



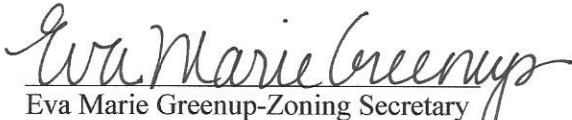
Notice of Meeting of the Planning & Zoning Commission of the City of Hewitt, Texas

Notice is hereby given that meeting of the Planning & Zoning Commission will be held on **Tuesday, June 2, 2015, at 7:00p.m.** in the **City Council Chambers at Hewitt City Hall, 105 Tampico, Hewitt, Texas** at which time the following subjects will be discussed:

1. Call Planning and Zoning Commission Meeting to order.
2. Consider approval of minutes for the April 7, 2015, Planning & Zoning Commission Regular Meeting.
3. Consider and take appropriate action concerning request for zoning change of property for Collier Addition, Part Three, Lots 1 and 2, Block 1 to the City of Hewitt, McLennan County, Texas, and being all of that called 6.012 acres of land described in a deed to Walnut Street Missionary Baptist Church, as recorded in County Clerk's file number 2012009662 of the Official Public Records of McLennan County, Texas, from R1 (Single Family Residential) to R1-G (Garden Home District) as requested by Robnett Enterprises Inc., 302 Ferguson Road, Waco, Texas 76712.
4. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the **Planning & Zoning Commission and Governing Body** of the above named City of Hewitt, Texas was posted on the Public Notice Board located in front of the City Hall by 5:00pm on May 29, 2015.

City of Hewitt


Eva Marie Greenup-Zoning 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 Zoning Secretary at (254) 666-6173 at least 24 hours prior to the meeting, so that appropriate arrangements can be made.

Planning & Zoning Commission – Agenda Item

Agenda Item #2

Item Description

Consider approval of minutes for the April 7, 2015, Planning & Zoning Commission Regular Meeting.

HEWITT TEXAS

Minutes of the Planning & Zoning Commission April 7, 2015 – 7:00 P.M.

Members present: Charlie Turner, Kurt Krakowian, Bobby Wolske, Walter Peterson, Michael Hix. Quorum was present.

Members absent: John Baker

Staff present: Adam Miles, City Manager, Eva Marie Greenup, Zoning Secretary

Item #1. Call Planning and Zoning Meeting to order. *Charlie Turner called the meeting to order at 7:00 P.M.*

Item #2. Minutes – a motion was made by Bobby Wolske to accept and seconded by Walt Peterson to approve the minutes as submitted with corrections. Corrections were noted; all five in favor, motion passed. Minutes dated March 3, 2015 stand approved with corrections.

Item #3. Consider and take appropriate action concerning request for zoning change of property on SW Corner of Spring Valley and Old Temple Road, legally known as Pat Barcus Addition, Part 4, 1.35 Acres, Lot 32, Block 4, from R5 (Single Family Attached Dwelling District), to R-4 (Multi Family Residential District). *This item was tabled from the last meeting, March 3, 2015, to allow additional information to be submitted by the requestor, Luke Morton, Morton Construction.* Luke Morton, Morton Construction, 1639 Hannah Hill Road, Woodway, TX 76712, presented to the board pictures and site plan for the property. A motion was made by Kurt Krawkian to change the zoning from R-5 (Single Family Attached Dwelling District) to R-4 (Multi Family Residential District), seconded by Michael Hix, all five in favor, motion passed.

Item #4. Consider and take appropriate action concerning request for zoning change of 142 2nd Street (Also known as the Old Fire Department, being Lot 8, a portion of Lot 9, and a 10 foot by 75 foot strip out of the 20 foot wide alley, Block 1, Original City of Hewitt, McLennan County, Texas, Plat of record in Volume 94, Page 114, Deed Records, McLennan County, Texas) from R1 (Single Family Residential) to C2 (General Business District) as requested by the City of Hewitt. *This item was tabled from the last meeting, March 3, 2015, to allow for a Town Hall Meeting which was held on March 23, 2015.* Adam Miles, City Manager addressed this request and reviewed the previous discussions that were held with prior Planning and Zoning and Town Hall meetings. Mr. Miles also wanted to clear up a spot zoning concern that had been brought up. Charlie Buenger, the City Attorney, reviewed the zoning request and stated it does not constitute spot zoning. A letter was provided from Mr. Buenger for the committee to review. City Manager recommended approval of the zoning change. Mr. Turner read the restrictions that are proposed for the type of businesses and stated the committee will give a recommendation but the City Council makes the final decision.

Those opposed to the zone change were: B.J. Smith, 224 W Johnson, Hewitt TX 76643, had concerns about spot zoning, improper setbacks for off street parking and no front or side yard.

Bob Pugh, 1168 Chapel Road, Waco, Texas 76712, had concerns of drainage issues, relocation of the fire department, property values and future decisions of the City Council on the zone change.

Lindsay Lee, 201 S. 2nd Street, Hewitt, TX 76643, had concerns of noise and safety of the neighborhood. She suggested using it as a canine training facility with the police department, donate the property to the church or make it a game hall.

Cynthia Stewart, 141 2nd Street, Hewitt, Texas 76643, had concerns about it being commercial, the ownership of the property, spot zoning and integrity of the neighborhood.

Leisa Russell, 201 S. 1st Street, Hewitt, TX, 76643, had concerns about property being zoned commercial, all the neighborhood attributes being lost, and the diminishing of property value.

Laurie Washburn, 124 W. Johnson Street, Hewitt, TX 76643, had concerns about ownership and value of the property. Mr. Adam Miles clarified the City of Hewitt does own the property.

Charity Lenz, 132 W Johnson Street, Hewitt, Texas 76643, had concerns about neighborhood safety, parking issues, and drainage issues.

Charlie Turner stated the commission can make a recommendation but the ultimate decision is left to the City Council. Mr. Turner stated that he could recommend to City Council to include a sundown clause, and that if in six months the property does not get an offer to make it a residence, then it will automatically be zoned as the city proposed. This is a suggestion, not a motion. A motion by Kurt Krakowian to approve the zone request and recommend to City Council to limit the hours of operation, set restrictions on outdoor storage, all employee parking must be on site, minimize the noise or light pollution, not to exceed two signs on the building and no future expansion on the height of the building. Bobby Wolske seconded. Charlie Turner asked Mr. Krakowian if he would include the sundown clause or if this a straight out motion. Mr. Krakowian stated it would be a straight out motion. Four were in favor, Charlie Turner in opposition, motion passed.

Item #5. Consider and take appropriate action concerning request for an ordinance change to the City of Hewitt Ordinance Section 9.103. Walls and Fences. *This was originally brought before the Board of Adjustment on March 19, 2015, for a commercial electrical fence and was approved. The board requested a change to the ordinance to reflect electric fencing requirements for commercial property.* Adam Miles stated city staff recommends the ordinance change. A motion was made by Walt Peterson and seconded by Kurt Krakowian, all in favor, motion passed.

Item #6. Adjourn. Motion was made by Walt Peterson to adjourn the meeting at 8:11 P.M., all five in favor, motion passed.

Chair

Approved

Eva Marie Greenup, Zoning Secretary

Planning & Zoning Commission – Agenda Item

Agenda Item #3

Item Description

Consider and take appropriate action concerning request for zoning change of property of Collier Addition, Part Three, Lots 1 and 2, Block 1 to the City of Hewitt, McLennan County, Texas, and being all of that called 6.012 acres of land described in a deed to Walnut Street Missionary Baptist Church, as recorded in County Clerk's file number 2012009662 of the Official Public Records of McLennan County, Texas, from R1 (Single Family Residential) to R1-G (Garden Home District) as requested by Robnett Enterprises Inc., 302 Fergustion Road, Waco, Texas 76712.

JUNE 2, 2015 P+Z

HEWITT TEXAS

City of Hewitt

**Application for Amendment of the Zoning Ordinance
To the Planning & Zoning Commission and the City Council**

Legal Description of Property:

Collier Addition Part Three Lots 1+2 Block 1
O'Campo C A-32 Tract 1A Acres 6.012
Describe the location of the property as submitted by this application. This may be in the form of a
street address, general physical description, or nearest intersection.
Spring Valley Road (not addressed)
CAD # 340091

Zoning Change From R-1 to R-1G

Please describe the interest in property:

Existing Building(s) on Property: n/a

Total sq. ft. of all buildings on property: n/a

Please provide the following recording information and a copy of the document (s) listed below with this application:

Ownership (deed): Doc. #/MCC No. _____

Please provide the proposed meeting date for this application to be considered (See Meeting Schedule):

June 2, 2015

The rezoning application must be completed along with the following required information:

- 1. A notarized letter from the property owner authorizing applicant to present the request, if the property owner will not be presenting the request.
2. 1 PDF and 1 hard copy of plat in State Plane Coordinates using the Texas Central Zone NAD 83.
3. Submit 1 copy of building plans, if existing building(s) exist.
4. Non-refundable application fee (see Fee Schedule).
5. Application, fee, documents, etc., in completed form must be submitted to the Planning Department before or no later than 12:00 noon on the deadline date (see Meeting Schedule).

I attest that the above information is true and correct to the best of my knowledge that I am now or will be fully prepared to present the above proposal at the Planning & Zoning Commission hearing. I understand that if any of the above information is found to be wrong or inaccurate that my application may be removed from consideration prior to the time the application is voted upon by the governing body of the City.

I understand that in the event the undersigned is not present or represented at the public hearing, the Zoning Commission shall have the power to dismiss this proposal either at the call of the case or after hearing and such dismissal shall constitute a denial by both the Planning & Zoning Commission and the City Council.

I reserve the right to withdraw this proposal. However, written withdrawals filed at any time after the giving of notice of the Planning and Zoning Commission hearing shall constitute a denial by the Commission and City Council. I understand that the filing fee is not refundable upon withdrawal of proposal.

Name of Property Owner: _____ Phone No. _____

Mailing Address: _____ City: _____ State: _____

Email Address: _____

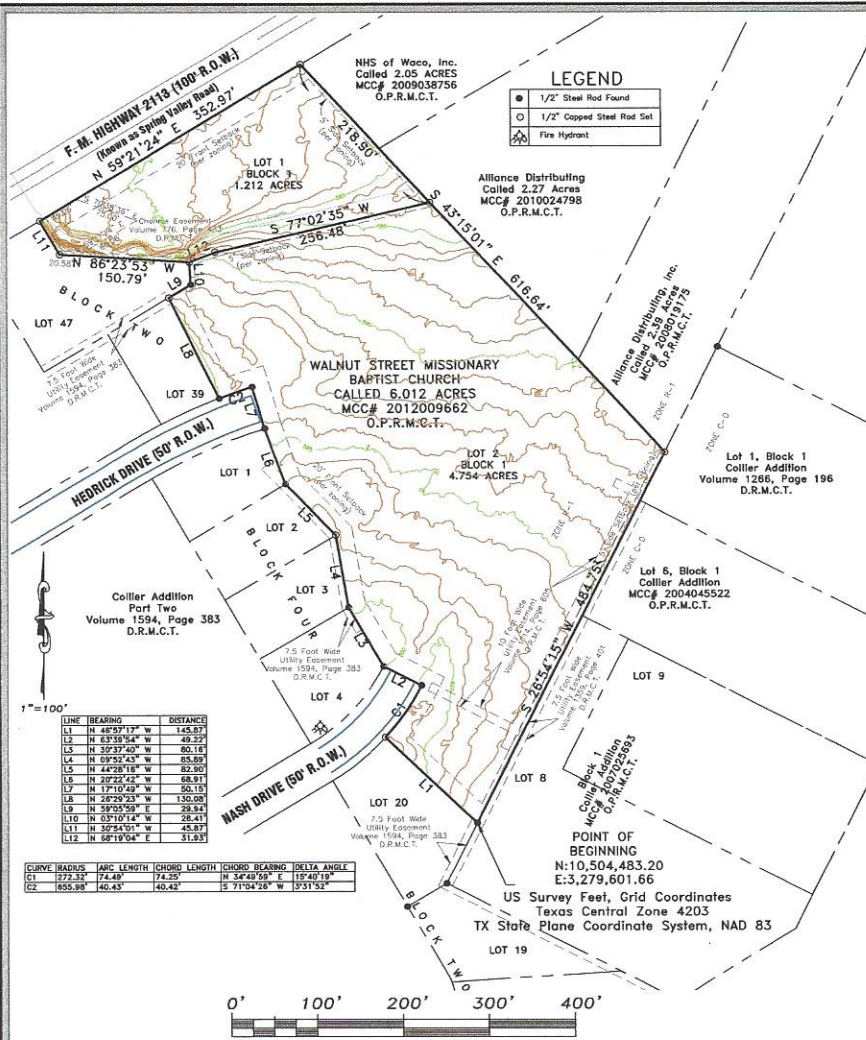
Signature of Property Owner: _____ Date: _____

Name of Applicant/Representative Ed ROBERTI Phone No. 254-744-5210

Mailing Address: 302 Ferguson City: Waco State: TX

Email Address: _____

Signature of Applicant/Representative: _____ Date: _____



STATE OF TEXAS
COUNTY OF MCLENNAN

BEING all that tract of land in the City of Hewitt, McLennan County, Texas, and being all of that called 6.012 acres of land described in a deed to Walnut Street Missionary Baptist Church, as recorded in County Clerk's File Number 2012009662 of the Official Public Records of McLennan County, Texas, and being further described as follows:

BEGINNING at a 1/2 inch steel rod found at the South corner of said 6.012 acres, at the East corner of Lot 20, Block Two of the Collier Addition, Part Two, to the City of Hewitt, McLennan County, Texas, as per plat recorded in Volume 1594, Page 383 of the Deed Records of McLennan County, Texas;

THENCE with the West line of said 6.012 acres, and the East line of said Collier Addition, the following courses and distances:

North 46 degrees 57 minutes 17 seconds West, 145.87 feet to a 1/2 inch steel rod set in the Southeast line of Nash Drive, at the North corner of Lot 20, Block Two of said Collier Addition;

Northeasterly 74.49 feet along a curve to the left having a radius of 272.32 feet and a central angle of 15 degrees 40 minutes 19 seconds (Chord bears North 34 degrees 49 minutes 59 seconds East, 74.25 feet), to a 1/2 inch steel rod found;

North 63 degrees 39 minutes 54 seconds West, 49.22 feet to a 1/2 inch steel rod found at the East corner of Lot 4, Block Four of said Collier Addition;

North 30 degrees 37 minutes 40 seconds West, 80.16 feet to a 1/2 inch steel rod found at the North corner of said Lot 4;

North 09 degrees 52 minutes 43 seconds West, 85.89 feet to a 1/2 inch steel rod set at the North corner of Lot 3 in said Block Four;

North 44 degrees 28 minutes 16 seconds West, 82.90 feet to a 1/2 inch steel rod found at the North corner of Lot 2 in said Block Four;

North 20 degrees 22 minutes 42 seconds West, 68.91 feet to a 1/2 inch steel rod found in the South line of Hedrick Drive, at the North corner of Lot 1 in said Block Four;

North 17 degrees 10 minutes 48 seconds West, 106.19 feet to a 1/2 inch steel rod found in the North line of Hedrick Drive;

Southwesterly 40.43 feet along a curve to the left having a radius of 655.98 feet and a central angle of 03 degrees 31 minutes 52 seconds (Chord bears South 71 degrees 04 minutes 26 seconds West, 40.42 feet), to a 1/2 inch steel rod found in the North line of Hedrick Drive, at the East corner of Lot 39 in said Block Two;

North 26 degrees 29 minutes 23 seconds West, 130.08 feet to a 1/2 inch steel rod set at the North corner of said Lot 39, in the Southeast line of Lot 47 in said Block Two;

North 59 degrees 05 minutes 59 seconds East, 29.34 feet to a 1/2 inch steel rod found at the most Southerly East corner of said Lot 47;

North 03 degrees 10 minutes 14 seconds West, 26.43 feet to a 1/2 inch steel rod set at the most Northerly East corner of said Lot 47;

North 36 degrees 23 minutes 53 seconds West, 150.79 feet to a 1/2 inch steel rod set at an inside corner of said Lot 47;

North 39 degrees 54 minutes 01 seconds West, 45.87 feet to a 1/2 inch steel rod set in the South line of F. M. Highway 2113, known as Spring Valley Road, at the North corner of said Lot 47, at the West corner of said 6.012 acres;

THENCE North 59 degrees 21 minutes 24 seconds East, 352.97 feet to a 1/2 inch steel rod set in the South line of Spring Valley Road, at the North corner of said 6.012 acres;

THENCE South 43 degrees 15 minutes 01 seconds East, 616.64 feet to a 1/2 inch steel rod set at the East corner of said 6.012 acres, in the Northwest line of Lot 1, Block 1 of the Collier Addition to the City of Hewitt, McLennan County, Texas, as per plat recorded in Volume 1266, Page 196 of the Deed Records of McLennan County, Texas;

THENCE South 26 degrees 54 minutes 15 seconds West, 484.75 feet to the Point of Beginning, containing 5.966 acres of land.

Bearings based on Grid North, State Plane Coordinate System, NAD83, Texas Central Zone.

OWNER'S STATEMENT

STATE OF TEXAS
COUNTY OF MCLENNAN

Walnut Street Missionary Baptist Church, wishing to subdivide same into lots and block do hereby adopt the plat attached hereto and titled "PRELIMINARY PLAT COLLIER ADDITION, PART THREE, LOTS 1 AND 2, BLOCK 1 to the City of Hewitt, McLennan County, Texas (BEING all that tract of land in the City of Hewitt, McLennan County, Texas, and being all of that called 6.012 acres of land described in a deed to Walnut Street Missionary Baptist Church, as recorded in County Clerk's File Number 2012009662 of the Official Public Records of McLennan County, Texas)" as our legal subdivision of same and 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 or easements shall be placed at no risk or obligation to the Public and City of Hewitt, Trustee of 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 lot shown on this plat shall be made therewith subject to restrictions and the conditions recorded in McLennan County, Texas Real Property Records pertaining to such subdivision.

Walnut Street Missionary Baptist Church

by: John Q. Public, Trustee
P. O. Box 1144
Hillsboro, Texas 76645

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, John Q. Public, known to me to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacities therein stated.

Given under my hand and seal of office this the ____ day of _____, 2015.

Notary Public in and for the State of Texas
My Commission Expires _____

STATE OF TEXAS
COUNTY OF MCLENNAN

Approved this ____ day of _____, 2015, by the city manager of the City of Hewitt, Texas.

City Manager
Zoning Secretary

PRELIMINARY PLAT FOR INSPECTION PURPOSES ONLY

1519 Surveying, LLC

7111 Bosque Blvd, Suite 101, Waco, TX 76710 Ph: 254-776-1519 TDD/LS Firm# 10193068

1519 Job: 7984 Drawn By: HAT
Sheet 1 of 1
Property Address:
Spring Valley Road
Hewitt, Texas

PRELIMINARY PLAT
LOTS 1 AND 2, BLOCK 1
COLLIER ADDITION
PART THREE
CITY OF HEWITT
MCLENNAN COUNTY, TEXAS

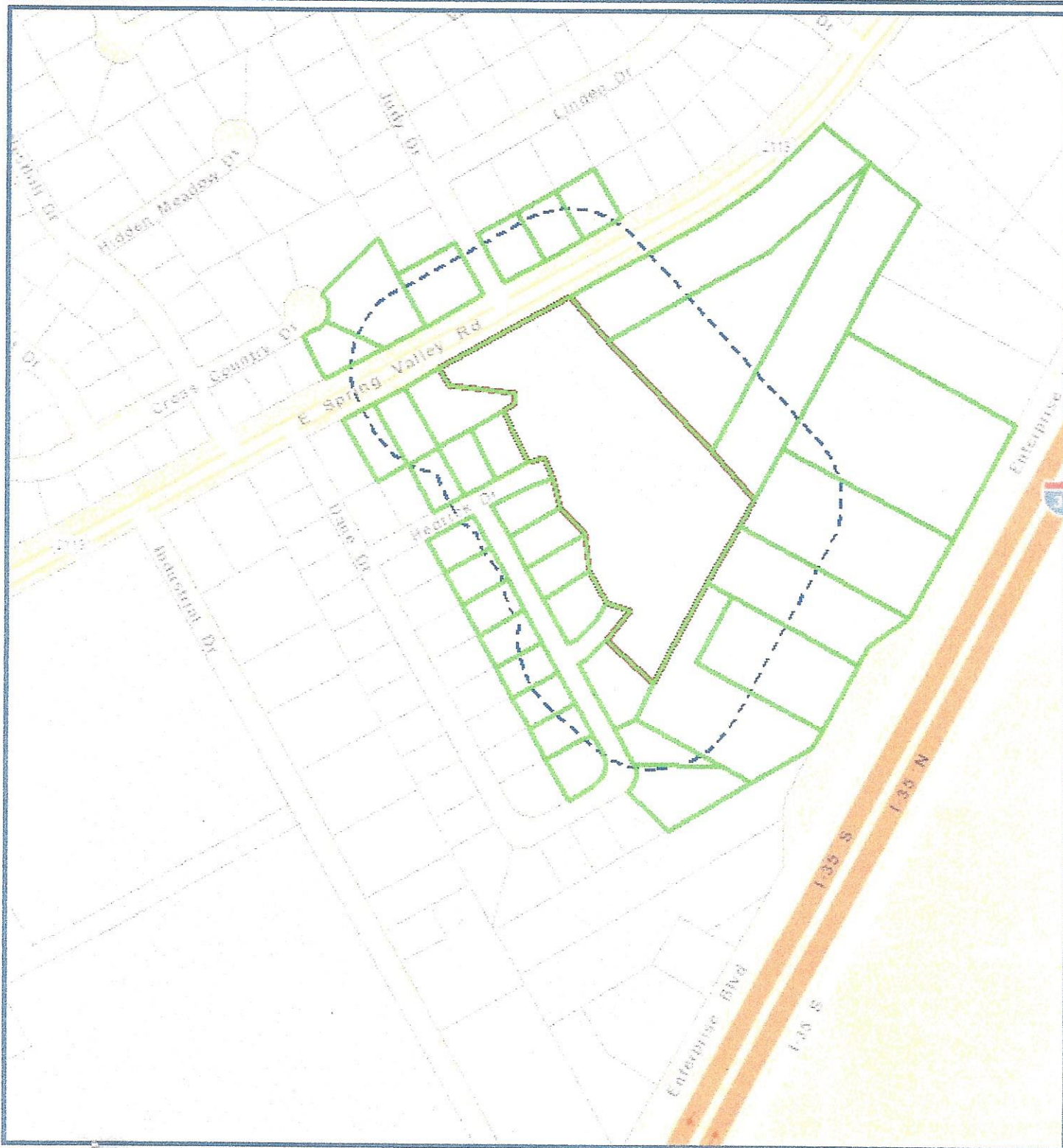
Rev.	Date	Description	By
1	4/2/2015	Informal submittal	hat

1519
www.1519surveying.com
www.1519gis.com

1519

COLLIER ADDITION

200FT RADIUS 060215 P&Z

HEWITT
TEXAS

The R-1-G Garden Home District was established by the City Council to allow homeowners and builders more options for development of detached single family homes. Generally, the Garden Home zoning allows smaller lots with larger homes. In some cases, homeowners desire a smaller yard with less yard maintenance and R-1-G provides a zoning district where that is permissible. The Garden Home lot size is typically 5,000 square feet while the R1 requires 8,800 square feet. However, new homes in the Garden Home District must be no less than 1,750 square feet whereas the R1 Residential District allows 1,450 square feet. The R-1-G does allow a higher density of single family detached homes per acre than would be possible in the R-1 District.

For a more complete description of the Garden Home District please refer to Hewitt's Code of Ordinances found at www.cityofhewitt.com.

Planning & Zoning Commission – Agenda Item

Agenda Item #4

Item Description

Adjourn.