

AGENDA

CITY OF TAYLOR, TEXAS

PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers
400 Porter Street, Taylor, TX 76574

December 12, 2017 6:00 P.M.

CALL TO ORDER AND DECLARE A QUORUM

CITIZENS COMMUNICATION

CONSENT AGENDA

(The Consent Agenda includes non-controversial and routine items that the Board may act on with one single vote. The Chairman or a Board member may pull any item from the Consent Agenda in order to discuss and act upon it individually as part of the Regular agenda.)

1. Review and approve minutes from the regularly scheduled meeting on November 14, 2017 and the Special called meeting on November 28, 2017.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. **PZ-2017-1074 – Public Hearing** on a Rezoning of Lot 11B of the Replat of Lots 9, 10, & 11, Block 29, Washington Heights Addition, located at 304 Potomac Street, from the Local Business (B-1) District to the General Business (B-2) District. (Ordinance 2017-34)
3. **PZ-2017-1074 – Take Action** on a Rezoning of Lot 11B of the Replat of Lots 9, 10, & 11, Block 29, Washington Heights Addition, located at 304 Potomac Street, from the Local Business (B-1) District to the General Business (B-2) District. (Ordinance 2017-34)
4. Discussion of upcoming Zoning Ordinance amendments.
5. Consider an update regarding Council actions related to Planning and Zoning items.

ADJOURN

Next Meeting Date: January 9, 2018

The Board may vote and/or act upon each of the items listed in this Agenda. The Board reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act. I certify that the notice of meeting was posted in the Taylor City Hall Lobby before 6:00 pm on **December 8, 2017** and remained posted for at least 72 continuous hours before the scheduled time of said meeting. I further certify that the following news media was notified of this meeting: Taylor Daily Press.

Posted By: _____ Date: _____
Carrie Orts Administrative Assistant to Development Services

**MINUTES
CITY OF TAYLOR, TEXAS
400 Porter Street, Taylor Texas 76574
PLANNING AND ZONING COMMISSION MEETING
November 14, 2017 6:00 p.m.
City Council Chamber**

PRESENT

Leland Stevens
Annette Maruska
Faith Gardner
Betty Day
Michael Aplin
Mike Eaton

ABSENT

Don McAlister
Rick Selin
Donna Frazier

OTHERS PRESENT

Ashley Lumpkin, Director Development Services
Michael Elabarger, Senior Planner
Carrie Orts, Assistant Development Services

CALL TO ORDER AND DECLARE A QUORUM

The meeting was called to order and a quorum declared at 6:00 p.m.

CITIZEN COMMUNICATION

None

CONSENT AGENDA

(The Consent Agenda includes non-controversial and routine items that the Commission or Board may act on with one single vote. The Chairman or a Board member may pull any item from the Consent Agenda in order to discuss and act upon it individually as part of the Regular agenda.)

Review and approve minutes from the October 10, 2017.

Motion made by Mrs. Maruska to approve minutes as written from the October 10, 2017 meeting.
Second by Mr. Aplin. All voted Aye.

PZ-2017-1043 – Consider Approval of a Preliminary Plat of 12.429 acres in the Parthinia Coursey Survey, to be known as Block A, Lot 1 of the Frenette Farmette Subdivision, located at 2100 Old Thorndale Road, in the Single Family Residential (R-1) Zoning District.

Mr. Elabarger made presentation on the request, including the recommendation of approval of the plat, as it meets all of the technical requirements of the Subdivision Ordinance.

Mrs. Day made motion to approve. Second by Mrs. Maruska. All voted aye.

PZ-2017-1068 – Consider Approval on a Final Plat of 2.11 acres out of the George Reese Survey, Abstract No. 533, to be known as Phase One, Block A, Lot 1 of the Taylor Prosperity Square Subdivision, generally located at the southwest corner of FM 973 and Carlos G. Parker Boulevard, in the General Business (B-2) Zoning District.

Mr. Elabarger made presentation on the request, including the recommendation of approval of the plat, as it meets all of the technical requirements of the Subdivision Ordinance. Jen Henderson was present to answer questions.

Mrs. Maruska made motion to approve. Second by Mr. Eaton. All voted aye.

PZ-2017-1057 – Public Hearing on a Final Plat of a Replat of Lots 4 and 9 and parts of Lots 3, 5, 8, and 10, Block B, Robertson and Blands Addition, to be known as Hall Estates, located at 1709 Lake Drive, in the Single Family Residential (R-1) Zoning District.

Hearing opened. Mr. Elabarger made presentation on the request, including the recommendation of approval of the plat, as it meets all of the technical requirements of the Subdivision Ordinance.

Hearing closed.

PZ-2017-1057 – Consider Approval on a Final Plat of a Replat of Lots 4 and 9 and parts of Lots 3, 5, 8, and 10, Block B, Robertson and Blands Addition, to be known as Hall Estates, located at 1709 Lake Drive, in the Single Family Residential (R-1) Zoning District.

Mr. Aplin made motion to approve plat. Second by Mrs. Gardner. All voted aye.

PZ-2017-1066 – Public Hearing on a Rezoning of Lot 2, Block 30, Doak's Addition, located at 205 South Doak Street, from the Light Industrial (M-1) District to the Manufactured Housing (MH) District. (Ordinance 2017-31)

Mr. Elabarger made presentation on the request, including the recommendation of denial based on the stated analysis. Mr. Shorts was present to answer questions. There was discussion between Board and Applicant. Hearing closed.

PZ-2017-1066 – Take Action on a Rezoning of Lot 2, Block 30, Doak's Addition, located at 205 South Doak Street, from the Light Industrial (M-1) District to the Manufactured Housing (MH) District. (Ordinance 2017-31)

Mrs. Gardner made motion to approve; it failed due to a lack of a second.

Mr. Eaton made motion to deny. Second by Mrs. Maruska. Five in favor of denial (Mr. Stevens, Mr. Aplin, Mr. Eaton, Mrs. Maruska, Mrs. Day. One in favor of approval (Mrs. Gardner). Motion passed.

PZ-2017-1064 - Public Hearing on a Specific Use Permit for 2210 West 2nd Street, being 1.45 acres in the W.R. Williams Survey, to permit the specific use of 'Florist Shop' in a portion of the existing building, in the Light Industrial (M-1) Zoning District. (Ordinance 2017-29)

Hearing opened. Mr. Elabarger made presentation on the request, including the recommendation of approval, subject to the Conditions of Operation, based on the findings presented. Mrs. Moenke was present to answer questions. Hearing closed.

PZ-2017-1064 - Take Action on a Specific Use Permit for 2210 West 2nd Street, being 1.45 acres in the W.R. Williams Survey, to permit the specific use of 'Florist Shop' in a portion of the existing building, in the Light Industrial (M-1) Zoning District. (Ordinance 2017-29)

Mrs. Maruska made motion to approve Special Use Permit. Second by Mrs. Gardner. All voted aye.

PZ-2017-1065 – Public Hearing on a Specific Use Permit for 1100 West 2nd Street, being Doak Addition, Block 53, Lot 15, to permit the specific use of 'Motor Cycle Sales and Repair' in the Local Business (B-1) Zoning District. (Ordinance 2017-28)

Hearing opened. Mr. Elabarger made presentation on the request, including the recommendation of approval, subject to all 7 Conditions – with details to # 4 and 5 provided by applicant or determined by the Commission – based on the analysis and findings presented. Public hearing closed.

PZ-2017-1065 – Take Action on a Specific Use Permit for 1100 West 2nd Street, being Doak Addition, Block 53, Lot 15, to permit the specific uses of ‘Motor Cycle Sales and Repair’ in the Local Business (B-1) Zoning District. (Ordinance 2017-28)

Mr. Dennon was present to answer questions. There was discussion between the Board and Applicant. Mr. Aplin made motion to approve Specific Use Permit with the agreed upon conditions. Second by Mrs. Day. All voted aye.

PZ-2017-1059 – Public Hearing on a Rezoning of 69.97 acres in the George M. Reese Survey, Abstract No. 315, and Dentler Survey, Abstract No. 211, from the (annexation default) Single Family Residential (R-1) District to a Residential-Planned Development (R-PD) District, with Base Districts of approximately 65 acres of Single Family Residential (R-1) District and 5 acres of Local Business (B-1) District, and subject to a Development Plan and Concept Site Layout, to be known as Sundance Subdivision. (Ordinance 2017-32)

Hearing opened. Hearing opened. Mr. Elabarger made presentation on the request, including the recommendation of denial based on the stated analysis and outstanding items. Mr. Brown with the Winter Group was present to answer questions. There was discussion between Board, Staff and Mr. Brown. Mr. Turner was present to speak. Hearing closed.

PZ-2017-1059 – Take Action on a Rezoning of 69.97 acres in the George M. Reese Survey, Abstract No. 315, and Dentler Survey, Abstract No. 211, from the (annexation default) Single Family Residential (R-1) District to a Residential-Planned Development (R-PD) District, with Base Districts of approximately 65 acres of Single Family Residential (R-1) District and 5 acres of Local Business (B-1) District, and subject to a Development Plan and Concept Site Layout, to be known as Sundance Subdivision. (Ordinance 2017-32)

Mr. Aplin made motion to table for a future meeting on November 28, 2017 to continue the item. Second by Mrs. Gardner. All voted aye.

Consider an update regarding Council actions related to Planning and Zoning items.

Mrs. Lumpkin gave update regarding Council actions related to Planning and Zoning.

Adjourn

The meeting was adjourned at 8:15 p.m.

Carrie Orts
Administrative Assistant Development Services

Leland Stevens
Planning & Zoning Commission Vice Chairman

**MINUTES
CITY OF TAYLOR, TEXAS
400 Porter Street, Taylor Texas 76574
PLANNING AND ZONING COMMISSION
SPECIAL CALLED MEETING
November 28, 2017 6:00 p.m.
City Council Chamber**

PRESENT

Donna Frazier
Annette Maruska
Faith Gardner
Leland Stevens
Betty Day

ABSENT

Don McAlister
Rick Selin
Michael Aplin
Mike Eaton

OTHERS PRESENT

Ashley Lumpkin, Director Development Services
Michael Elabarger, Senior Planner

CALL TO ORDER AND DECLARE A QUORUM

The meeting was called to order and a quorum declared at 6:00 p.m.

CITIZEN COMMUNICATION

None

PZ-2017-1059 – Discuss and Take Action on a Rezoning of 69.97 acres in the George M. Reese Survey, Abstract No. 315, and Dentler Survey, Abstract No. 211, from the (annexation default) Single Family Residential (R-1) District to a Residential-Planned Development (R-PD) District, with Base Districts of approximately 65 acres of Single Family Residential (R-1) District and 5 acres of Local Business (B-1) District, and subject to a Development Plan and Concept Site Layout, to be known as Sundance Subdivision. (Ordinance 2017-32) ITEM WAS TABLED AT THE 11/14 REGULARLY SCHEDULED MEETING

Mr. Elabarger made presentation and stated that Staff cannot recommend approval based on the analysis and outstanding items. There was discussion between Staff, Board, and Applicant.

Mrs. Frazier made motion to approve request with the three conditions regarding pocket parks, masonry/architecture and FM 973 easement/path topics. Second by Mrs. Maruska.

All voted aye. Motion passed.

Adjourn

Mrs. Day made motion to adjourn meeting. Second by Mrs. Frazier. The meeting was adjourned at 7:30 p.m.

Carrie Orts
Administrative Assistant Development Services

Don McAlister
Planning & Zoning Commission Chairman

PZ-2017-1074

304 Potomac Street

Rezoning from B-1 to B-2



Applicant Information:

Applicant: Estella Rivera (Applicant/Owner).

Applicant Request: Rezone the property from the B-1 District to the B-2 District

Subject Property:

Location: North side of Potomac Street, west of Highway 95

Legal Description: Washington Heights Addition, Block 28, Replat of Lots 9, 10, and 11, Lot 11B [0.18 acre]

Existing Zoning: Local Business (B-1) District

Utilities: Service area of City Water and Wastewater; ONCOR Electric

Existing Use of Property: Partially developed with small non-residential building and gravel parking area.

Adjacent Zoning and Land Use Pattern:

<u>Direction</u>	<u>Current Zoning</u>	<u>Existing Land Use</u>
North	B-1 – Local Business	Single family residential
South	n/a	Carlos G Parker Blvd (U.S. 79)
East	R-1 – Single family residential	Vacant / residential
West	R-1 – Single family residential	Country club (golf course)

Application Summary

The proposal is to rezone a Legal Lot property from the current B-1, Local Business District, to the B-2, General Business District. The B-2 District is a step up in intensity from the B-1 District, allowing many uses completely by-right, whereas in B-1, a use might require a Specific Use Permit (SUP) be applied for and received from City Council. The B-2 District is cumulative, allowing all those same uses as the B-1 District – some as fully Permitted (P), while in B-1, the use requires a Specific Use Permit (S for SUP) - but also permitting primarily more auto-oriented and more intense commercial activities.

The B-2 District is described in the Zoning Ordinance as ‘provid(ing) adequate high-density commercial development within the City, while maintaining consistency and continuity within the community.’”

Background

The property has an extensive planning and development history, which is laid out below in the order in which the events affecting it occurred.

1. Original Subdivision - 1891

The property is part of the southern-most blocks of the Washington Heights Addition, which was created in 1891 as one of the earliest subdivision on record in Taylor. Several original blocks were never developed, such as where the Country Club currently is, which occupies parts of Blocks 37 through 68. The subject property is within Block 28, and is comprised of all of Lot 9 and a portion of Lot 10.

2. Original Zoning – date unknown; Current Zoning Ordinance adopted April 24, 2001

The property was zoned R-1 District, Single-family residential, assumed since the inception of zoning within the City.

3. Original Future Land Use Map / Comprehensive Plan – January, 2005

At the original adoption of the City's Comprehensive Plan Future Land Use map, the subject property was identified within a large area deemed appropriate for "Single Family" use, which was consistent with the historical nature of the 1891 subdivision that created Block 28 and all the individual properties within this area of the City. It is noted that, Highway 79 and the on-ramp near the subject property had been in place for many years prior to the designation of "Single family" for this area of the City.

4. Re-zoning – May, 2006

The current zoning of the subject lot - Local Business, B-1 – was achieved via a rezoning adopted by City Council on May 11, 2006, per Ordinance 2006-10.

The original request was to rezone the original lots 9, 10, and 11 (*then referred to as 1109 Symes Street*) from R-1 to the B-1 District. At the April 11, 2006 Planning & Zoning Commission (P&Z) meeting, the Commission recommended that only lots 9 and 10 – described in the materials as being vacant parcels - be rezoned, while keeping lot 11 – which is referenced in the minutes as having 'the house' on it – as is (zoned R-1, single-family residential). The minutes reflect that the applicant gave permission to amend the Ordinance to reflect the change in zoning for only lots 9 and 10. The adopted Ordinance reads that the only Lots 9 and 10 were rezoned to B-1. See Attachment 3 for the Existing Zoning map in this area.

5. Amendment to the Comprehensive Plan – Future Land Use Map – September, 2006

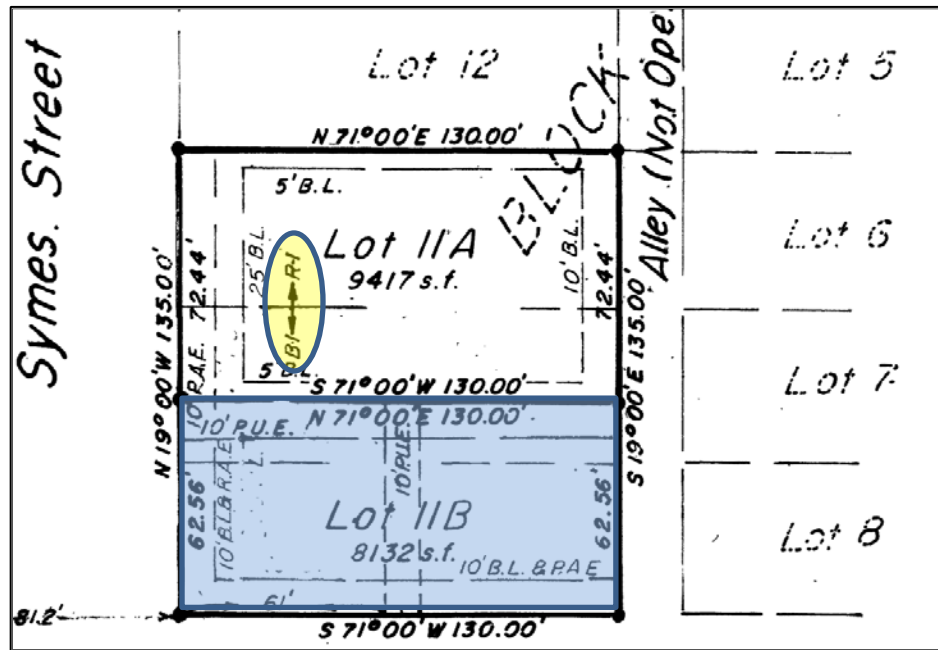
City Council, via Ordinance 2006-22, adopted on September 14, 2006 – five months after the rezoning of the property to B-1 – revised the Future Land Use map to identify Lots 9 and 10 as being the "Commercial" category (from the Single-Family designation).

The Staff Agenda Item (#9) stated the justification for the change was that it "*was rezoned from R-1 to B-1 this year, and is adjacent an area designated as commercial.*"

It is noted that, approximately 750 feet to the east, only a small area at South Main Street between Potomac and Wabash Streets is categorized as "Commercial" in this vicinity. Those properties are (today) mostly vacant, with a long-existing nonconforming bar/tavern use at the corner of Potomac and South Main.

6. Resubdivision (Replatting) – November, 2007

Approximately seven (7) months after the rezoning to B-1, Local Business, was approved, the property was part of a resubdivision (replat) in 2007 that reconfigured 3 original lots – 9, 10, and 11, all 45' in width by 130' in length – into the 2 present lots of 11A and 11B (the subject lot, highlighted in the image below from the 2007 replat).



Upon examination relative to the Rezoning and the Future Land Use Map Amendment, which reference and effect the original Lots 9 and 10, the resubdivision did not follow the boundaries set forth in those earlier actions, but rather “split” these 3 original lots into:

- **Lot 11B** – Lot 9 and a portion, approximately the southern 1/3, of Lot 10, where the intent was for the “commercial” and B-1 zoning to facilitate some future commercial use/development; and
- **Lot 11A** – Lot 11 and the remainder, approximately the northern 2/3, of Lot 10, to create a lot around the existing house and ensure that it had adequate setbacks, etc.
- The plat even highlights where the Zoning boundary between R-1 and B-1 is – see Yellow circle.

7. CURRENT Comprehensive Plan – Future Land Use Map – REVISED 11/14/2013

The City’s Future Land Use (FLU) map, part of the Comprehensive Plan, is the guiding document for determining what general land use categories should exist or be developed across the City. The map is not meant to be parcel-specific, but rather general in nature. Individual properties and unique circumstances can always create situations where there is merit to deviate from the planned categories.

Per the 2006 Amendment, the current Map recognizes this property as being appropriate for “Commercial”, though all of the immediate surroundings are designated as being “residential”.

The FLU Map was last revised via Ordinance 2013-25. See Attachment 4 for an excerpt from the overall FLU Map for this area of the City.

Analysis

The background of how this property came to be zoned B-1, the after-zoning change to the Future Land Use map to “match” the zoning, and the way it was platted, is evidence of the breakdown in proper planning practices by the City.

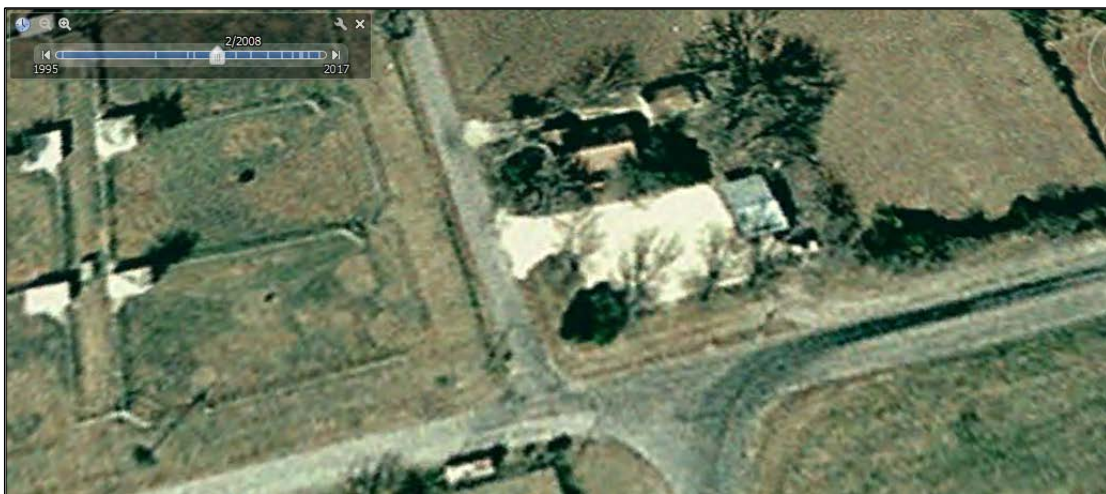
1. The original lots 9 and 10 were first rezoned to B-1, despite the Future Land Use map guidance that it be ‘single-family’.
2. Then, the Comprehensive Plan’s Future Land Use map was changed from “Single-family” to the “Commercial” designation to match the zoning.
3. Finally, a resubdivision plat was processed which did not adhere to the zoning boundaries – original lots 9 and 10 were B-1, while original lot 11 remained R-1. However, new lot 11B was created out of lot 9 and only about one-third of lot 10, which leaves new lot 11A as being split-zoned, parts B-1 and R-1.

Google Earth aerial imagery shows the property being undeveloped in April 2006, but then developed to largely the degree seen today in the February 2008 image.

April 2006:



February 2008:



All surrounding zoning is the Single-family Residential (R-1) District, with the exception of the country club property, which is zoned R/A, Residential Agriculture.

The benefit of rezoning to the B-2 District is the ability to develop certain more intense uses that are not permitted in the B-1 District. In particular, a number of prominent (and possible, given the small size of the lot) uses that could be achieved if rezoning to the B-2 District:

Liquor Store *	Mini-warehouse	Pawn Shop*	C-Store w/o gas
Incidental retail/service use *	Discount/Department store	Auto Accessory installation	Vet. Hospital (outdoor pens)
Kennel (outdoor pens)	Palm/Card Reader	Plumbing Shop	Muffler Shop
Car / RV / Motorcycle / Boat / Tire sales	Auto Painting/Body shop	Auto parts Sales (indoor)	Auto Repair, Major*
Commercial Parking Lot (Auto)		Home Improvement (outdoor)	
*Indicates the use would be permitted in B-1 with an approved Specific Use Permit (SUP)			

Looking at the timing of the zoning, Future Land Use map revision, and platting of the property, it is evident that the zoning was granted regardless of guidance from the Comprehensive Plan/Future Land Use map, and then the FLU map was revised to reference/acknowledge the parcel-specific Commercial zoning. Such methodology is ‘backwards’. To follow that up with re-creating (replatting) lots that do not follow the disparate zoning categories (business and residential) further indicates a breakdown in proper planning and development practices.

Staff Recommendation

Staff recommends denial of the rezoning request, based on the following findings:

1. The current zoning is a very specific “spot” of commercial in an area zoned and planned for residential; it should not be intensified with the B-2 District.
2. The Future Land Use map designation of “Commercial” was an “after the fact” action done to “match” the zoning, which is an improper means of designating “future” land use.
3. The adjacent parcels are either largely vacant, or developed residentially, with a Qualified Agricultural Use (County tax exemption program) directly across Symes Street.

Attachments:

1. Proposed Ordinance 2017-34
2. Ordinance Exhibit A – Legal Description (Survey)
3. Existing Zoning Map excerpt
4. Future Land Use Map excerpt

ORDINANCE NO. 2017-34

AN ORDINANCE CHANGING THE ZONING OF PROPERTY DESCRIBED AS LOT 11B, REPLAT OF LOTS 9, 10, AND 11, BLOCK 28, WASHINGTON HEIGHTS ADDITION, LOCATED AT 304 POTOMAC STREET IN TAYLOR, WILLIAMSON COUNTY, TEXAS, AND LEGALLY DESCRIBED IN THIS ORDINANCE FROM LOCAL BUSINESS DISTRICT B-1 TO GENERAL BUSINESS DISTRICT B-2; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF TAYLOR, TEXAS, TO SHOW THE ZONING CHANGE ADOPTED HEREIN; PROVIDING A SAVINGS CLAUSE.

WHEREAS, the Taylor City Council conducted a public hearing on January 11, 2018, to consider the request made by Estella Rivera, as Owner of the property, which property is legally described in Exhibit "A" attached hereto and incorporated by reference herein for all purposes ("Property"), to change the zoning for the Property from Local Business B-1 to General Business B-2; and

WHEREAS, the Planning and Zoning Commission, after proper notice, conducted a public hearing on December 12, 2017, to consider the zoning request, and recommended the zoning change to the City Council; and

WHEREAS, the City Council, after the public hearing, approves the request for the Property zoning change.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAYLOR, TEXAS, that:

SECTION 1. The facts and recitations contained in the preamble of this Ordinance are hereby declared to be true and correct and are incorporated by reference herein and made a part hereof, as if copied verbatim.

SECTION 2. The Property is changed from Local Business B-1 to General Business B-2.

SECTION 3. The Official Zoning map of the City of Taylor, Texas, is changed to show the Property zoning district changed Local Business B-1 to General Business B-2.

SECTION 4. All other terms and conditions contained in the official zoning map, except as amended herein, shall continue and remain in full force and effect.

SECTION 5. Should any section, paragraph, clause, phrase, or provision of this Ordinance be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part of the provisions thereof, other than the part so decided to be invalid or unconstitutional

SECTION 6. In accordance with Article VIII of the City Charter, Ordinance 2017-34 was introduced before the Taylor City Council on the 11th day of January, 2018.

PASSED, APPROVED, and ADOPTED on the _____ day of _____, 2018.

Brandt Rydell
Mayor

ATTEST:

Susan Brock, City Clerk

APPROVED AS TO FORM:

Ted W. Hejl,
City Attorney

CERTIFICATE

THE STATE OF TEXAS

COUNTY OF WILLIAMSON

I, Susan Brock, being the current City Clerk of the City of Taylor, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2017-34, passed and approved by the City Council of the City of Taylor, Texas, on the _____ day of _____, 2018, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this _____ day of _____, 2018.

Susan Brock
City Clerk

EXHIBIT A

[Legal Description – Survey/Field Notes]



EXHIBIT A to ORDINANCE 2017-34

PLAT MAP RECORDING SHEET

DEDICATOR: CAMILO G. CARRANZA

SUBDIVISION NAME: WASHINGTON HEIGHTS ADDITION TO THE CITY
OF TAYLOR, REPLAT OF LOTS 9, 10 AND 11,
BLOCK 28

PLAT RECORDED IN: CABINET DD SLIDE 396

PROPERTY IS DESCRIBED AS: A TRACT OF LAND OUT OF WILLIAMSON
COUNTY, BEING LOTS 9, 10 AND 11, BLOCK 28,
OF WASHINGTON HEIGHTS ADDITION TO THE
CITY OF TAYLOR.

Reference: 1999069113

HAND TO: CITY OF TAYLOR; JOHN ELSDEN, (512) 365-3863

INSTRUMENT DATE: JANUARY 10, 2007

FILE DATE: NOVEMBER 2, 2007

FOR LEGIBLE COPY OF PLAT, PLEASE SEE ORIGINAL

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS 2007092483

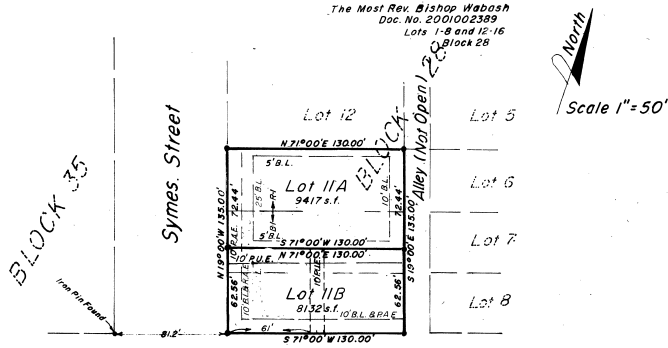
Nancy E. Rister

11/02/2007 08:50 AM

WEHLING \$61.00

NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

The Most Rev. Bishop Wabash
Doc. No. 2001002389
Lots 1-8 and 12-16
Block 28



Potomac Street

Carlos G. Parker Blvd
(Loop 427)

LEGEND

Iron Pin Found ●
Iron Pin Set ○
Building Line B.L.
Public Access Easement P.A.E.

NOTE:

■ Sidewalks to be placed in Public Access Easement along the South and West side of Lot 11B.

GENERAL NOTES

Area = 17,549 Sq. Ft.
Total Number of Lots = 2
Total Number of Blocks = 1
Zoning
Lot 11A = Single Family R-1
Lot 11B = Local Business B-1

STATE OF TEXAS
KNOW ALL MEN BY THESE PRESENTS
COUNTY OF WILLIAMSON

I, R. T. Magness, Jr., Registered Professional Engineer, do hereby certify that this subdivision is not in the Edward's Aquifer Recharge zone. This subdivision is not encumbered by Special Flood Hazard Areas inundated by 100-Year Flood as identified by the U. S. Federal Emergency Management Agency Boundary map (Flood Insurance Rate Map), Community-Panel Numbers 48492C0268 C, effective date September 27, 1991.

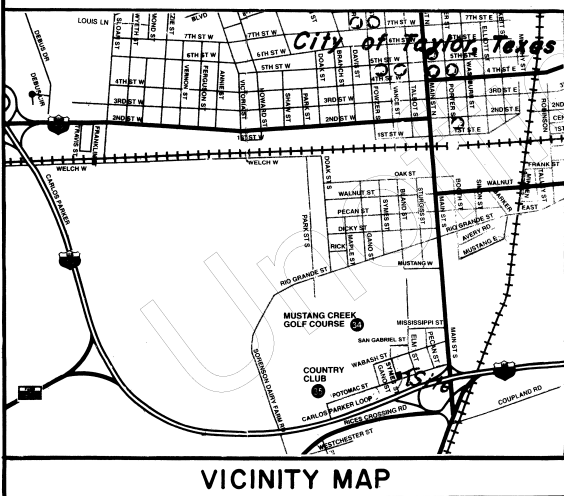
TO CERTIFY WHICH, I, R. T. Magness, Jr., Registered Professional Engineer, do hereby certify that this subdivision is not in the Edward's Aquifer Recharge zone. This subdivision is not encumbered by Special Flood Hazard Areas inundated by 100-Year Flood as identified by the U. S. Federal Emergency Management Agency Boundary map (Flood Insurance Rate Map), Community-Panel Numbers 48492C0268 C, effective date September 27, 1991.

Perimeter Field Notes:

BEING Lots 9, 10, 11, Block 28 of the Washington Heights Addition to the City of Taylor, Williamson County, Texas, of record in Volume 57, Page 345 of the Deed Records of Williamson County, Texas, and being that certain tract of land conveyed by Deed to Camilo G. Carranza of record in Document No. 1999069113 of the Deed Records of Williamson County, Texas.
BEGINNING at an iron pin found marking the Southwest Corner of said Lot 9, Block 28, said Corner also being the intersection of the West line of Symes Street and the North line of Carlos G. Parker Blvd, said corner also being S 69° 40' E 331.0 feet from the Northwest Corner of the Parthian Courtyard Survey, Abstract No. 131, Williamson County, Texas, for the Southwest Corner hereof;
THENCE N 19° 00' W 135.00 feet to the West line of said Block 28, also being the East line of Symes Street, to iron pin found marking the Northwest Corner of said Lot 11, for the Northwest Corner hereof;
THENCE N 71° 00' E 130.00 feet to iron pin found marking the Northeast Corner of said Lot 11 in the West line of dedicated Alley (Not Open) for the Northeast Corner hereof;
THENCE S 19° 00' E 135.00 feet with the East line of said Lots 11, 10 and 9, also being the West line of said Alley, to iron pin found in the North line of said Carlos G. Parker Blvd marking the Southeast Corner of said Lot 9, for the Southeast Corner hereof;
THENCE S 71° 00' W 130.00 feet with South line of Lot 9 to the place of BEGINNING and containing 17549 Sq. Ft. of Land.

I, R. T. Magness, Jr., Registered Professional Land Surveyor, in the State of Texas, do hereby certify that this plat is true and correctly made from an actual survey on the ground of the property legally described herein, and that there are no apparent discrepancies, conflicts, overlapping of improvements, visible utility lines or roads in place, except as shown on the accompanying plat, and that the perimeter field notes herein have a mathematical closure in compliance with standards as set out in the "Manual of Practice" of the Texas Society of Professional Surveyors, to the best of my knowledge and belief.

TO CERTIFY WHICH, I, R. T. Magness, Jr., Registered Professional Land Surveyor, in the State of Texas, do hereby certify that this plat is true and correctly made from an actual survey on the ground of the property legally described herein, and that there are no apparent discrepancies, conflicts, overlapping of improvements, visible utility lines or roads in place, except as shown on the accompanying plat, and that the perimeter field notes herein have a mathematical closure in compliance with standards as set out in the "Manual of Practice" of the Texas Society of Professional Surveyors, to the best of my knowledge and belief.



VICINITY MAP



Reviewed: [Signature]
Taylor, Texas

ACCEPTED AND AUTHORIZED FOR RECORD BY
THE CHAIRMAN, PLANNING AND ZONING COMMISSION,
CITY OF TAYLOR, WILLIAMSON COUNTY, TEXAS.
THIS THE 13th DAY OF February, 2007, A.D.
[Signature] CHAIRMAN
PLANNING AND ZONING COMMISSION
CITY OF TAYLOR, TEXAS

ACCEPTED AND AUTHORIZED FOR RECORD BY
THE DIRECTOR OF COMMUNITY DEVELOPMENT,
CITY OF TAYLOR, WILLIAMSON COUNTY, TEXAS.
THIS THE 13th DAY OF February, 2007, A.D.
[Signature] DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF TAYLOR, TEXAS

OWNER
Camilo G. Carranza
1109 Symes Street
Taylor, Texas 76754

ENGINEER - SURVEYOR
R. T. Magness, Jr.
P.O. Box 381
Taylor, Texas 76754

That I, Camilo G. Carranza, owner of Lots 9, 10 and 11, Block 28 of the Washington Heights Addition to the City of Taylor, Williamson County do hereby subdivide said 17,549 square feet of land in accordance with attached Plat, said subdivision to be known as the REPLAT OF LOTS 9, 10 AND 11, BLOCK 28 OF THE WASHINGTON HEIGHTS ADDITION TO THE CITY OF TAYLOR, WILLIAMSON COUNTY, TEXAS.

[Signature]
Camilo G. Carranza

Before me, the undersigned authority, on this day personally appeared Camilo G. Carranza known by me to be the person whose name is subscribed to the foregoing instrument as the owner of the property described herein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 13th day of January, 2007, A.D.

[Signature] Notary Public in and for the State of Texas
Signature and Date 1/16/07



STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON

I, Nancy E. Rister, Clerk of the County Court of said County, do hereby certify that the foregoing instrument in writing, with its certificate of authentication, was filed for record in my office on the 15th day of February, 2007, A.D., at 10:40 o'clock, A.M., and duly recorded this the 15th day of February, 2007, A.D., at 8:50 o'clock, A.M., in the Plat Records of said County in Cabinet DD, Slide 396.

TO CERTIFY WHICH, I, Nancy E. Rister, Clerk of the County Court of said County, do hereby certify that the foregoing instrument in writing, with its certificate of authentication, was filed for record in my office on the 15th day of February, 2007, A.D., at 10:40 o'clock, A.M., and duly recorded this the 15th day of February, 2007, A.D., at 8:50 o'clock, A.M., in the Plat Records of said County in Cabinet DD, Slide 396.

Nancy E. Rister, Clerk County Court
of Williamson County, Texas

By: [Signature] Deputy
WILLIAM W. WILKINSON



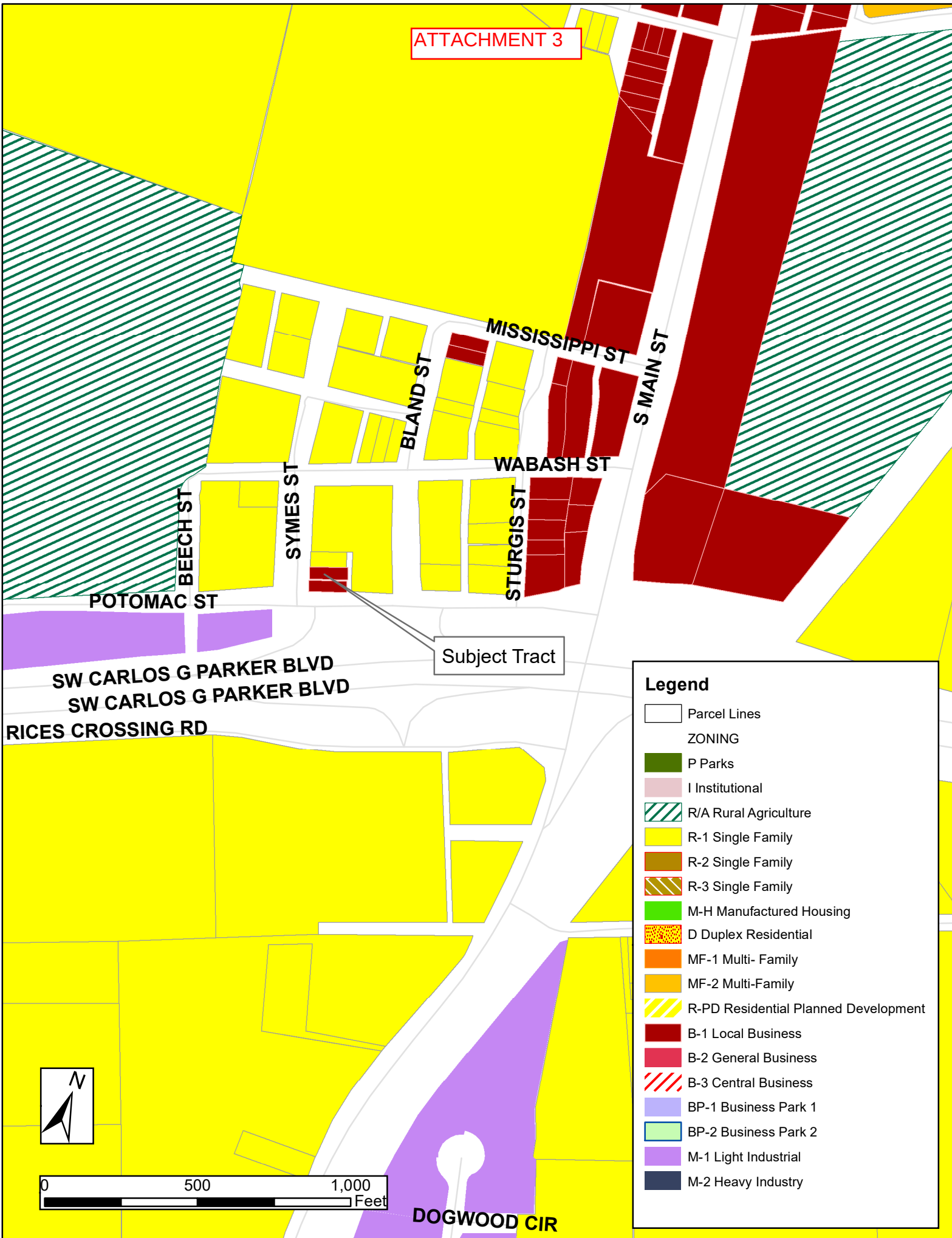
REPLAT OF LOTS 9, 10 AND 11,
BLOCK 28

OF THE
WASHINGTON HEIGHTS ADDITION
CITY OF TAYLOR
WILLIAMSON COUNTY, TEXAS

JANUARY 2007 JOB NO. 2215

R. T. MAGNESS, JR.
ENGINEER - SURVEYOR
P.O. BOX 381
TAYLOR, TEXAS

ATTACHMENT 3

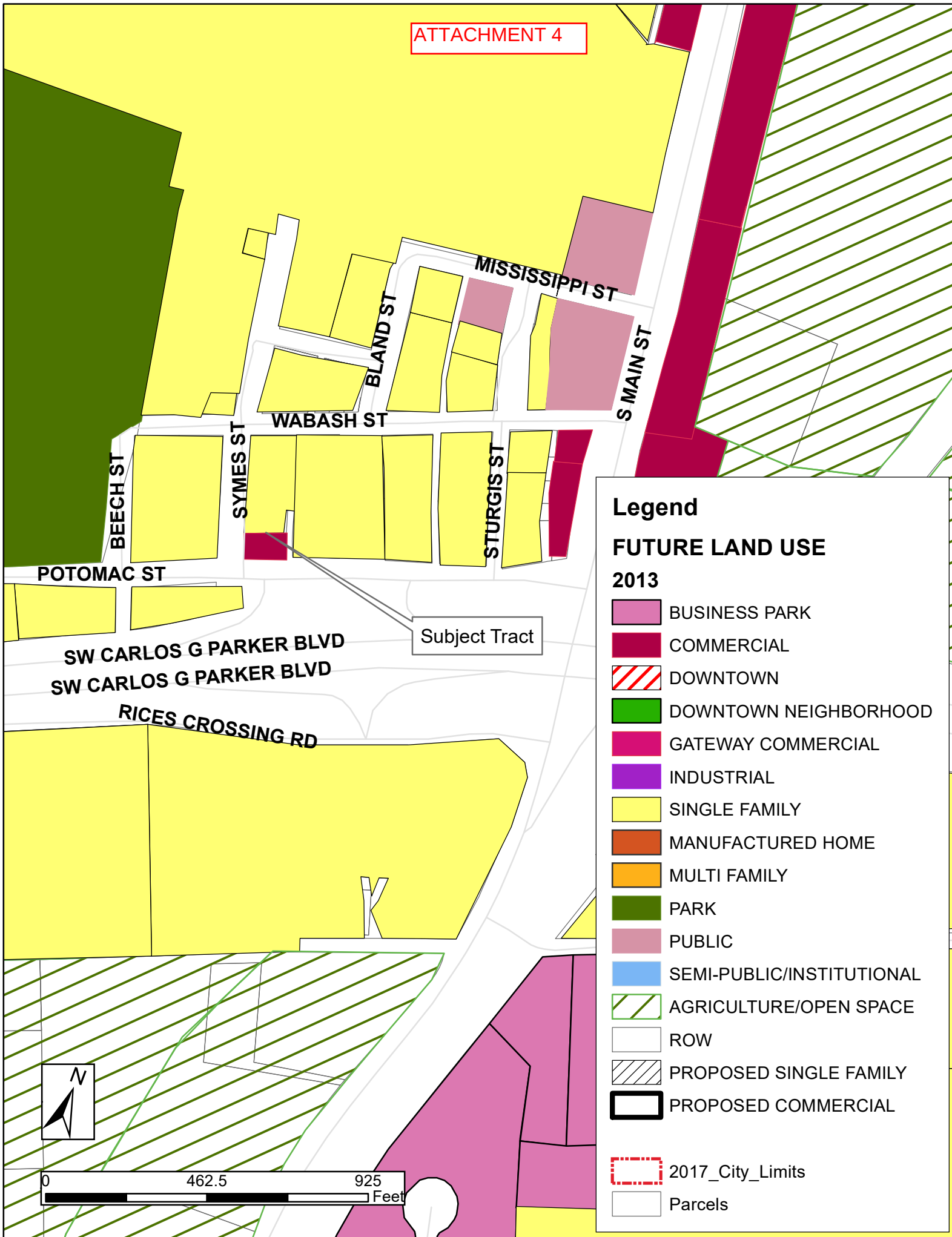


Subject Tract

Legend

- Parcel Lines
- ZONING
- P Parks
- I Institutional
- R/A Rural Agriculture
- R-1 Single Family
- R-2 Single Family
- R-3 Single Family
- M-H Manufactured Housing
- D Duplex Residential
- MF-1 Multi- Family
- MF-2 Multi-Family
- R-PD Residential Planned Development
- B-1 Local Business
- B-2 General Business
- B-3 Central Business
- BP-1 Business Park 1
- BP-2 Business Park 2
- M-1 Light Industrial
- M-2 Heavy Industry

ATTACHMENT 4



ORDINANCE NO. 2008 - _____

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS, REGULATING VEHICLE PARKING; PROHIBITING PARKING ON SURFACES OTHER THAN DRIVEWAYS, EXISTING GRAVEL DRIVEWAYS OR OTHER APPROVED SURFACES; PROVIDING FOR A FINE OR PENALTY OF THIS ORDINANCE AS A MISDEMEANOR NOT TO EXCEED \$500.00 FOR EACH OFFENSE, EXCEPT HOWEVER, WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE, IN WHICH EVENT THE PENALTY SHALL BE FIXED BY STATE LAW AND IF DEEMED A VIOLATION OF ANY PROVISIONAL LAW THAT GOVERNS FIRE SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION, THE PENALTY SHALL NOT EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; PROVIDING REPEALER, SEVERABILITY, AND PUBLICATION CLAUSES;

WHEREAS, the City Council of the City of Taylor deems it necessary and proper and in the best interest of the citizens of Taylor to clarify the regulations pertaining to the parking of vehicles in residential areas as hereinafter set forth; and

WHEREAS, the City Council of the City of Taylor, pursuant to the authority in Texas Local Government Code §431.001, desires to regulate the parking of vehicles in residential areas; and

WHEREAS, the Council finds that it is necessary and proper and in the best interest of the citizens of Taylor to adopt the changes hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAYLOR, TEXAS, that:

Section 1. Finding of Fact. The facts and recitations contained in the preamble of this Ordinance are hereby declared to be true and correct, and are incorporated by reference herein and made a part hereof, as if copied verbatim.

Section 2. Parking in Driveways and on Other Approved Surfaces.

(A) Definitions. For the purposes of this Section, the following words shall have the following meanings:

- (1) "Driveway" means a private travel path that consists of an approved surface and drive approach that provides access for motorized vehicles from a public street, thoroughfare, arterial or highway to a principal

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building or an accessory structure used to shelter or store a motorized vehicle.

- (2) "Approved Surface" shall mean a concrete surface, hot-mix surface, asphalt surface, or similar material with a minimum width of nine (9) feet and a minimum length of twenty five (25) feet, or two parallel concrete strips each measuring approximately eighteen (18) inches in width and a minimum of twenty five (25) feet in length, but excludes gravel, crushed stone, sand, dirt, or similar material and is intended to serve as a parking surface for a motorized vehicle.
- (3) "Drive Approach" shall have the same meaning as section 6.4 (4) of the Taylor Zoning Ordinance, as amended, relating to surfacing of parking lots.
- (4) "Existing Gravel Driveway" shall have the same definition as "driveway" and constructed of materials not permitted by this ordinance and was in existence prior to the effective date of this ordinance.
- (5) "Motorized Vehicle" shall mean a car, sport utility vehicle, recreational vehicle, truck, motorcycle, trailer, boat or any other device used for transporting passengers, goods or apparatus, including abandoned, junked, or special interest vehicles but excluding unicycles, bicycles, velocipedes and other non-motor assisted vehicles.
- (6) "Front Yard" shall mean the area extending the full width of the lot between the face of the principal building and the property line that is also the right of way line of the public street on which the building is addressed.
- (7) "Side Yard" shall mean the area extending from the front yard to the rear property line and from the side of the principal building to the side property line, whether such side lot line is parallel to another lot or a public right of way.
- (8) "Parkway" shall have the same definition as section 18-25, of Article II, Chapter 18 of the Taylor City Code.

(B) No person shall cause, allow, permit or suffer any motorized vehicle to be stopped or parked in the front or side yard of private property used for residential purposes, except as provided herein. Such parking shall be limited to a(n):

- (1) Driveway;
- (2) Existing Gravel Driveway– for property used for residential purposes on or before the effective date of this Section; or

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(3) Approved Surface.

(C) Nothing in this Section shall be construed to allow, permit or suffer any motorized vehicle to be stopped or parked in the parkway in a manner which interferes with the public use of the right-of-way.

(D) Nothing in this Section shall be construed to mean that this ordinance grant additional rights to place new or expanded Driveways, Approved Surfaces or other impervious cover on a property in violation of this ordinance.

Section 3. Penalty Clause. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be subjected to a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, except where a different penalty has been established by state law for such offense in which event the penalty shall be fixed by state law and if deemed a violation of any provision which governs fire safety, zoning or public health or sanitation shall be punished by a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation is continued shall be deemed to constitute a separate offense.

Section 4. Conflicting Ordinances. All prior ordinances of the City dealing with or applicable to parking are hereby amended to the extent of any conflict herewith, and all ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other ordinance of the City, the terms and provisions of this Ordinance shall govern.

Section 5. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

Section 6. Publication. The City Clerk is hereby authorized and directed to publish the caption of this Ordinance, together with the penalty provision contained therein, in the manner and for the length of time prescribed by law.

PASSED AND APPROVED on Final Reading on the ____ day of _____
2008.

ATTEST:

THE CITY OF TAYLOR:

DRAFT

Susan Brock
City Clerk

Rodney Hortenstein
Mayor

APPROVED AS TO FORM:

Ted Hejl
City Attorney