blackwell and David Hill and has been heavily involved in real estate acquisition and management for the last 7 years.

GOALS FOR THE PROJECT:

Our goal is to provide successful professionals, young and old alike, and retirees an upscale place to call “home”. Our residents want security, luxury, safety and quiet, without having to worry about routine household maintenance. Most of our residents can afford a house, but they choose a townhouse because they like the freedom to travel without having to worry about the maintenance of a house.

DEVELOPMENT:

Eagles Landing in Hewitt located on Post Office rd on just off of Hewitt Drive is a 70 unit high-end townhouse community with a value of over 8,000,000 **This is a market rent development with NO Section 8 or Government Assistance Allowed!** The development complemented with Urban-styled architecture will be constructed with 100% concrete exterior including a combination of brick and Hardy-Board concrete siding and trim. The unit mix will include a combination of 2 and 3 bedrooms, ranging in size from 1,000 to 1,350 square feet. Rents will average \$1,200 per month. The interior features include oversized floor plans with high end appliance and fixtures.

RESIDENTS/QUALIFYING:

Our residents are young professionals, school teachers, nurses, technicians, and even retirees.

Each applicant must pay an Application Fee and qualify using the criteria listed below:

*Criminal Background check- No felonies or previous history of violent or sexual crimes allowed at all. Parking tickets and speeding tickets are allowed but anything more than that must be explained.

*Credit Check – Payment history is largely considered. Also, we check for any kind of judgments. If a person has filed bankruptcy, a minimum of 7 to 10 years before allowed to rent with Case. We do NOT want people who do NOT pay their bills.

*Employment & Income Verification - Residents are required to have been employed for at least 1 year to qualify and must make at least 3 times their rent; however, our residents income averages 7 times their rent.

*Rental History – One year of verifiable residency will be required. A poor rental profile, consisting of non-payment, eviction, drug use, poor housekeeping, poor supervision of children, violence or unruly or destructive behavior by applicant or occupants, will be automatically denied.

Please feel free to call me with any questions or concerns.

Sincerely,

Russ Davis, Jesse Blackwell, and David Hill







Property Information: 2016

Legal Description: O'CAMPO C A-32 Tract 62B Acres 2.5816

Abstract. 0032.00S36

Neighborhood: Hewitt Hewitt City

Appraised Value: N/A

Name: [REDACTED]
Exemptions:
DBA: Null

McLennan CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Mclellan County Appraisal District expressly disclaims any and all liability in connection herewith.



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CONTRACTOR'S SEAL
 CONTRACTING, INC.
 101-000-1117
 Industrial, Municipal, Residential
 Site Development & Engineering

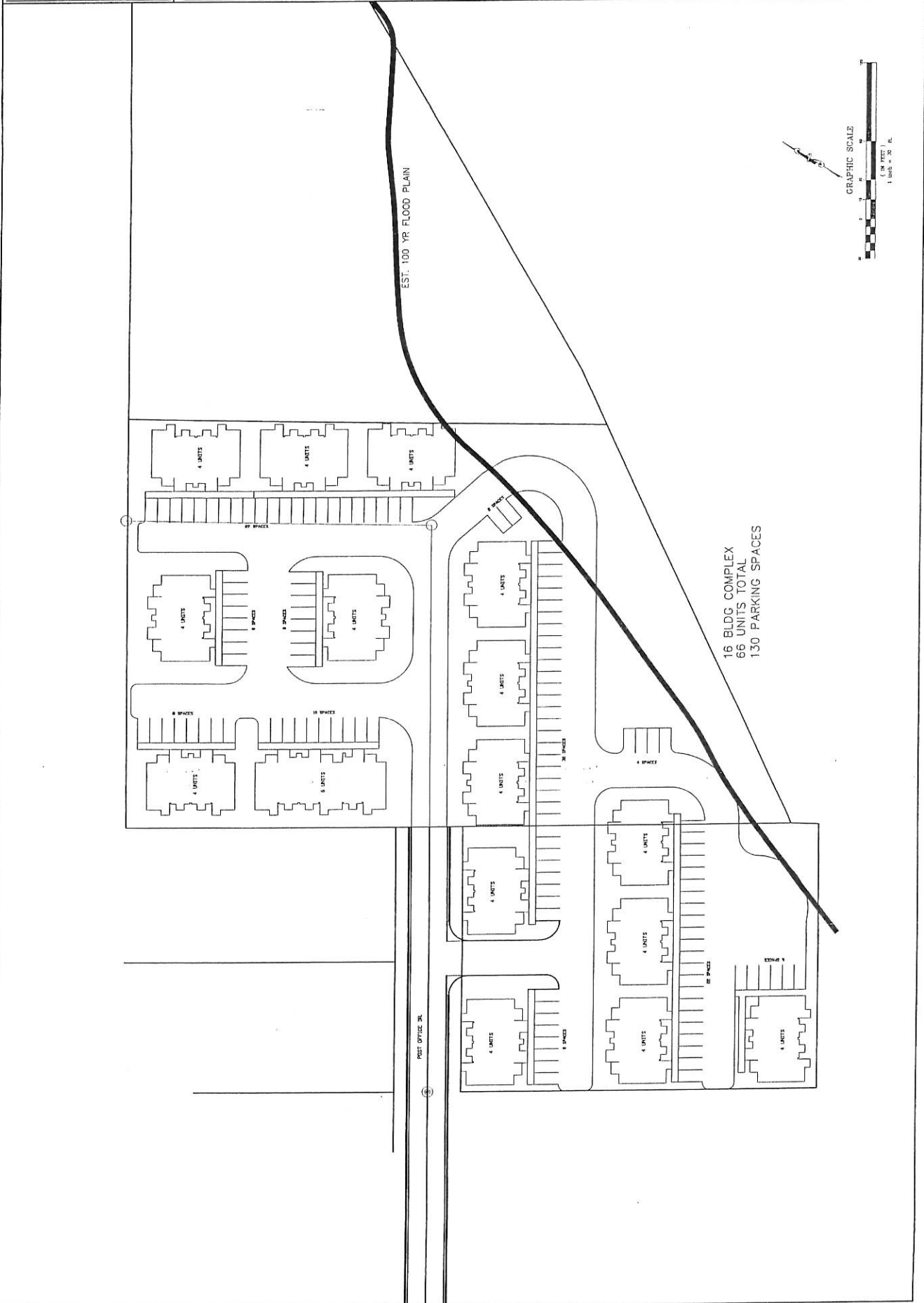
POST OFFICE ROAD PROJECT
 16- UNIT SITE LAYOUT
 HEWITT, TEXAS

THIS DOCUMENT IS
 THE PROPERTY OF
 CONTRACTING, INC.
 AND IS NOT TO BE
 REPRODUCED OR
 TRANSMITTED IN
 ANY FORM OR BY
 ANY MEANS, ELECTRONIC
 OR MECHANICAL, INCLUDING
 PHOTOCOPYING, RECORDING,
 OR BY ANY INFORMATION
 STORAGE AND RETRIEVAL
 SYSTEM, WITHOUT THE
 WRITTEN PERMISSION
 OF CONTRACTING, INC.
 ON THE DATE SHOWN
 ON THE DATE STAMP.

DRAWING SCALE
 1" = 20'

PLOTTING SCALE
 1" = 20'

FILE NAME
 RUSSELL.DWG
 SHEET
 1



APPLICATION REVIEW

Z-2016-3

HEARING DATE: June 7, 2016

1. **CASE #** Z-2016-3
PROPERTY ADDRESS: Post Office Dr.
LEGAL DESCRIPTION: Carlos O'Campo Grant Tract 62B

2. **APPLICANT:** Jesse Blackwell
MAILING ADDRESS: 3966 Box Ranch Rd. Bruceville, TX. 76630

When a zoning proposal is received that is not consistent with the Comprehensive Land Use Plan, the City may consider a change in the plan's policies or the Future Land Use Map. The review of the proposal should consider the following criteria:

- Will the proposed change enhance the site and the surrounding area
- Is the proposed change a better use than that recommended by the existing Future Land Use Map
- Will the proposed use impact adjacent residential areas in a negative manner, or will the proposed use be compatible with, and/or enhance adjacent residential areas
- Are the uses adjacent to the proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility
- Does the proposed change do an equally good job of achieving the Comprehensive Plan's other policies related to livability and growth
- Can the proposed use be served by available public facilities and services
- Does the proposed use present a significant benefit to the public health, safety, and welfare of the community, and would it contribute to the City's long-term economic well-being

3. **REQUEST:**

LAND USE DESIGNATION:

From **COMMERCIAL to HIGH DENSITY RESIDENTIAL**

(Land Use designation of COMMERCIAL to R-4 MULTIFAMILY HIGH DENSITY DISTRICT)

ZONING:

From **C-2 GENERAL COMMERCIAL to R-4 MULTIFAMILY HIGH DENSITY**

SUMMARY DESCRIPTION OF USES IN R-4: High density multiple-family zoning is primarily intended as the appropriate designation for lands suitable for higher impact development and higher volume traffic, while serving the residential needs for higher density living quarters. Permitted Uses are as shown in Section 2.104(B).

PLANNING SERVICES REVIEW

NEIGHBORHOOD CHARACTER:

This property is located within a mixed area of Residential and Commercial uses. The large majority of the surrounding area is residential in nature.

PLANNING SERVICES RECOMMENDATION:

LAND USE:

Community Development recommends **APPROVAL** of the land use designation change from **COMMERCIAL to HIGH DENSITY RESIDENTIAL** based on the following findings:

- 1) Commercial/Retail and Residential land use is the dominant land use designation for the surrounding neighborhood. The encroachment of the residential land use designation into this commercial neighborhood is considered compatible.
- 2) The public infrastructure is adequate to provide for zoning districts allowed in the proposed residential land use designation.
- 3) The property is located at the end of a public street.
- 4) There is an adequate supply of vacant land currently designated for commercial and retail land use located in the surrounding area.

ZONING:

Community Development recommends **APPROVAL** of this request to change the zoning from **C-2 to R-4** based on the following findings:

- 1) The proposed zoning is in keeping with the land use component of the Comprehensive Plan.
- 2) The public infrastructure is adequate to provide for uses allowed in R-4 zoning district.
- 3) The property meets all the size and width requirements for R-4 zoning.
- 4) The property is located on a public street.

Notices: 13 mailed; 2 returned,

CASE NO. Z-2016-3

ENGINEERING SERVICES DATA

1. Street condition: Good _____ Acceptable X Needs Reconstruction _____
2. Street width: Existing: ROW 50' Pavement 30'

Required: ROW__ Pavement
3. Curb and Gutter:
Needs to be installed _____ Exists _____ Needs Reconstruction _____
4. Offsite Drainage facilities are adequate to meet additional runoff resulting from the rezoning.
5. Water is available to the property, and it will serve the heaviest uses allowed under the requested zoning.
6. Sewer is available to the property.

Engineering Department comments and recommendations:

No Comments

INSPECTION SERVICES REVIEW

Comments

No objections.

FIRE DEPARTMENT REVIEW:

ANTICIPATED FIRE RESPONSE TIME:

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

Fire Department Comments and Recommendations:

No Comments

HEALTH DEPARTMENT REVIEW

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

DATE OF INSPECTION: To be determined

Health Department Comments and Recommendations: None

POLICE DEPARTMENT REVIEW

No Comments

PROPERTY OWNERS LIST

Applicant: Jesse Blackwell

Owner: Doodnauth Harrykissoo
Theresa Dwyer

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS AMENDING ORDINANCE NO. 11-15-99 AND ALL AMENDMENTS THERETO, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF HEWITT, TEXAS, CHANGING THE ZONING CLASSIFICATIONS OF THE HEREIN DESCRIBED PROPERTY FROM C-2 (GENERAL COMMERCIAL DISTRICT) TO R-4 (MULTI-FAMILY HIGH DENSITY DISTRICT) PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the Code of Ordinances of the City of Hewitt, a request was submitted by Jesse Blackwell to rezone a 1.24 acre tract of land, legally known as Lot 28 Block 2 Wiethorn Addition to the City of Hewitt, McLennan County, Texas, from **C-2 (General Commercial District) to R-4 (Multi-Family High Density District)**.

WHEREAS, public notice was given and property owners within 200' were notified of the rezoning request as required by state law, and

WHEREAS, a public hearing in relation thereto at which parties in interest and citizens had an opportunity to be heard was held by the City Council of the City of Hewitt on June 21, 2016, after due notice in the manner provided by law; and

WHEREAS, a public hearing of the Planning and Zoning Commission at which parties in interest and citizens had an opportunity to be heard was held on Tuesday, June 7, 2016, after due notice in the manner provided by law; and

WHEREAS, a site plan of the proposed development was presented and discussed, and

WHEREAS, the said Commission has made a report to the City Council of the City of Hewitt, Texas, recommending approval of this rezoning request by a unanimous vote; and

WHEREAS, the City Council of the City of Hewitt, Texas deems that this rezoning is in accordance with the Comprehensive Land Use Plan and is in the public interest;

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

SECTION ONE. All that certain tract or parcel of land in McLennan County, Texas, being a 1.24 acre tract of land, legally known as Lot 28 Block 2 Wiethorn Addition to the City of Hewitt, McLennan County, Texas, from **C-2 (General Commercial District) to R-4 (Multi-Family High Density District)**

SECTION TWO. A proposed map of area is shown in Exhibit "A".

SECTION THREE. All ordinances, statutes, restrictions and regulations applicable to this property shall be complied with as well as all zoning restrictions and regulations that are applicable to this property.

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

SECTION FIVE. Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

SECTION SIX. Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed Two Thousand and No/100 Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION SEVEN. The caption of this Ordinance shall be published within ten (10) days of its passage in a newspaper of general circulation in the City of Hewitt.

SECTION EIGHT. This Ordinance shall become effective ten (10) days after the date of its passage and upon its publication as required by law.

PASSED AND APPROVED this the ____ day of _____, 2016 at a Regular Meeting of the City Council of the City of Hewitt, Texas.

CITY OF HEWITT

BY: _____
Ed Passalugo, Mayor

ATTEST:

Lydia Lopez, City Secretary

Property Identification #: 138703

Geo ID: 138703
 Situs Address: POST OFFICE DR -END TX
 Property Type: Real
 State Code: C2

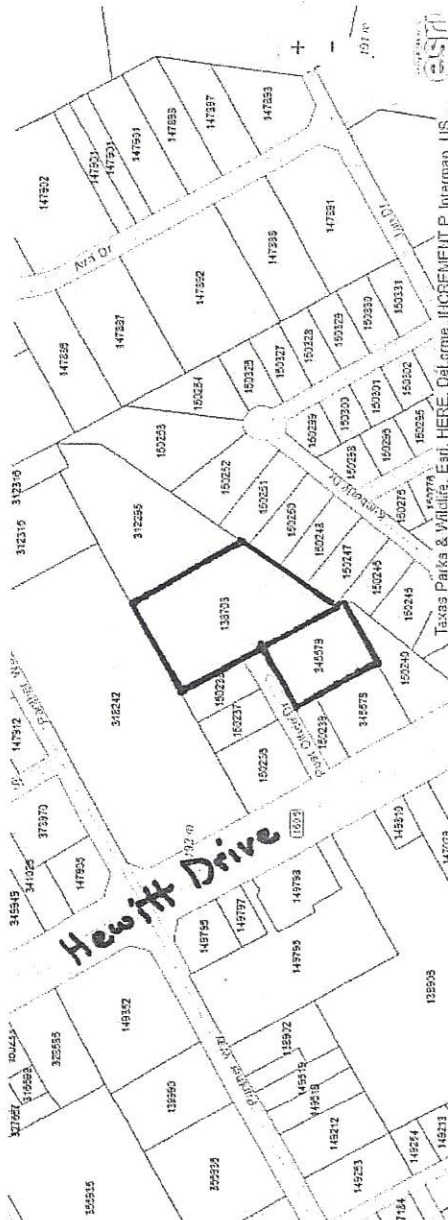
Property Information: 2016

Legal Description: O'CAMPO C.A-32 Tract 62B Acres 2.5816
 Abstract: 0032.00S36
 Neighborhood: Hewitt Hewitt City
 Appraised Value: N/A
 Jurisdictions: 36, 62, 88, 00, 08, CAD

Owner Identification #: 313606

Name: [REDACTED]
 Exemptions: Null
 DBA: Null

McLennan CAD Map Search



This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The McLennan County Appraisal District expressly disclaims any and all liability in connection herewith.



COUNCIL AGENDA ITEM FORM

MEETING DATE: July 18, 2016

AGENDA ITEM #: 7

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing and action on an ordinance rezoning of a 2.58 acre tract of land, legally known as the Carlos O'Campo Grant Tract 62B described in a deed to Theresa Dwyer, recorded in MCC No. 2010002105, of the records of McLennan County, Texas, from C-2 (General Commercial District) to R-4 (Multi-Family High Density District).

STAFF RECOMMENDATION/ITEM SUMMARY:

Mr. Jesse Blackwell submitted a request to rezone property located at Post Office Drive (Dead End). This is a vacant tract of land immediately East of the end of Post Office Drive. Mr. Blackwell is requesting the rezoning change from C-2 (General Commercial District) to R-4 (Multi-Family High Density District). The Planning and Zoning Commission met on Tuesday, June 7, 2016, to consider the request. After a public hearing and deliberation, the P&Z Commission voted 4 to 0 in favor of the rezoning request. A map of the property and copy of the minutes are included in the backup material of the previous agenda item.

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation (See previous agenda item.)
Draft ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS AMENDING ORDINANCE NO. 11-15-99 AND ALL AMENDMENTS THERETO, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF HEWITT, TEXAS, CHANGING THE ZONING CLASSIFICATIONS OF THE HEREIN DESCRIBED PROPERTY FROM C-2 (GENERAL COMMERCIAL DISTRICT) TO R-4 (MULTI-FAMILY HIGH DENSITY DISTRICT) PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the Code of Ordinances of the City of Hewitt, a request was submitted by Jesse Blackwell to rezone a 2.58 acre tract of land, legally known as the Carlos O'Campo Grant Tract 62B described in a deed to Theresa Dwyer, recorded in MCC No. 2010002105, of the records of McLennan County, Texas, from **C-2 (General Commercial District) to R-4 (Multi-Family High Density District)**.

WHEREAS, public notice was given and property owners within 200' were notified of the rezoning request as required by state law, and

WHEREAS, a public hearing in relation thereto at which parties in interest and citizens had an opportunity to be heard was held by the City Council of the City of Hewitt on June 21, 2016, after due notice in the manner provided by law; and

WHEREAS, a public hearing of the Planning and Zoning Commission at which parties in interest and citizens had an opportunity to be heard was held on Tuesday, June 7, 2016, after due notice in the manner provided by law; and

WHEREAS, a site plan of the proposed development was presented and discussed, and

WHEREAS, the said Commission has made a report to the City Council of the City of Hewitt, Texas, recommending approval of this rezoning request by a unanimous vote; and

WHEREAS, the City Council of the City of Hewitt, Texas deems that this rezoning is in accordance with the Comprehensive Land Use Plan and is in the public interest;

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

SECTION ONE. All that certain tract or parcel of land in McLennan County, Texas, being 2.58 acre tract of land, legally known as the Carlos O'Campo Grant Tract 62B described in a deed to Theresa Dwyer, recorded in MCC No. 2010002105, of the records of McLennan County, Texas, from **C-2 (General Commercial District) to R-4 (Multi-Family High Density District)**.

SECTION TWO. A proposed map of area is shown in Exhibit "A".

SECTION THREE. All ordinances, statutes, restrictions and regulations applicable to this property shall be complied with as well as all zoning restrictions and regulations that are applicable to this property.

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

SECTION FIVE. Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

SECTION SIX. Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed Two Thousand and No/100 Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION SEVEN. The caption of this Ordinance shall be published within ten (10) days of its passage in a newspaper of general circulation in the City of Hewitt.

SECTION EIGHT. This Ordinance shall become effective ten (10) days after the date of its passage and upon its publication as required by law.

PASSED AND APPROVED this the ____ day of _____, 2016 at a Regular Meeting of the City Council of the City of Hewitt, Texas.

CITY OF HEWITT

BY: _____
Ed Passalugo, Mayor

ATTEST:

Lydia Lopez, City Secretary

Property Identification #: 138703

Geo ID: 31255
 Situs Address: POST OFFICE DR -END TX
 Property Type: Real
 State Code: C2

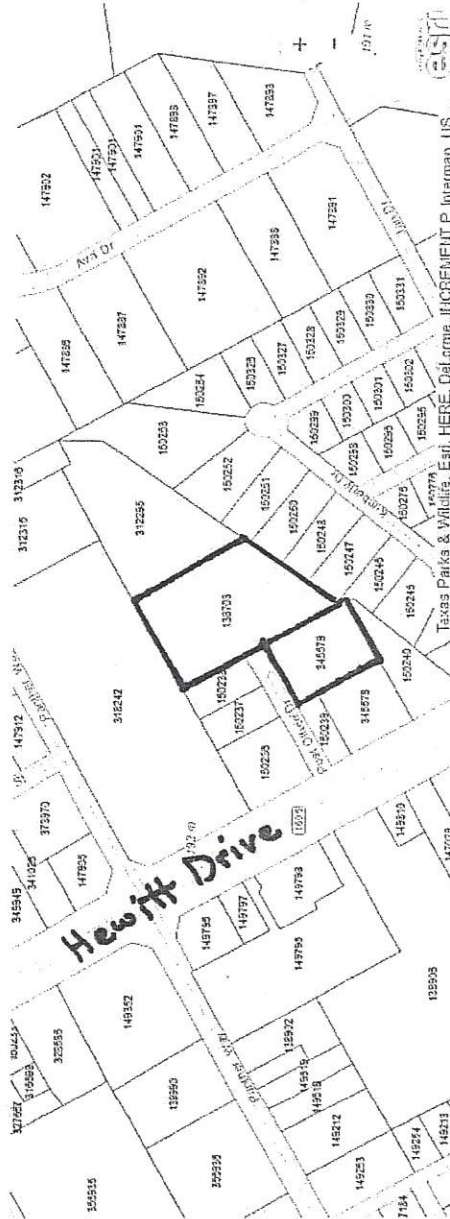
Property Information: 2016

Legal Description: O'CAMPO C.A-32 Tract 62B Acres 2.5816
 Abstract: 0032.00S36
 Neighborhood: Hewitt Hewitt City
 Appraised Value: N/A
 Jurisdictions: 36, 62, 88, 00, 08, CAD

Owner Identification #: 313606

Name: [REDACTED]
 Exemptions: Null
 DBA: Null

McLennan CAD Map Search



This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The McLennan County Appraisal District expressly disclaims any and all liability in connection herewith.



COUNCIL AGENDA ITEM FORM

MEETING DATE: July 18, 2016

AGENDA ITEM #: 8

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Consider and act on setting date of August 8th, 2016, for a public hearing on the Proposed Fiscal Year 2016-2017 Annual Operating and Capital Budget.

STAFF RECOMMENDATION/ITEM SUMMARY:

On June 20th, 2016, the Hewitt City Council held a Budget Workshop at which, in accordance with City Charter and State Law, the City Manager provided the Council with the preliminary 2016-2017 Proposed Annual Operating and Capital Budget. The presentation included updates on the status of the General, Utility, Drainage, Hotel and Capital Project Funds. A copy of the Proposed Budget is on file with the City Secretary and is available online at the city's website and at the Hewitt Public Library. A public hearing on the proposed budget is scheduled for August 8th, 2016. Following is a copy of the Notice of Public Hearing that will be published in the *Hometown News* on July 22nd, 2016.

ATTACHMENTS:

Notice of Public Hearing

**LEGAL NOTICE
CITY OF HEWITT
NOTICE OF PUBLIC HEARING**

The City Council of Hewitt, Texas, will hold a public hearing for consideration of the Budgets for fiscal year 2016-2017 for the General Fund, Utility Fund, Drainage Fund, Hotel Fund and Capital Improvement Funds on 8-8-16 at 7:00 p.m. in the Hewitt City Hall, 200 Patriot Court. **“This budget will raise more total property taxes than last year’s budget by \$205,843 (5.2%) and of that amount \$50,046 is tax revenue to be raised from new property added to the roll this year.”** A copy of the budget may be examined at the City Hall, the Hewitt Public Library and on the city website, www.cityofhewitt.com.

Publish one time on 7/22nd in the legal section in the *Hometown News*.
Per charter, at least 15 days between Notice & Hearing



COUNCIL AGENDA ITEM FORM

MEETING DATE: July 18, 2016

AGENDA ITEM #: 9

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Consider and act on 2016 proposed tax rate and setting two (2) public hearing dates, August 8th and August 15th, 2016.

STAFF RECOMMENDATION/ITEM SUMMARY:

On June 20th, 2016, the Hewitt City Council held a Budget Workshop at which, in accordance with City Charter and State Law, the City Manager provided the City Council with a presentation of the preliminary 2016-2017 Proposed Annual Operating and Capital Budget. The Texas Tax Code requires the City Council have a record vote to place an item on a future Council agenda.

It is recommended that the tax rate remain at the current rate of \$.539677 per \$100 valuation. The City is required to publish one tax notice and hold two public hearings. After action by council, the tax rate voted on tonight would be the highest rate that the council could adopt.

Motion Wording:

“Move to vote to place adoption of a tax rate of \$.539677 cents per \$100 valuation, equaling \$.216572 cents for debt service and \$.323105 cents for maintenance and operations, as an action item for the August 22nd, 2016 council meeting to be held at 7 p.m. at City Council Chambers, 200 Patriot Court, Hewitt, Texas, AND to set 2 public hearings, as required by law, to be held on Monday, August 8th, 2016 at 7:00 p.m. and Monday, August 15th, 2016 at 7:00 p.m. at City Council Chambers, 200 Patriot Court, Hewitt, Texas.”

ATTACHMENTS:

None