



Notice of Meeting of the Planning & Zoning Commission of the City of Hewitt, Texas

Notice is hereby given that a **Regular** meeting of the **Planning & Zoning Commission** of the City of Hewitt will be held on **Tuesday, April 2, 2013 at 7:00 p.m.** in the **City Council Chambers at Hewitt City Hall, 105 Tampico, Hewitt, Texas** at which time the following subjects will be discussed:

1. Consider approval of minutes for March 5, 2013.
2. Consider and take appropriate action for the Final Plat of Imperial Estates Addition, Phase Six, Part Two, to the City of Hewitt.
3. Consider and take appropriate action concerning the request for zoning change on 134 S 2nd St, legally known as Hewitt Original Block 1 Lot 8 B9 from R-1 (Single Family Residential) to C-2 (General Commercial District).
4. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the **Planning & Zoning Commission** of the above named City of Hewitt, Texas was posted on the Public Notice Board located in front of the City Hall by 5:00 p.m. on March 28, 2013.

City of Hewitt

A handwritten signature in cursive script that reads "Denise Rodriguez".

Denise Rodriguez
Community Development Coordinator

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 Community Development Coordinator at (254) 666.6173 at least 24 hours prior to the meeting, so that appropriate arrangements can be made.

City of Hewitt

Planning & Zoning Commission – Agenda Item

Agenda Item: #1

Item Description

Consider approval of minutes for March 5, 2013.



Minutes of Planning & Zoning Commission

March 5, 2013 – 7:00 PM

Members present: Chairman Jerral Knox (presiding), Billy Green, Scott Bryant, David Dossey, Douglas Bennett. Quorum was present.

Members absent: John Baker and Betty Orton

Staff present: Bruce Braley, Building Official; Denise Rodriguez, Community Development Coordinator; Nancy Turner, City Engineer

Chairman Jerral Knox called the meeting to order at 7:00 p.m.

- 1. Consider approval of minutes for November 6, 2012 and the minutes for the Special Joint Meeting of the Hewitt City Council and Planning & Zoning Commission on December 3, 2012.** *A motion was made by Dave Dossey and second by Billy Green to approve the minutes as submitted, but allow for additional corrections; all in favor, motion passed.*
- 2. Consider and take appropriate action for the Final Plat of Hollyn Addition, Phase One, Lots 1-13, Block 1 and Lots 1-6, Block 2 to the City of Hewitt.** – *Scott Bryant, Hollyn Valley, LLC, 5015 Fort Ave, Waco, Texas 76710, presented the request. A motion was made by Dave Dossey and second by Billy Green to approve the request; 4 in favor, motion passed. (Commission member, Scott Bryant, filed an affidavit of substantial interest, which did not allow for his participation in the vote for this agenda item.)*
- 3. Consider and take appropriate action concerning amendments to Appendix B-Subdivision of the City of Hewitt Code of Ordinances** – *Nancy Turner, City Engineer, presented commission with the significant and recent amendments since the last Joint Meeting with City Council on November 5, 2012. The commission made suggestions on some changes/updates to the ordinances. The commission made recommendation to City Council to approve amendments to the Appendix B – Subdivision. Ordinance.*
- 4. Adjourn.** *A motion was made by Billy Green and second by David Dossey to adjourn the meeting at 8:01 p.m.*

Jerral Knox, Chairman

Approved

Denise Rodriguez, Zoning Secretary

Planning & Zoning Commission – Agenda Item

Agenda Item: #2

Applicant/Development: Woody Butler Homes, Inc.

Item Description

Consider and take appropriate action for the Final Plat of Imperial Estates Addition, Phase Six, Part Two, to the City of Hewitt.

Staff Recommendation:

Staff recommends approval of the Final Plat of Imperial Estates Addition, Phase Six, Part Two, to the City of Hewitt.

Attachments:

1. City Engineer's Letter
2. Plat

Duff Consulting Engineers, Inc.

Texas Registered Engineering Firm F-400

4201 No. 19TH St. - WACO, TEXAS 76708
(254)756-5414 FAX: (254)753-2642

E-Mail: b.aston@duffengineering.com

February 21, 2013

Planning & Zoning Commission
City of Hewitt
Via E-mail: drodriguez@cityofhewitt.com

Re: ***Imperial Estates Addition, Phase 7 - Final Plat***

Dear Commission:

I have reviewed the final plat for the above captioned subdivision and have the following comments:

Comparison with Preliminary Plat Dated 12/2008;

1. This phase is shown as Phase 6 on the preliminary plat.
2. Some slight differences in the lot dimensions.
3. Front building setback lines do not agree on Lots 5 through 9.

Final Plat;

4. Building setback lines on Lots 5 through 9 shown as 15 feet instead of the 25 feet required.
5. Lot widths on Lots 6, 7 and 8, at building setback lines, is less than the 80 feet required.

Sincerely;


William E. Aston, P.E.



cc: Denise Rodriguez
Bruce Braley

Field notes for a 3.69 acre tract of land out of the Carlos O'Campo Grant, Abstract No. 32 in McLennan County, Texas and being out of that called Tract One, being a 44.351 acre tract of land described in a deed to Woody Butler Homes, Inc. deed of record in Volume 248, Page 357 of the Official Public Records of McLennan County, Texas. Said 3.69 acres being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron rod with Ø8790 cap found at the southwest corner of Lot 9, Block 13, of the Imperial Estates Addition, Phase Five, plat of record in County Clerk's File Number 2009015766 of the Official Public Records of McLennan County, Texas, the southeast corner of Lot 8, Block 13, of the Imperial Estates Addition, Phase Two, plat of record in Volume 602, Page 347 of the Official Public Records of McLennan County, Texas, for the northwest corner of the herein described tract of land;

Thence N 61deg. 06min. 31sec. E 327.28 ft. along the south line of the Imperial Estates Addition, Phase Five, to a 1/2" iron rod with Ø8790 cap found, at the southwest corner of Lot 12, Block 13 of the said Phase Five, the southeast corner of Lot 12, Block 13, of the said Phase Five, the northwest corner of Lot 16, Block 13, of the Imperial Estates Addition, Phase Six, plat of record in County Clerk's File Number 2010039338 of the Official Public Records of McLennan County, Texas, for the northeast corner of the herein described tract of land;

Thence S 29deg. 00min. 00sec. E 179.47 ft. along the west line of the said Phase Six, to a 1/2" iron rod with Ø8790 cap found, for an inside ell corner of the herein described tract of land.

Thence N 61deg. 00min. 00sec. E 61.52 ft. along the south right-of-way line of East Jade Drive, to a 1/20" iron rod with Ø8790 cap found, at the northwest corner of Lot 3, Block 14, of the said Imperial Estates Addition, Phase Six, for an outside ell corner of the herein described tract of land;

Thence S 29deg. 00min. 00sec. E 287.16 ft. along the west line of the said Imperial Estates Addition, Phase Six, to a 1/20" iron rod with Ø8790 cap found, in the south line of the said 44.351 acre tract, the north line of that called 4.3 acre tract of land described in a deed to Gary K. Hammond and Claudia S. Hammond, of record in Volume 1804, Page 34 of the Deed Records of McLennan County, Texas, at the southwest corner of the said Imperial Estates Addition, Phase Six, for the southeast corner of the herein described tract of land;

Thence S 39deg. 31min. 52sec. W 335.60 ft. along the south line of the said 44.351 acre tract, the north line of the said 4.3 acre tract, to a 1/20" iron rod with Ø8790 cap placed, in the south line of the said 44.351 acre tract, the north line of the said 4.3 acre tract, for the southwest corner of the herein described tract of land;

Thence crossing the said 44.351 acre tract the following three (3) courses and distances:
1.) N 29deg. 00min. 00sec. W 408.87 ft. to a 1/2" iron rod with Ø8790 cap placed, for an angle point in the west line of the herein described tract of land;
2.) N 49deg. 09min. 38sec. W 50.86 ft. to a 1/2" iron rod with Ø8790 cap placed, for an angle point in the west line of the herein described tract of land;
3.) N 52deg. 49min. 51sec. W 145.90 ft. to the Point of Beginning.

STATE OF TEXAS
COUNTY OF MCLENNAN

That, Woody Butler Homes, Inc., being the owner of the property described above and wishing to subdivide some into lots and blocks do hereby adopt the plat attached hereto and titled Final Plat of **IMPERIAL ESTATES ADDITION, PHASE SIX, PART TWO**, to the City of Hewitt, McLennan County, Texas. I do hereby dedicate all rights-of-way and easements shown hereon to the use of the public forever. Any private improvements placed in said rights-of-way and easements shall be placed there at no risk or obligation to the public and/or the City of Hewitt, trustee for the public to hold these easements, and the City shall have no responsibility to repair or replace such improvements if they are damaged or destroyed in the utilization of these rights-of-way or easements. The sale of the lots shown on this plat shall be made in accordance therewith, subject to all restrictions and conditions recorded in the McLennan County, Texas Real Property Records, pertaining to said subdivision.

"Woody Butler Homes, Inc."

By: _____
Woody Roy Butler, President
207 Sun Valley Blvd.
Hewitt, Texas 76643

STATE OF TEXAS
COUNTY OF MCLENNAN

Before me, the undersigned authority, Notary Public in and for the State of Texas, on this day personally appeared Woody Roy Butler, known to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purpose and considerations therein expressed.

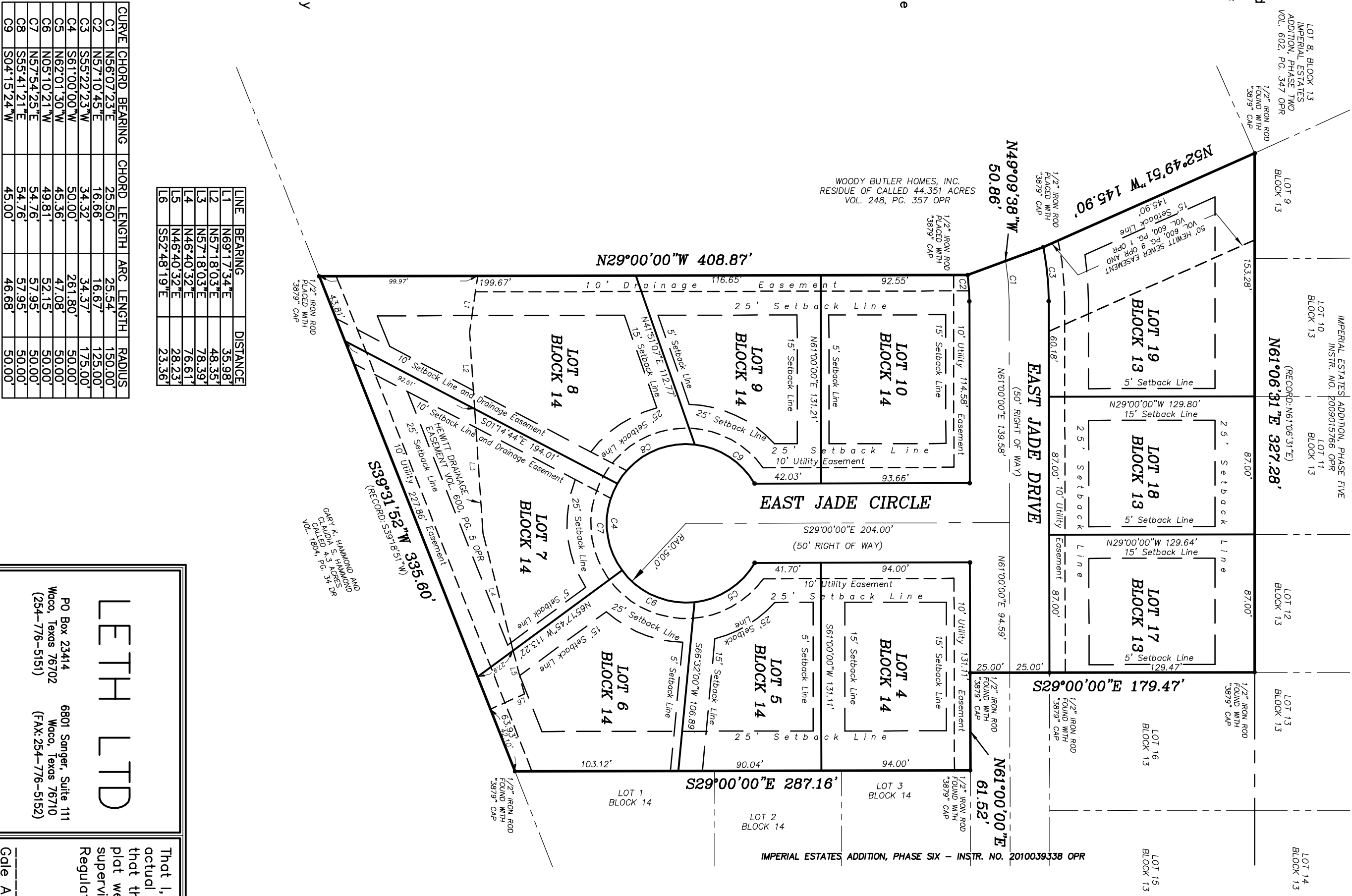
Given under my hand and seal of office this the _____ day of _____, 2013.

Notary Public in and for the State of Texas

OWNER/DEVELOPER:
Woody Butler
"Woody Butler Homes, Inc."
207 Sun Valley Blvd.
Hewitt, Texas 76643

SURVEYOR:
Gale Arnold, R.P.L.S. # 3879
Leth Ltd.
P.O. Box 23414
Waco, Texas 76702

Final Plat Of IMPERIAL ESTATES ADDITION, PHASE SIX, PART TWO to the City of Hewitt, McLennan County, Texas.



LINE	BEARING	DISTANCE
1	N69°17'34\"E	35.98'
2	N57°18'03\"E	48.35'
3	N57°18'03\"E	78.39'
4	N46°40'32\"E	76.61'
5	N46°40'32\"E	28.23'
6	S52°48'19\"E	23.36'

CURVE	CHORD	BEARING	CHORD LENGTH	ARC LENGTH	RADIUS
C1	N56°07'23\"E	25.50'	25.54'	150.00'	
C2	N57°10'45\"E	16.66'	16.67'	125.00'	
C3	S55°22'23\"W	34.32'	34.37'	175.00'	
C4	S61°00'00\"W	50.00'	261.80'	50.00'	
C5	N62°01'30\"W	45.36'	47.08'	50.00'	
C6	N65°10'21\"W	49.81'	52.15'	50.00'	
C7	N57°54'25\"E	54.76'	57.95'	50.00'	
C8	S55°41'21\"E	54.76'	57.95'	50.00'	
C9	S04°15'24\"W	45.00'	46.68'	50.00'	

3.69 Acres
City of Hewitt, McLennan County, Texas

LETH LTD

P.O. Box 23414
Waco, Texas 76702
(234-776-5151)

6801 Sanger, Suite 111
Waco, Texas 76710
(767-294-776-5152)

That I, Gale Arnold, do hereby certify that I made an actual and accurate survey of the platted land and that the corner monuments shown on the foregoing plat were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Hewitt, Texas."

Gale Arnold R.P.L.S. 3879

STATE OF TEXAS
COUNTY OF MCLENNAN

Approved this _____ day of _____, 2013 by the
Hewitt Planning and Zoning Commission of the City of Hewitt,
Texas.

CHAIRMAN

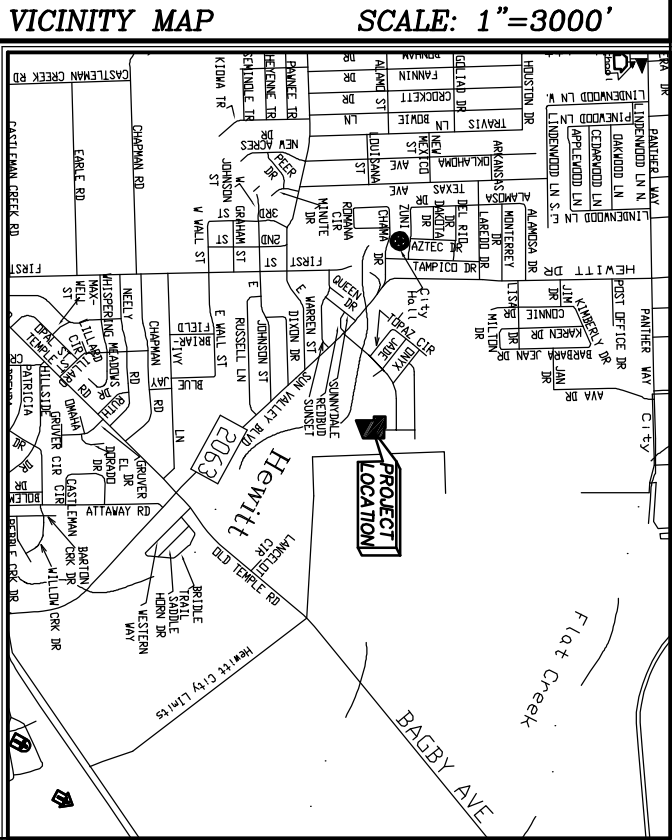
Secretary

Utility Easement Note:
Unless otherwise shown, all utility easements are 10' wide at ground elevation to 13' above ground and 15' wide from 13' upward, reference Hewitt City Ordinance No. 05-07-4.

● = 1/2" Iron Rod PLACED WITH CAP
(unless otherwise noted)

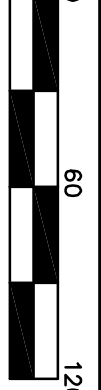
3.69 Acres
10 Lots, 2 Blocks
Water provided by City of Hewitt CCN# 10038
Sanitary Sewer provided by the City of Hewitt
Electric Service provided by ONCOR
Land Use: Single Family Dwelling

LETH LTD. DOES NOT MAKE OR WARRANT ANY FLOOD
ZONE DETERMINATION.



Sheet: 1 of 1

SCALE



ADDRESS: JADE AND TOPAZ
WORK ORDER NO. 13-02-6537
DIGITAL FILE 13-02-6537.dwg

DATE 02-26-2013
DRAWN BY JBM
FIELDBOOK/Pg. -

Planning & Zoning Commission – Agenda Item

Agenda Item: #3

Applicant: City of Hewitt

Item Description

Consider and take appropriate action concerning the request for zoning change on 134 S 2nd St, legally known as Hewitt Original Block 1 Lot 8 B9 from R-1 (Single Family Residential) to C-2 (General Commercial District).

Staff Recommendation:

Staff recommends to the Planning & Zoning Commission to make recommendation for approval of the zoning change from R-1 to C-2 to the City Council.

Attachments:

1. City Manager's Letter
2. Zoning Map
3. A complete Zoning Map can be found on the website: hewittmaps.com
4. Pictures of the Fire Department can be found on the city's website: cityofhewitt.com

HEWITT TEXAS

March 27, 2013

Planning and Zoning Commission
City of Hewitt

RE: Rezoning of Fire Department property located at 142 2nd Street

Dear Chairman and Commission Members:

As you may know City Council has made the decision to move forward with construction of a new Fire Station and Police Department on Ritchie Road. The main reason for this project is the inadequacy of the current Fire Station to support modern operations. The facility has several deficiencies that make it unsuitable for continued operation as a Fire Station.

One of the obstacles we have faced is the fact the building was not originally constructed to serve as living quarters for firefighters. When it was originally constructed, over 40 years ago, it was a garage for volunteers to store vehicles and equipment to retrieve for emergency response. After several additions, the building, mostly metal construction with bays for fire apparatus, takes up most of the area on the lot leaving no room for future growth.

After careful analysis, there is no plan to make this a sub-station. It has been determined that once construction of the new facility is complete, the city will move to the new fire station and sell or auction the property to the highest bidder. Hewitt does not have the resources or need to continue ownership this building once the Fire Department is moved.

There are, however, several factors to consider moving forward. While the building is commercial in nature and construction, it is currently zoned R1- Single Family District. Because the building is not conducive to being used as a residential home (it was not designed for that), there are limited options available to dispose of the property unless it is rezoned.

After discussion with the Council, this item was placed on the agenda for consideration to rezone the Fire Station building and property from R1 – Single Family District to C2 – Commercial. The recommendation of the Planning and Zoning Commission will be forwarded to the Council for final consideration in a few weeks.

Clearly, one of the main issues that must be considered is any effect a commercial operation might have on adjacent residential uses. Members of the City Council have expressed a desire to place additional restrictions on the property, above zoning regulations, to limit commercial activity that might be obnoxious or detrimental to the neighborhood. If rezoned, the City would place restrictions on the property to allow uses that are consistent with the current use, albeit without large emergency vehicles exiting during an emergency.

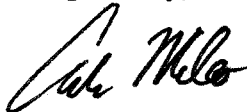
It is expected that neighbors will express concerns about commercial uses during the public hearings. The main idea is to hear from neighbors to better understand how to minimize unwanted effects. One of the objectives of the public hearings will be to hear and consider those concerns. In discussion with the Council the following restrictions have been proposed:

- Limit hours of operation
- Restrict outdoor storage
- Disallow additional signage
- Limit noise or light pollution
- Limit ability to expand the building (including height)
- Consider other measures to minimize "commercial" activities
- Restrict uses (ie. no outside sales or walk in customers)

There are several businesses that could operate in a less intrusive manner than the Fire Department. An electrician or plumber could use the facility as a base for operations. A vending machine business could use the building for storage of equipment and goods for sale. A surveyor or even engineer might consider use of the building as professional offices. In any case, the idea is that there are commercial uses that are similar in use to what is already there.

The good news is that we do have ample time to be considerate and respond appropriately to the needs of the neighborhood. As always, the input from the Commission will be invaluable to the City and will be considered by the Council. I look forward to working with you to resolve this issue. Thank you again.

Respectfully,

A handwritten signature in black ink, appearing to read "Adam Miles". The signature is stylized with a large, sweeping initial "A" and a cursive "Miles".

Adam Miles
City Manager



Subject Property – Zoning Map

134 S 2nd St – HEWITT VOL FIRE DEPT

Property ID: 146652



Planning & Zoning Commission – Agenda Item

Agenda Item: #4

Item Description

Adjourn.