

AGENDA

CITY OF TAYLOR, TEXAS

PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers
400 Porter Street, Taylor, TX 76574
May 9, 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 meeting on April 11, 2017.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

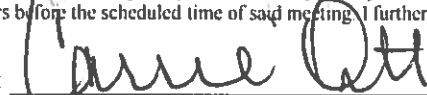
1. PZ-20171044 – **Conduct Public Hearing** on a request to rezone 6.526 acres in the William J. Baker Survey, Abstract No. 65 from the High Density Multifamily (MF-2) and Local Business (B-1) Districts to the MF-2 High Density Multifamily District (MF-2), generally located at the Southwest corner of Mallard Lane and Davis Street. (Ordinance 2017-11)
2. PZ-20171044 – **Make recommendation** on a request to rezone 6.526 acres in the William J. Baker Survey, Abstract No. 65 from the High Density Multifamily (MF-2) and Local Business (B-1) Districts to the MF-2 High Density Multifamily District (MF-2), generally located at the Southwest corner of Mallard Lane and Davis Street. (Ordinance 2017-11)
3. Consider an update regarding Council actions related to Planning and Zoning items.

ADJOURN

Next Meeting Date: June 13, 2017

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 May 5, 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:



Carrie Orts Administrative Assistant to Development Services

Date:

5.4.17

**MINUTES
CITY OF TAYLOR, TEXAS
400 Porter Street, Taylor Texas 76574
PLANNING AND ZONING COMMISSION MEETING
April 11, 2017 6:00 p.m.
City Council Chamber**

PRESENT

Mike Aplin
Annette Maruska
Mike Eaton
Dwayne Ariola
Faith Gardner
Don McAlister
Donna Frazier

ABSENT

Leland Stevens
Rick Selin

OTHERS PRESENT

Ashley Lumpkin, Director Development Services
Carrie Orts, Admin to 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

Mr. Gary Gola spoke on items three through five on the agenda regarding the size of the proposed lots and a desire to see a mix of lot sizes.

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 March 14, 2017.

Motion made by Mr. Aplin to approve minutes as written from the March 14, 2017 meeting. Second by Mrs. Maruska. All voted Aye. 7-0.

PZ-20171038 – Conduct Public Hearing on a request to rezone Lot 15, Block 53, Doak Addition from the Local Business District (B-1) to the General Business District (B-2), located at 1100 West 2nd Street. (Ordinance 2017-11)

Hearing opened. Mr. Elabarger made presentation on the request, including the recommendation of denial based on the analysis and findings presented. Mr. Corey Dennen, was present to answer questions. There was discussion between Staff, Board members and the Applicant. Hearing closed.

PZ-20171038 – Make recommendation on a request to rezone Lot 15, Block 53, Doak Addition from the Local Business District (B-1) to the General Business District (B-2), located at 1100 West 2nd Street. (Ordinance 2017-11)

Mr. Ariola made motion to recommend approval to City Council of zoning change. Second by Mrs. Frazier. No: 5 (Don McAlister, Mike Eaton, Faith Gardner, Annette Maruska, Michael Aplin), Aye: 2 Motion failed.

Mr. Aplin made motion to recommend denial to City Council of zoning change. Second by Mr. Eaton. Aye: 5, No: 2 (Dwayne Ariola, Donna Frazier). Motion passed.

PZ-20171032 – Consider Approval on a Preliminary Plat on 67.71 acres in the M. Dentler Survey, Abstract No. 211 and the W.G. Robinson Survey (T.T. Williamson Survey, Abstract No. 754), otherwise known as Avery Glen, generally located on the east side of FM 973 south of Taylor High School.

Mrs. Lumpkin made presentation on the request, including the recommendation of approval with one condition. Mr. Josh Welch with WB Development, was present to answer questions. There was discussion between Staff, Board members and Mr. Welch.

Mr. Ariola made motion to approve preliminary plat. Second by Mrs. Gardner. All voted aye. Motion passed.

PZ-20171040 – Consider Approval on a Final Plat on 40.59 acres in the M. Dentler Survey, Abstract No. 211 and the W.G. Robinson Survey (T.T. Williamson Survey, Abstract No. 754), otherwise known as Avery Glen Phase I, generally located on the east side of FM 973 south of Taylor High School.

Mrs. Lumpkin made presentation on the request, including the recommendation of approval with two conditions. Mr. Josh Welch with WB Development, was present to answer questions. There was discussion between Staff, Board members and Mr. Welch.

Mr. Aplin made motion to approve Final Plat with conditions. Second by Mrs. Frazier. All voted aye. Motion passed.

PZ-20171042 – Consider Approval on a Final Plat on 27.12 acres in the M. Dentler Survey, Abstract No. 211 and the W.G. Robinson Survey (T.T. Williamson Survey, Abstract No. 754), otherwise known as Avery Glen Phase II, generally located on the east side of FM 973 south of Taylor High School.

Mrs. Lumpkin made presentation on the request, including the recommendation of approval with three conditions. Mr. Josh Welch with WB Development, was present to answer questions. There was discussion between Staff, Board members and Mr. Welch.

Mrs. Frazier made motion to approve with the three conditions. Second by Mr. Eaton. All voted aye. Motion passed.

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 7:16 p.m.

Carrie Orts
Administrative Assistant Development Services

Don McAlister
Planning & Zoning Commission Chairman

PZ-20171044

Parkside at Mondel

Rezoning from MF-2 & B-1 to MF-2



Applicant Information:

Applicant: Dan Jackson (Applicant Representative) and Abel Mondragon (Owner).

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

Subject Property:

Location: Southwest corner of Mallard Lane and Davis Street

Legal Description: 6.526 acres in the William J. Baker Survey, Abstract No. 65

Existing Zoning: MF-2 High Density Multifamily and B-1 – Local Business Districts

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

Existing Use of Property: Undeveloped open land.

Adjacent Zoning and Land Use Pattern:

<u>Direction</u>	<u>Current Zoning</u>	<u>Existing Land Use</u>
North	B-1 – Local Commercial District (across Mallard Ln.)	Undeveloped and commercial
South	MF-2 High Density Multifamily	Multifamily development
East	MF-2 High Density Multifamily (across Davis St.)	Commercial, vacant, multifamily
West	Parkland District	Public Park (baseball field)

Application Summary

The proposal is to rezone an un-platted property from the current split-zoned status of B-1 Local Commercial District and MF-2 High Density Multifamily District to the MF-2 High Density Multifamily District. The MF-2 District primarily permits all forms of residential uses, from single-family detached dwellings through Multiple Family dwellings, but also permits a small number of agricultural, group living, residential accessory, and education and institutional uses; a bed and breakfast use is permitted with an approved Specific Use Permit (SUP).

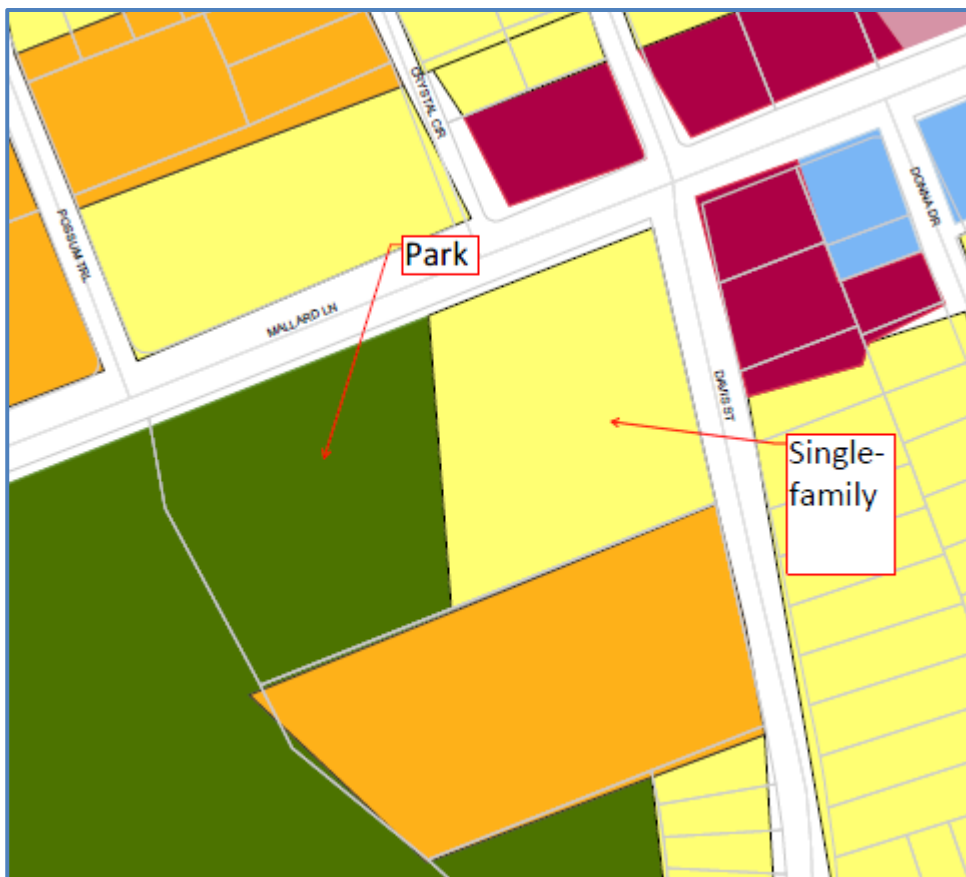
Development standards for the MF-2 District include:

	Residential uses	Non-residential uses
Front Setback	35'	35'
Side Setback (interior)	10'	25'
Side Setback (street side)	20'	25'
Rear Setback	20'	20'
Minimal Lot Area	None	None
Building Height	35'	35'

The MF-2 District is described in the Zoning Ordinance as ‘allow(ing) high density development in sectors of the community that will benefit the community by preserving and consolidating neighborhoods for the promotion of general character, safety, and welfare’.

The City’s Future Land Use map, part of the Comprehensive Plan, recognizes this property as being appropriate for “Park” and “Single family” general uses. Both Mallard and Davis are Collector level roadways that move traffic through this part of the City. This corner property is not appropriate for single-family use, as evidenced by the other three (3) corners of the intersection, all of which are planned for – and developed with - commercial uses. The partial designation of “Park” is due to the fact that a baseball field has long been located on the property immediately west of this subject property, and guests at that park/ballfield have historically utilized the western side of this subject property for excess parking.

Comprehensive Plan – Future Land Use Map



Analysis

The property is contiguous to a multifamily development (Stepping Stone Apartments). With the exception of the ball field to the west, all other properties across the two bordering streets are either vacant (and zoned B-1 Local Commercial) or developed with commercial uses, including a fuel serving station/convenience store, a car wash, and a large retail use. The southern half of the property is already zoned the MF-2 District. The permitted uses of the MF-2 District would be complimentary to the surrounding uses, and it is noted, the portion of the property currently zoned B-1 District permits all the same residential types of uses as the MF-2 District, but the developments standards, primarily the yard setback dimensions, which would create an un-even development pattern at the time of construction. Making the zoning consistent across the entire property makes the processing of development permits, and development itself, much more cohesive. Should a multifamily use develop on the property, it is more appropriately located along Collector level or higher roadways, as opposed to local neighborhood streets.



Staff Recommendation

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

1. The MF-2 District would allow provide for a developable property with consistent standards, and would maintain all the same residential type of permitted uses as the portion of the property that is B-1 zoned does.
2. Surrounding zoning is MF-2 and B-1, not including the City parkland, which would be complimentary to the proposed MF-2 District.
3. The Comprehensive Plan Future Land Use map, despite the “split” parcel-specific designations of ‘Park” and “Single family, would be largely fulfilled by the entire proerpty being zoned MF-2, as it would be contiguous to an existing planned for and zoned multifamily development, and adjacent several property planned for, zoned, and developed commercially.

Attachments:

1. Proposed Ordinance 2017-11
2. Ordinance Exhibit A – Legal Description (Survey)
3. Existing Zoning Map

ORDINANCE NO. 2017-11

AN ORDINANCE CHANGING THE ZONING OF PROPERTY DESCRIBED AS 6.526 ACRES IN THE WILLIAM J. BAKER SURVEY, ABSTRACT NO. 65, LOCATED AT SOUTHWEST CORNER OF MALLARD LANE AND DAVIS STREET IN TAYLOR, WILLIAMSON COUNTY, TEXAS, AND LEGALLY DESCRIBED IN THIS ORDINANCE FROM HIGH DENSITY MULTIFAMILY MF-2 AND LOCAL BUSINESS DISTRICT B-1 TO HIGH DENSITY MULTIFAMILY MF-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 May 25, 2017, to consider the request made by Dan Jackson (Applicant Representative) and Abel Mondragon, as Applicant and Owner of the property, respectively, 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 High Density Multifamily MF-2 and Local Business B-1 to High Density Multifamily MF-2; and

WHEREAS, the Planning and Zoning Commission, after proper notice, conducted a public hearing on May 9, 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 High Density Multifamily MF-2 and Local Business B-1 to High Density Multifamily MF-2.

SECTION 3. The Official Zoning map of the City of Taylor, Texas, is changed to show the Property zoning district changed from High Density Multifamily MF-2 and Local Business B-1 to High Density Multifamily MF-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 2017-11 was introduced before the Taylor City Council on the 25th day of May, 2017.

PASSED, APPROVED, and ADOPTED on the _____ day of _____, 2017.

Jesse Ancira, Jr,
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. 2017-11, passed and approved by the City Council of the City of Taylor, Texas, on the _____ day of _____, 2017, 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 _____, 2017.

Susan Brock
City Clerk

EXHIBIT A

[Legal Description – Survey/Field Notes]

DRAFT

MATKIN HOOVER

ENGINEERING & SURVEYING

8 SPENCER ROAD, SUITE 100, BOERNE, TEXAS 78006
PHONE: 830-249-0600 FAX: 830-249-0099
TEXAS REGISTERED SURVEYING FIRM F-10024000

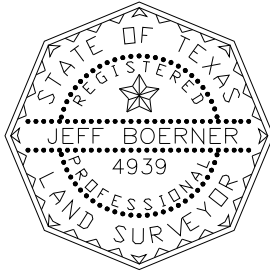
FIELD NOTES FOR A 6.526 ACRE TRACT OF LAND

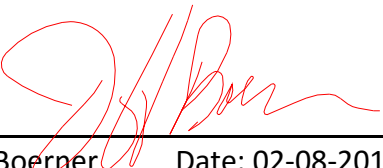
BEING A 6.526 ACRE TRACT OF LAND LOCATED IN THE WILLIAM J. BAKER SURVEY NO. 2, ABSTRACT NO. 65, WILLIAMSON COUNTY, TEXAS, BEING ALL OF THAT CALLED 6.536 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2015017331, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. SAID 6.526 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 5/8" iron rod found for north corner at the intersection of the southeast right-of-way line of Mallard Lane, with the southwest right-of-way line of Davis Street;

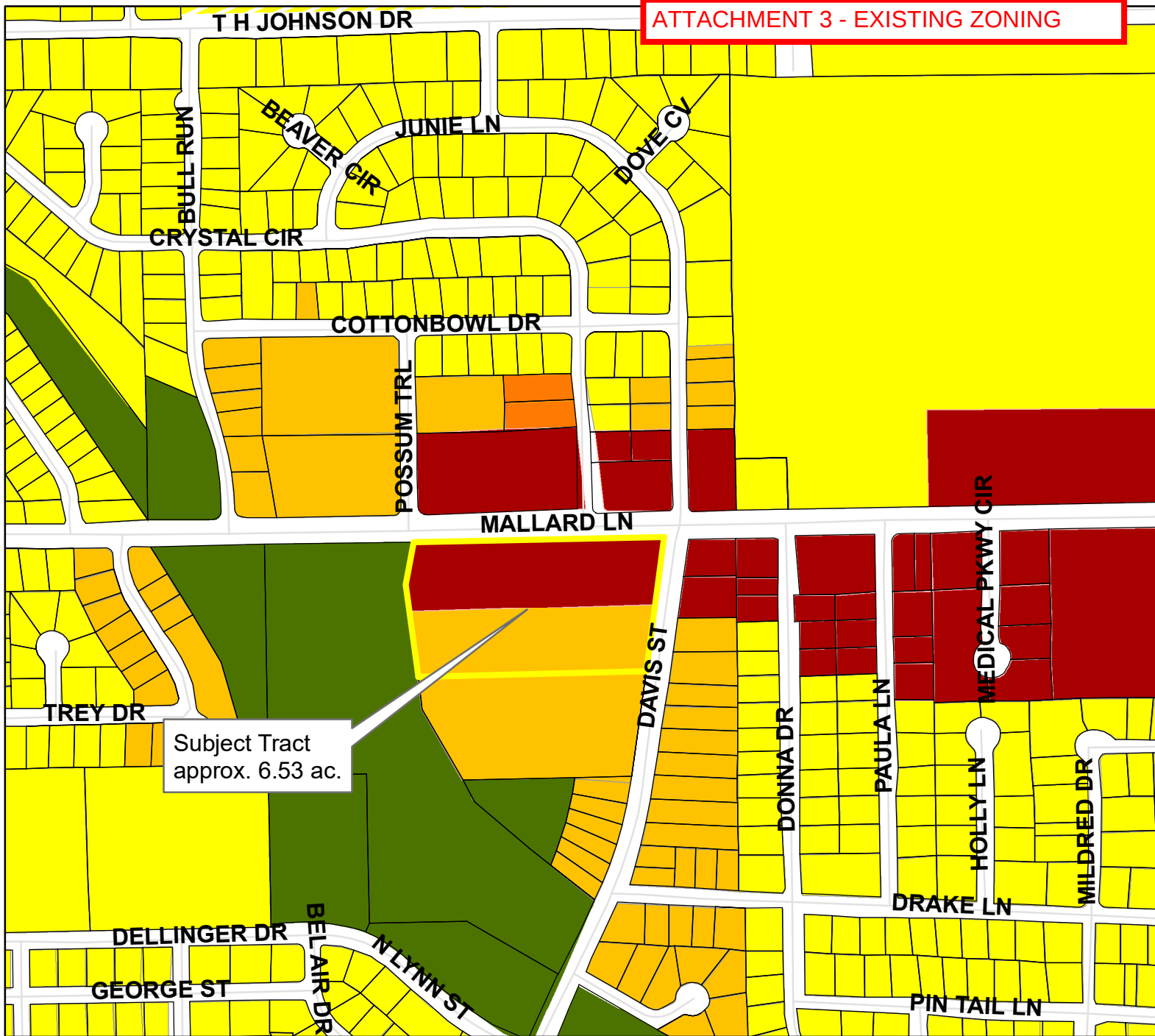
- (1) **Thence, S 12° 40' 42" E**, with the southwest right-of-way line of Davis Street, the northeast boundary line of the herein described tract, **a distance of 399.06'** (S 09° 58' 30" E, 399.92', record) to a ½" iron rod found for east corner at the north corner of a called 4.233 acre tract recorded in Document No. 2013050665, Official Public Records of Williamson County, Texas;
- (2) **Thence, S 68° 17' 44" W**, departing the southwest right-of-way line of Davis Street, with the northwest boundary line of the called 4.233 acre tract, the southeast boundary line of the herein described tract, **a distance of 671.58'** (S 70° 57' 30" W, 671.28', record) to a ½" iron rod found for south corner at the west corner of the called 4.233 acre tract, an angle point in the northeast boundary line of a called 11.49 acre tract recorded in Volume 901, Page 733, Official Public Records of Williamson County, Texas;
- (3) **Thence**, with the northeast boundary line of the called 11.49 acre tract, the southwest boundary line of the herein described tract, the following courses and distances:
 - a. **N 28° 05' 44" W, 274.79'** (N 25° 26' 30" W, 275.01', record) to a ½" iron rod found for angle;
 - b. **N 10° 15' 02" W, 125.84'** (N 07° 28' 15" W, 125.25', record) to a ½" iron rod found for west corner at the north corner of the called 11.49 acre tract, in the southeast right-of-way line of Mallard Lane;
- (4) **Thence, N 68° 28' 26" E**, with the southeast right-of-way line of Mallard Lane, the northwest boundary line of the herein described tract, **a distance of 739.79'** (N 71° 07' 00" E, 739.64', record) to the **POINT OF BEGINNING** and containing **6.526 acres** of land.

Note: The basis of bearing was established using the Trimble VRS Network, NAD (83), Texas State Plane Coordinate System, Central Zone, 4203, US Survey Foot, Grid. A survey plat was prepared by a separate document.





Jeff Boerner Date: 02-08-2017
RPLS #4939
Job #17-4012 6.526 AC.



Subject Tract
approx. 6.53 ac.

PZ-2017-1044

**Approx. 6.53 acres at the southwest
corner of Mallard Lane and Davis Street**

Legend

-  200-ft Notification Buffer
-  Subject Tract
-  Parcels

