

**SUMMARY NOTES
PLAN COMMISSION**

August 22, 2017 – 7:00 PM

Bosque Theatre

Convention Center

100 Washington Avenue

Waco, Texas

COMMITTEE MEMBERS PRESENT:

Members present: LaRaine DuPuy, Chair; Joshua Carter, Peter Ellis, Norma Johnson, Andrew Lopez, Joe Mayfield, Reggie Richardson, David Sterling and Jose Villanueva

Absent: John Campbell and Peter Groetzinger

Others present: Jennifer Richie, City Attorney, John Patterson, Asst. City Attorney; Thomas Dahl, Engineer, Gerry Kendall, Senior Planner (Engineering), Ross King, Traffic, Clint Peters, Director of Planning; Beatriz Wharton, Senior Planner and Chelsea Phlegar, Planner

Note: This meeting was recorded. (Plan Commission 08-22-17)

Item No.	Description
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Chairperson LaRaine DuPuy called the meeting of the Plan Commission to order at 7:00 PM.

1. MINUTES

Approval of the minutes from the Work Session held on July 19, 2017.

Approval of the minutes from the Business Session held on July 22, 2017.

Disposition by the Commission:

Voice vote to approve

VOTE: (9, 0) to **approve.**

2. Discussion between the Commission and City Council Liaison regarding Commission activities and appointments.

A. ZONING APPLICATIONS

1. Z-17-50

Applicant:

Jessica Gerehty

Legal Description:

Lot 4, Block 2, Royal Oaks Addition

Address:

617 Royal Oaks Drive

Request: Special Permit for a Short Term Rental Type II
in an R-1A District

Planning Services Comments:

Planning Services recommends *APPROVAL* of the special permit subject to the special provisions and conditions based on the following findings*:

1. That the proposed use is consistent with the comprehensive plan and the purposes and intent of Chapter 28-Zoning of the Code of Ordinances of the City of Waco.
2. That the proposed use is compatible with the appropriate and orderly development of the area in which it is located.
3. That the proposed use would not be more objectionable to neighboring properties because of traffic congestion, noise, fumes, vibrations or any other characteristics than any use permitted in the zoning district without the grant of a special exception.
4. That available community facilities and services, including the road system providing access to the proposed use, are adequate for the proposed use.

*These findings are required for the granting of a special permit as per Section 28-122 of the City of Waco Zoning Ordinance.

Notices Mailed:

11 mailed, 4 returned; 3 opposed, 1 question

Persons in favor of the request:

None

Persons opposing the request:

None

Disposition by the Commission:

Motion by Mr. Carter to **withdraw** the request of the special permit. Seconded by Ms. Johnson.

VOTE: (9, 0) to **withdraw**

2. Z-17-59

Applicant:

Steve Sorrells, Doyle James and Pat James

Legal Description:

Lot D, Block B, Cameron Park Addition

Address:

Portion of 3301 Edward Dr.

Request:

A: Land use designation change from Suburban Residential to Urban Residential
B: Rezone from R-1A to R-1B

Planning Services Comments:

Planning Services recommends **DISAPPROVAL** of the land use designation change from **SUBURBAN RESIDENTIAL to URBAN RESIDENTIAL** based on the following findings:

1. The existing suburban residential land use designation is more compatible than the proposed urban residential land use designation with the existing single-family neighborhood.

Planning Services recommends **DISAPPROVAL** of this request to change the zoning from **R-1A to R-1B** based on the following findings:

1. The proposed zoning is not in keeping with the land use component of the Comprehensive Plan.
2. The development requirements of the existing R-1 zoning are more compatible than the proposed R-1B zoning with the existing single-family neighborhood and Cameron Park that surrounds it.
3. There is adequate supply of underutilized and vacant land currently zoned for single family residential uses under the proposed density located in the area to support the appropriate growth and development of the surrounding area.

Notices Mailed:

9 mailed, 1 returned in support; letter & petition submitted in favor

Persons in favor of the request:

Steve Sorrells, 400 Bosque Blvd., Waco, TX 76707; Doyle James, 3301 Edward Drive, Waco, TX 76708; Douglas Henry, 3401 Edward Drive, Waco, TX 76708 and Hugh Henson, 3201 Edward Drive, Waco TX 76708

Persons opposing the request:

Jenny Keen, 3200 Robin Road, Waco, TX 76708; Gretta Knoll, 512 Baker Lane, Waco, TX 76708 and Susan Bratton 3217 Carroll Drive, Waco, TX 76708

Disposition by the Commission:

Motion by Mr. Carter to **approve** the request of the land use designation change from Suburban Residential to Urban Residential and to **approve** the request to change the zoning from R-1A to R-1B based on staff findings.

Seconded by Mr. Sterling.

VOTE: (3, 5) motion **failed**; Ms. Johnson **abstained**

3. **Z-17-62**

Applicant: Antioch Community Church
Legal Description: Lots 1, 2 & 3, Block V, West End Addition
Address: 2300 Gorman Avenue
Request: Renewal of a Special Permit for a Transitional Shelter I in an R-1B District

Planning Services Comments:

Planning Services recommends **APPROVAL** of the special permit renewal subject to the special provisions and conditions and based on the following findings*:

1. That the proposed use is consistent with the comprehensive plan.
2. That the proposed use is compatible with the appropriate and orderly development of the area in which it is located.
3. That the proposed use would not be more objectionable to neighboring properties because of traffic congestion, noise, fumes, vibrations or any other characteristics than any use permitted in the zoning district without the grant of a special exception.
4. That available community facilities and services, including the road system providing access to the proposed use, are adequate for the proposed use.

*These findings are required for the granting of a special permit as per Section 28-122 of the City of Waco Zoning Ordinance.

Notices Mailed:

22 mailed, 1 returned in support

Persons in favor of the request:

Courtney McCormick, representing the applicant, 10010 Burgundy Lane, Waco, TX 76712 and Steve Cates, 2574 N. Rock Creek Road, 76708

Persons opposing the request:

None

Disposition by the Commission:

Motion by Mr. Sterling to **approve** the request of the special permit renewal subject to the special provisions and conditions and based on staff findings. Seconded by Mr. Villanueva.

VOTE: (9, 0) to **approve**

4. **Z-17-63**

Applicant: Antioch Community Church
Legal Description: Lots A3 & B3, Block OO, West End Addition
Address: 628 N. 22nd Street
Request: Renewal of a Special Permit for a Transitional Shelter I in an R-1B District

Planning Services Comments:

Planning Services recommends **APPROVAL** of the special permit renewal subject to the special provisions and conditions based on the following findings*:

1. That the proposed use is consistent with the comprehensive plan.
2. That the proposed use is compatible with the appropriate and orderly development of the area in which it is located.
3. That the proposed use would not be more objectionable to neighboring properties because of traffic congestion, noise, fumes, vibrations or any other characteristics than any use permitted in the zoning district without the grant of a special exception.
4. That available community facilities and services, including the road system providing access to the proposed use, are adequate for the proposed use.

*Section 28-122 of the City of Waco Zoning Ordinance, the City Council may grant a special permit if these findings can be substantiated for the request.

Notices Mailed:

23 mailed, 1 returned in support

Persons in favor of the request:

Jason Ramos, representing the applicant, 718 N. 20th Street, Waco, TX 76707 and Steve Cates, 2574 N. Rock Creek Road, Waco, TX 76712

Persons opposing the request:

None

Disposition by the Commission:

Motion by Mr. Lopez to **approve** the request of the special permit renewal subject to the special provisions and conditions and based on staff findings. Seconded by Mr. Villanueva.

VOTE: (9, 0) to **approve**

5. Z-17-64

Applicant: BCB Development, LLC
Legal Description: Lots 20 & D, Block A, Farm Lot 10 Addition
Address: 320-324 S. 8th Street and 715 Jackson Ave.
Request: Rezone from M-2 to C-4

Planning Services Comments:

Planning Services recommends *APPROVAL* of this request to change the zoning from *M-2 to C-4* based on the following findings:

1. The proposed zoning is in conformance with the land use component of the Comprehensive Plan and the Imagine Waco, A Plan for Greater Downtown.
2. The existing public infrastructure is adequate to provide for uses allowed in the C-4 zoning district.
3. The area has been transitioning from industrial uses to commercial mixed uses over the past two decades.
4. The proposed C-4 zoning will bring an existing building into conformance with the zoning ordinance.

Notices Mailed:

6 mailed, 0 returned

Persons in favor of the request:

None

Persons opposing the request:

None

Disposition by the Commission:

Motion by Mr. Mayfield to **approve** the request to change the zoning from M-2 to C-4 based on staff findings. Seconded by Mr. Villanueva.

VOTE: (7, 1) to **approve**; Mr. Ellis **abstained**

B. SUBDIVISIONS

6. Final Plat of the Haywire Addition, Lots 4-8, Block 1 - Replat
7. Final Plat of the Central United Methodist Church Addition No. 2, Lots 4 & 5, Block 1 - Replat
8. Final Plat of the Post Oak Creek Addition, Lots 1-10, Block 1

Planning Services Comments:

Planning Services recommends *DISAPPROVAL* of the plats listed above until all platting requirements are met.

Persons in favor:

None

Persons opposed:

Addis McNamara (opposed to the Haywire Addition, Lots 4-8, Block 1 – Replat), 1815 Trinity, Waco, TX 76710 and Steve Cates (opposed to the Haywire Addition, Lot 4-8, Block 1 – Replat), 2574 N. Rock Creek Road, Waco, TX 76708

Disposition by the Commission:

Motion by Mr. Villanueva to **disapprove** the Final Plat of the Central United Methodist Church Addition No. 2, Lots 4 & 5, Block 1 – Replat and the Final Plat of the Post Oak Creek Addition, Lots 1-10, Block 1 until all platting requirements are met **and to disapprove** the Final Plat of the Haywire Addition, Lots 4-8, Block 1 - Replat . Seconded by Mr. Lopez.

VOTE: (9, 0) to **disapprove until all platting requirements are met** for the Final Plat of the Central United Methodist Church Addition No. 2, Lots 4 & 5, Block 1 – Replat **and** the Final Plat of the Post Oak Creek Addition, Lots 1-10, Block 1; to **disapprove** the Final Plat of the Haywire Addition, Lots 4-8, Block 1, - Replat.

C. ABANDONMENT

9. ABD-17-7 Raymundo Garcia Medrano – Abandonment of 0.04 acres of property dedicated to N. 25th Street, known as Lot A, Block A, Luedke Addition (ROW)

Planning Services Comments:

Planning Services recommends **APPROVAL** of the abandonment request based on the following finding and subject to the following condition:

1. Utility access for surrounding properties is not adversely impacted by the abandonment of this right-of-way.

Conditions:

1. A utility easement will be retained for existing utilities located in the area of the abandoned right-of-way.

Notices Mailed:

10 mailed, 3 returned, 1 in favor, 2 opposed

Persons in favor of the request:

Raymundo Garcia, 4243 N. 25th Street, Waco, TX 76708; Iris Diaz, 4209 N. 25th Street, Waco, TX 76708 and Audra Clark, 4225 N. 25th Street, Waco, TX 76708

Persons opposing the request:

Dale Dunlap, 4307 Shady Glen, Waco, TX 76708

Disposition by the Commission:

Motion by Mr. Richardson to **approve** the abandonment request based on the condition and staff finding. Seconded by Mr. Lopez.

VOTE: (9, 0) to **approve**

D. HISTORIC LANDMARK DESIGNATION

10. H-17-4 Magnolia Prime Real Estate, LLC for the Elite Café – 2132 S. Valley Mills Drive

Planning Services Comments:

Planning Services recommends **APPROVAL** of this request for historic landmark designation based on the following findings:

1. It is a Recorded Texas Historic Landmark. Renovations to the structure shall be in accordance with the Secretary of Interior's Standards for Rehabilitation as ratified by the Texas Historical Commission (THC).
2. It embodies the distinctive characteristics of a Spanish Colonial Revival style commercial structure associated with mid-20th century roadside architecture. In order to preserve the Spanish Colonial Revival style, it is important to retain the original red color of the roof tiles to the greatest extent practical.
3. It possesses significance with respect to history and culture, or as a natural site with a demonstrable cultural association.
4. It is associated with events that have made a significant contribution to the broad patterns of local history.

Notices Mailed:

7 mailed, 0 returned

Persons in favor of the request:

Non

Persons opposing the request:

None

Disposition by the Commission:

Motion by Mr. Sterling to **approve** the request for historic landmark designation based on staff findings. Seconded by Mr. Villanueva.

VOTE: (9, 0) to **approve**.

There being no further business, the meeting was adjourned at 8:38 p.m.



LaRaine DuPuy, Chairperson

Approved:

Prepared by: Gaynell Benson
Planning Services

ATTENDANCE REPORT - JULY 2017-JUNE 2018

PLAN COMMISSION

NAME	19-Jul	25-Jul	16-Aug	22-Aug	1-Sep	26-Sep	18-Oct	24-Oct	13-Nov	1-Dec	1-Dec	Present	Absent
John Campbell	EX	P	EX	EX		P	P	P	P			14	6
Joshua Carter	EX	EX	EX	P		EX	O					7	10
Norma Johnson	EX	P	P	P		P	O					13	4
Peter Ellis	EX	P	EX	P		P	P	P	EX			13	7
Jose Villanueva	P	P	P	P		P	O					16	1
LaRaine DuPuy (apptd Chair 9-27-16; reappointed Chair 9-26-17)	P	P	EX	P		P	P	P	P			18	2
David Sterling	P	P	P	P		P	P	P	P			19	1
Reggie Richardson (apptd Vice Chair 9-27-16; reappted VC 9-26-17)	EX	P	P	P		P	P	P	P			15	5
Joe Mayfield	P	P	P	P		P	EX	P	P			19	1
Andrew Lopez	P	P	P	P		P	P	P	P			19	1
Peter Groetzinger	P	P	P	P		P	P	P	P			13	7
Joe Rodriguez; apptd 9-17					P	P	P	P	EX			4	1
Josh Borderud; apptd 10-17							P	P	P			3	
Andrea Barefield; apptd 10-17							P	P	P			3	

A = Absent

P = Present

EX = Excused Absence

QP = Present/No Quorum

Blank space denotes member was not yet appointed or qualified to serve