

HEWITT TEXAS

NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION

Notice is given that a **Public** meeting will be held before the Planning and Zoning Commission of the City of Hewitt, on **Tuesday, April 5, 2016, at 6:00PM in the City Council Room at Hewitt City Hall, 105 Tampico Drive, 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 March 1, 2016, for the Planning and Zoning Commission regular meeting.
3. Discussion and possible action: Change zoning from C-2/M to R-4 with variances on a 10,000 acre tract of land located in the Carols O'Campo Survey, Abstract 32, McLennan County, Texas, and being a portion of that called 33.70 acres of tract of land described in a deed to BAR 5C Investments, LLC as recorded in McLennan County Clerk's Document 2014023202 of the Official Public Records of McLennan County, Texas.
4. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the above named City of Hewitt, Texas was posted on the Public Notice Board located in front of the City Hall before 5pm on April 1, 2016.

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.

HEWITT TEXAS

MINUTES OF THE PLANNING AND ZONING COMMISSION

March 1, 2016 – 7:00PM

Members present: Charlie Turner, Bobby Wolske, Walter Peterson, John Baker, Michael Hix, Kurt Krakowian, Jonathan Dulus

Members absent: All present

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 7:00PM.*

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 seven in favor, motioned passed. Minutes dated December 1, 2015 stand approved.*

Item #3. Discussion and possible action: The Preliminary Plat for Park Place II Addition, Phase V & VI to the City of Hewitt, McLennan County Texas. *No public attendance, a motion was made by Walter Peterson to accept and seconded by John Baker, all seven in favor, motion passed.*

Item #4. Discussion and possible action: The Final Plat of Park Place II, Phase Five to the City of Hewitt, McLennan County, Texas, being a subdivision of a 5.09 acre tract of land in the Carols O'Campo Grant, Abstract Number 32, in the City of Hewitt, McLennan County, Texas and being a portion of that called 19.44 acre tract of land described in a deed to Richard S. Clark, of record in County Clerk's File Number 2009005429 of the Official Public Records of McLennan County, Texas. *No public attendance, a motion was made by John Baker to accept and seconded by Jonathan Dulus, all seven in favor, motion passed.*

Item #5. Adjourn. *Motion was made by John Baker and seconded by Kurt Krakowian to adjourn meeting at 7:00PM, all five in favor, motion passed.*

Chairman

Date Approved

Eva Marie Greenup, Zoning Secretary



February 19, 2016

Eva Marie Greenup
Community Development Administrator
103 N. Hewitt Drive
Hewitt, TX 76643

RE: Application for Zoning Change with Variances – 10 Acres on approximately 900 Block of North Old Temple Road

Dear Ms. Greenup,

Please find the attached application for Amendment of the Zoning Ordinance for 10 acres located at approximately 900 block of North Old Temple Road, Hewitt, Texas 76643. The property is currently zoned C-2 and M and we are seeking initial Planning and Zoning approval of a change to R-4, multiple-family residential high density with variances.

As discussed at the planning department on Friday, February 5, 2016, we request variances on the following building code items:

1. 2.104.C.2 - Multi-family high density developments in R-4 zoned districts built after the passage of this ordinance shall be fully enclosed by a fence as set forth in section 9.103 F.

We request that the fence requirement be waived along the southern boundary line along the creek. The creek is an amenity for residents and provides a natural barrier for the adjacent single family homes on the other side.

2. 2.104.C.3 - Multi-family high density developments constructed after the passage of this ordinance shall have garages either attached or detached for 50 percent of the living units. All garages and covered parking shall be of similar and conforming architectural design and materials as the main multi-family structures.

As shown on the attached site plan, 30% of the units have attached carports. Our experience is that senior residents have fewer cars, and the residents in the larger building tend to be more frail residents that are less likely to own cars.

3. 5.101.A.1 – Buildings shall not exceed the following height limits: Two stories or 35 feet in R-1, R-2, R-3, R-4, and R-5 Districts to include accessory buildings.

As shown on the attached site plan; the three story building, which houses all of the common amenities, has a roof pitch height of 53 feet.

4. 8.101.B - For multifamily dwellings and apartment hotels, two spaces for each living unit.

As currently shown on the attached site plan, we have 192 parking spaces comprised of 34 covered, 33 tandem, and 125 uncovered spaces. 192 spaces allows for 1.7 spaces per unit, which has proven to be an acceptable ratio for other senior properties.

Please find the enclosed:

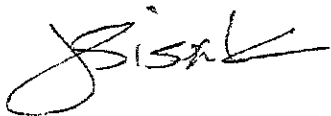
- application for amendment of the zoning ordinance
- land survey with legal description
- Recorded Ownership Deed MCC# 2104023202
- Notarized letter from Bar 5C Investments, LLC granting authority to pursue this zoning change
- Application fee

This letter should also serve as a release agreeing to hold the City of Hewitt and all other parties harmless in the event that the appropriate zoning is denied for the site of the proposed Reserve at Dry Creek multifamily community.

We respectfully ask that the Planning and Zoning Commission approve our request for zoning change, and only upon award of housing tax credits, forward to City Council for approval. If you have any questions or require any additional information please feel free to contact me at 512-328-3232 ext. 4505 or janines@dmacompanies.com.

Sincerely,

Hewitt DMA Housing, LLC

A handwritten signature in black ink, appearing to read "J. Sisak", with a stylized flourish at the end.

Janine Sisak
Authorized Representative

HEWITT TEXAS

February 22, 2016

Mr. Val DeLeon
Associate Project Manager
DMA Development Company
4101 Parkstone Heights Drive
Suite 310
Austin, Texas 78746

Re: Application for Amendment of the Zoning Ordinance – The Reserve at Dry Creek

Dear Mr. DeLeon,

We have received the application from Hewitt DMA Housing, LLC for an Amendment to the City of Hewitt's Zoning Ordinance. We are also in receipt of the release to hold the City of Hewitt harmless in the event that your application is denied.

Per your request, the Planning and Zoning Commission will consider your amendment on Tuesday, April 5, 2016. If you have any questions feel free to contact me at 254-666-6173 or tlankford@cityofhewitt.com

Sincerely,

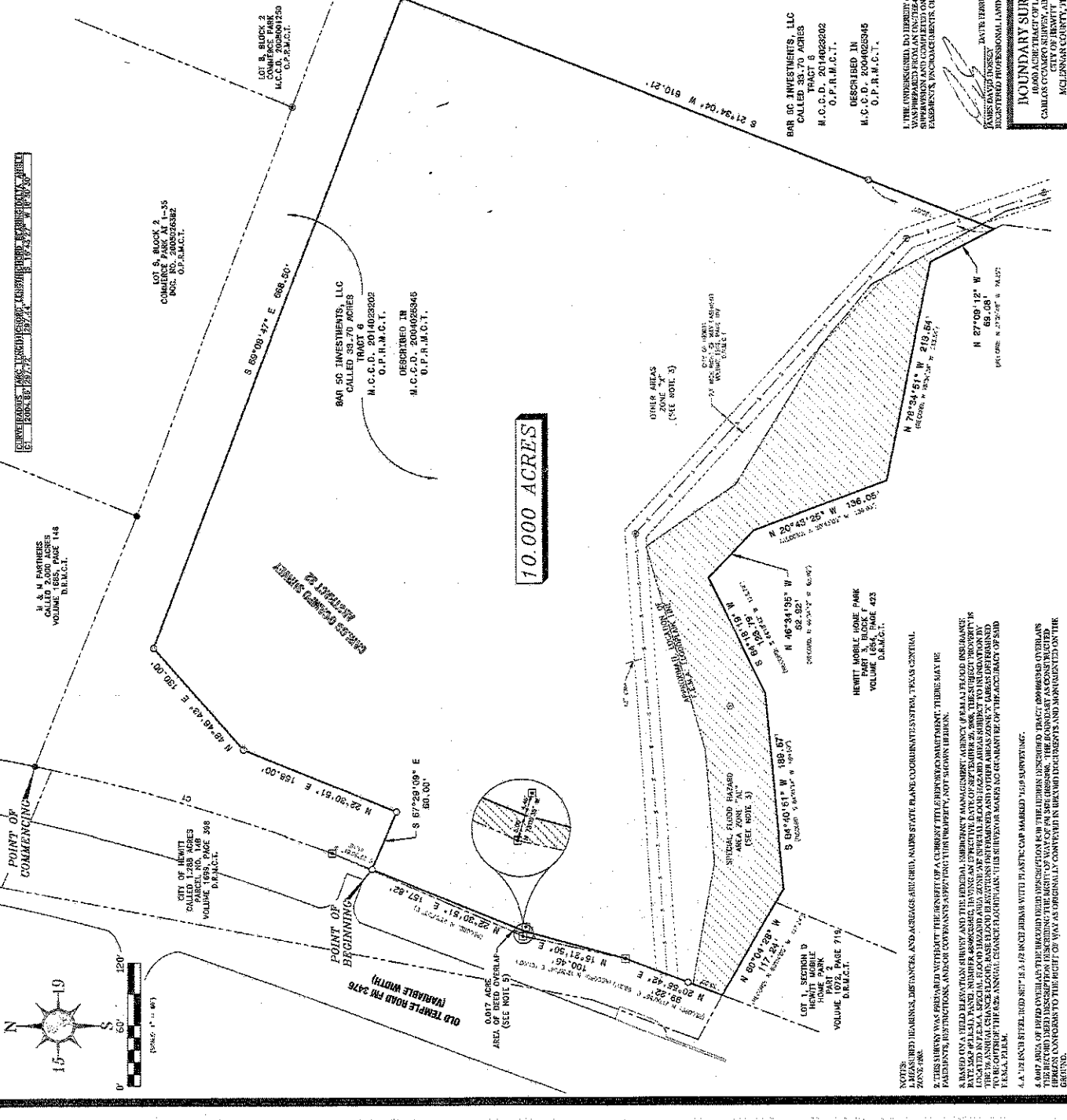


Tracy Lankford
Community Development Director

OLD TEMPLE ROAD NO 3476
(INVISIBLE ROAD WIDTH)
P

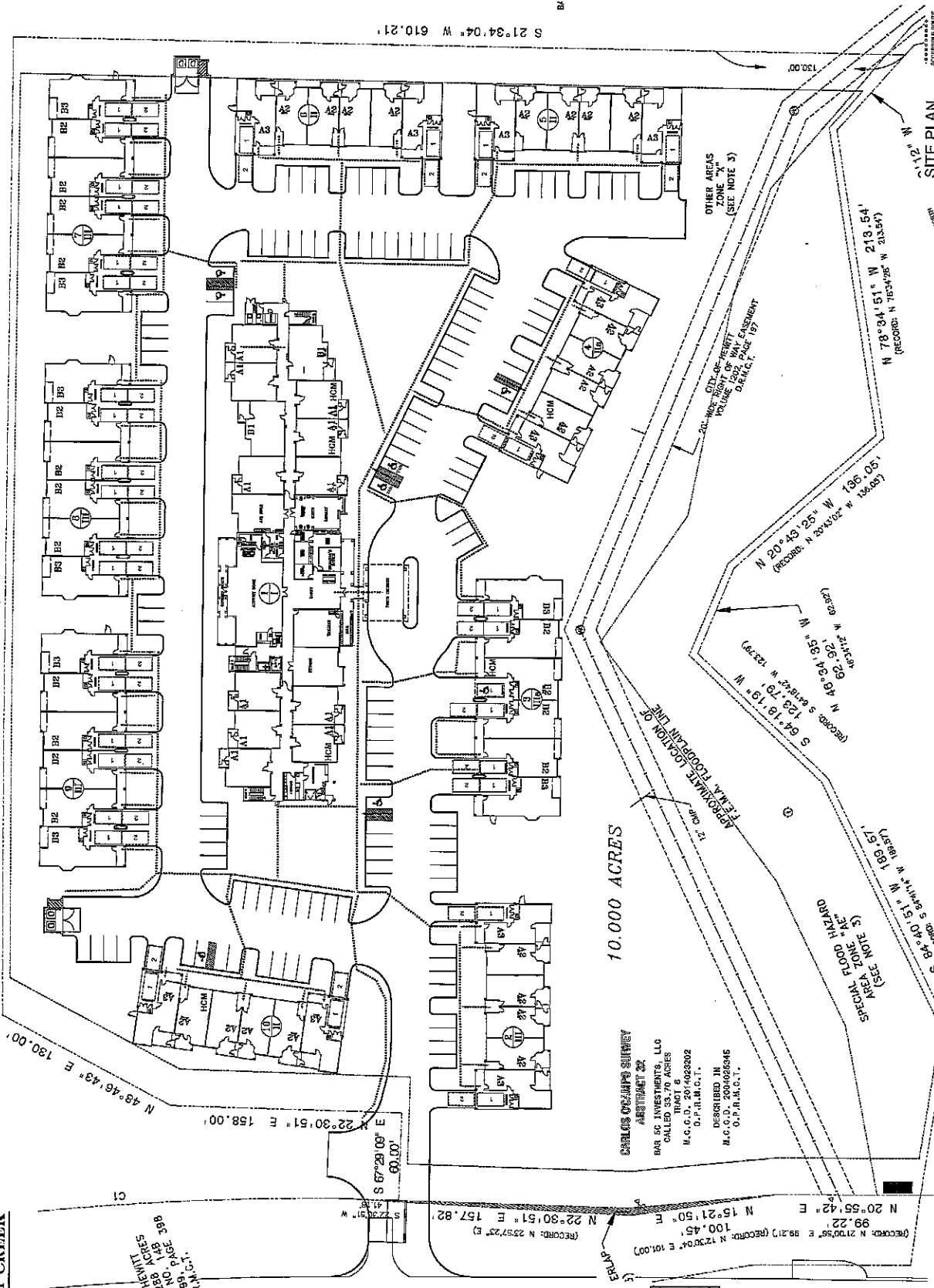
LOT 1, SECTION 10
HEWITT MOBILE
HOME PARK
PART 2
VOLUME 172, PAGE
D.W. 2.1.

THE SURVEY WAS PREPARED WITH
FOLLOWING INSTRUCTIONS, AND
PAGE 2



THIS RESERVE AT DRY CREEK
HEWITT, TX - DMA

S 69°08'47" E 668.50'



LD TEMPLE ROAD FM 3476
(VARIABLE WIDTH)

CITY OF HEWITT
CALLED NO. PAGE 198
PARCEL 1989

CARLOS OCAMPO SURVEY
ABSTRACT 22
BAY SO INVESTMENTS, L.L.C.
CALLED 33.70 ACRES
TRACT 6
H.C.C.D. 2014023002
O.P.M.C.T.
DESCRIBED IN
H.C.C.D. 2004026346
O.P.M.C.T.

UNIT TABULATIONS
A-1 BEDROOM B-2 BATHROOM

NO TYPE	STORIES	QTY	A1	A2	A3	B1	B2	TOTAL
1	1	1	1	1	1	1	1	1
2	1	1	1	1	1	1	1	1
3	1	1	1	1	1	1	1	1
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APPLICATION REVIEW

Z-2016-2

HEARING DATE: April 5, 2016

1. **CASE #** Z-2016-2
PROPERTY ADDRESS: 800 Blk N. Old Temple Rd.
LEGAL DESCRIPTION: O'Campo C Acres 2.56

2. **APPLICANT:** BAR 5C Investments, LLC
MAILING ADDRESS: P.O. Box 445 Hewitt, TX. 76643

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 **RETAIL/INDUSTRIAL** to **HIGH DENSITY RESIDENTIAL**

(Land Use designation of HIGH DENSITY RESIDENTIAL: R-4 MULTIFAMILY HIGH DENSITY DISTRICT)

ZONING:

From **C-2 GENERAL COMMERCIAL AND M INDUSTRIAL** 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 large are of Industrial and minimal residential use. The large majority of the surrounding area is industrial in nature.

PLANNING SERVICES RECOMMENDATION:

LAND USE:

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

- 1) Vacant Industrial, Retail and Residential land use is the dominant land use designation for the surrounding neighborhood. The encroachment of Residential land use designation into this agricultural 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 on a local street.
- 4) There is adequate supply of vacant land currently designated for industrial and retail land use located in the surrounding area.

ZONING:

Community Development recommends ***APPROVAL*** of this request to change the zoning from ***C-2 and M 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: 21 mailed; 0 returned, 0 response.

CASE NO. Z-2016-2

ENGINEERING SERVICES DATA

1. Street condition: Good _____ Acceptable X Needs Reconstruction _____

2. Street width: Existing: ROW 150' Pavement 85'

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.

7. Engineering Department comments and recommendations:

The property is served with public water and there has been no damage reported. Therefore, the engineering department has no comment.

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:

IFC 2012 Edition

D103.5 Fire Apparatus access road gates.

1. The minimum width shall be 20 feet.

D105.2 Width

Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of the shoulders, in the immediate vicinity of the building or portion thereof.

D103.1 Access road with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of the shoulders.

HEALTH DEPARTMENT REVIEW

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

DATE OF INSPECTION: To be determined

Health Department Comments and Recommendations: None

POLICE DEPARTMENT REVIEW

No Comments

CASE #Z-2016-2

PROPERTY OWNERS LIST

Applicant: DMA Companies

Owner: Bar 5C Investments, LLC