

SUMMARY NOTES PLAN COMMISSION WORK SESSION

January 24, 2023 – 5:30 PM
WACO CONVENTION CENTER
DECORDOVA ROOM

COMMITTEE MEMBERS PRESENT:

Members Present:

In-Person: Dominic Braus, Tara Briscoe, Nathan Embry, Ross Harris, Rae Jefferson, Jason Ramos, Katherine Reynolds, Chase Smith

Absent: Jed Cole, Adrian Fajardo, Gavin Lane, Jeremy Vickers

Others Present:

In-Person: Alason Duncan, Planner; Aneela Ansar, Senior Planner; Beatriz Wharton, Planning Services Manager; Christine Miller, Public Works Traffic Engineer; Clint Peters, Director of Development Services; Laura Wagstaff, Long Range Planning Manager; Mark Boyd, Urban Planner; Will Conrad, Assistant City Attorney

Note: This meeting was recorded. (Plan Commission 01/24/2023)

Item No.	Description
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PLAN COMMISSION WORK SESSION AGENDA

Chairperson Ross Harris called the meeting of the Plan Commission to order at 6:06 PM.

A. DISCUSSION OF SUBDIVISIONS

1. Final Plat of the Gonzalez-Jones Addition, Lot 1, Block 1 Variance request to the Waco Subdivision ordinance to delete the requirement for the extension of an 8" water main for the proposed subdivision plat entitled: Final Plat of the Gonzalez-Jones Addition, Lot 1, Block 1
2. Final Plat and Construction Plans of the Texas Central Addition, Lots 10-11
3. Final Plat and Construction Plans of the M & M Industrial Park Addition
4. Final Plat and Construction Plans of the Fadal Addition, Lots 1-8

5. Preliminary Plat of the Floyd Casey Addition

B. DISCUSSION OF ZONING APPLICATIONS

6. Z-22-63 April Walker – 1211 Miller Street – Rezone from R-1B to R-2
7. Z-22-75 Arbelio Vela and Ana Gonzalez-Lara – 1803 Avondale Avenue – Rezone from R-1B to O-3
8. Z-23-1 John Hamilton, on behalf of Velan Hospitality, Inc. and Brazos at Waco, LLC – 500 N. Jack Kultgen Expressway and 502 S. Martin Luther King Jr Boulevard – Rezone from C-3 and M-2 to PUD
9. Z-23-2 Herb Cross and CWA Federal Construction LLC, on behalf of LL Waco Real Estate LP – 2301 W. Loop 340 – Amendment to a Final PUD Plan for a Planned Unit Development, known as the Allen Samuels PUD and more recently referred to as the Volkswagen of Waco PUD (“the PUD”), for the purpose of increasing the allowed building footprint from a maximum of 22,000 square feet to approximately 27,000 square feet
10. Z-23-3 Grant Arias, on behalf of 115 Garden Drive, LLC – 230 Garden Drive – Approval of Phase 3 of a Final PUD Plan, for a Planned Unit Development known as the Black Bear Village PUD (“the PUD”)
11. Z-23-4 Haywood Sawyer Jr and Brittany Lannen, on behalf of It’s a Civil Matter, LLC – 305 N. 29th Street
- A: Land Use Designation Change from Urban Residential to Mixed Use Flex
- B: Rezone from R-2 to O-1 or O-3

C. DISCUSSION OF ABANDONMENTS

12. ABD-22-14 Dain Shelton – Abandonment of a portion of alley behind 3820 Chateau Avenue, described as being a part of a 20’ alley located on the west side of North 38th Street, shown on the Final Plat of Lot 16, Block 10, Avenue Heights Addition, recorded under Instrument Number 2020037184, of the Official Public Records of McLennan County, Texas

D. DISCUSSION OF ORDINANCE AMENDMENTS

13. Consider an ordinance amending definitions for Bed and Breakfast Homestay Establishment, Short Term Rental Type I, Short Term Rental Type

II, and Short Term Rental Type III, in Chapter 13, Article XIII – Bed and Breakfast Facilities and Short Term Rental Facilities and Chapter 28 – Zoning of the Code of Ordinances of the City of Waco, Texas.

E. DISCUSSION OF CONSIDER ADOPTION OF THE DOWNTOWN IMPLEMENTATION PLAN

COMMITTEE REPORTS

- Commission's requests for information.
- Commission's requests for scheduling agenda items.
- Commission and Staff Announcements.
- Scheduling of future meetings.
- Staff report and discussion of City Council's action on agenda items reviewed by Plan Commission on December 19, 2022.

There being no further business, the meeting was adjourned at 7:00 PM.

Ross Harris, Chairperson
Approved:

Prepared by: Josephine Olvera
Planning Services

SUMMARY NOTES PLAN COMMISSION BUSINESS SESSION

January 24, 2023 – 7:00 PM
WACO CONVENTION CENTER
BOSQUE THEATER

COMMITTEE MEMBERS PRESENT:

Members Present:

In-Person: Dominic Braus, Tara Briscoe, Nathan Embry, Ross Harris, Rae Jefferson, Jason Ramos, Katherine Reynolds, Chase Smith

Absent: Jed Cole, Adrian Fajardo, Gavin Lane, Jeremy Vickers

Others Present:

In-Person: Alason Duncan, Planner; Aneela Ansar, Senior Planner; Beatriz Wharton, Planning Services Manager; Christine Miller, Public Works Traffic Engineer; Clint Peters, Director of Development Services; Laura Wagstaff, Long Range Planning Manager; Mark Boyd, Urban Planner; Will Conrad, Assistant City Attorney

Note: This meeting was recorded. (Plan Commission 01/24/2023)

Item No.	Description
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Chairperson Ross Harris called the meeting of the Plan Commission to order at 7:11 PM.

1. MINUTES

Approval of the minutes from the Work Session held on December 19, 2022

Approval of the minutes from the Business Session held on December 19, 2022

Disposition by the Commission:

Stand approved as written.

A. SUBDIVISIONS

Variance request to the Waco Subdivision ordinance to delete the requirement for the extension of an 8" water main for the proposed subdivision plat entitled: Final Plat of the Gonzalez-Jones Addition, Lot 1, Block 1

Planning Services recommends **APPROVAL** of Variance.

Persons in favor:

None.

Persons opposed:

None.

Disposition by the Commission:

Motion by Mr. Ramos to **approve** the variance listed above. Seconded by Ms. Jefferson.

VOTE: (8,0) to **approve**.

1. Final Plat of the Gonzalez-Jones Addition, Lot 1, Block 1

5. Preliminary Plat of the Floyd Casey Addition

Planning Services recommends **APPROVAL** of Item 1 and Item 5.

Persons in favor:

None.

Persons opposed:

None.

Disposition by the Commission:

Motion by Ms. Reynolds to **approve** the plat for Item 1 and Item 5 listed above. Seconded by Mr. Embry.

VOTE: (8,0) to **approve Item 1 and Item 5**.

2. Final Plat and Construction Plans of the Texas Central Addition, Lots 10-11

3. Final Plat and Construction Plans of the M & M Industrial Park Addition

4. Final Plat and Construction Plans of the Fadal Addition, Lots 1-8

Planning Services recommends **APPROVAL WITH CONDITIONS** of Item 3, 4.

No Action taken on Item 2.

Persons in favor:

None.

Persons opposed:

None.

Disposition by the Commission:

Motion by Ms. Jefferson to **approve** the plat for Item 3,4 listed above, **with conditions**. Seconded by Ms. Briscoe.

VOTE: (8,0) to approve Item 3 and Item 4 with conditions.

B. ABANDONMENTS

- 12.ABD-22-14** Dain Shelton – Abandonment of a portion of alley behind 3820 Chateau Avenue, described as being a part of a 20' alley located on the west side of North 38th Street, shown on the Final Plat of Lot 16, Block 10, Avenue Heights Addition, recorded under Instrument Number 2020037184, of the Official Public Records of McLennan County, Texas

Planning Services recommends **APPROVAL** of the abandonment request for the portion of the alley located behind 3817 Austin Ave. (Lot 15, Block 10 Avenue Heights Addition) based on the following findings and subject to the following conditions:

Findings:

1. Public use of the right-of-way is not required for the proper flow of traffic or for emergency vehicle access to the area.
2. Utility access for surrounding properties is not adversely impacted by the abandonment of this right of way.

Conditions:

1. A sewer line easement shall be retained for the whole area of the abandonment.
2. A 20' general utility easement shall be retained for franchise utilities in the alley.
3. Applicant must provide updated exhibits from a Registered Professional Land Surveyor for each adjoining property owner for quitclaim deed preparation.

Note: This request was continued by Plan Commission at the December 19, 2022, meeting.

Notices Mailed:

14 mailed; 1 returned

Persons in favor:

Dain Shelton – 3820 Chateau Ave

Persons opposed:

Larry Meyers- 3825 Austin Ave

Lewis McReynolds- 3725 Austin Ave

Disposition by the Commission:

Motion by Mr. Braus to **approve** an amended abandonment for Item 12 as follows: 171.58 feet of 20-foot alley located adjacent to 3817 Austin Avenue (Lot 15, Block 10, Avenue Heights Addition), plus 49.53 feet of only 10 feet of alley adjacent to 3817 Austin Avenue (excluding 10-foot alley adjacent to Lot 12, Block 10, Avenue Heights Addition).

Seconded by Ms. Reynolds.

VOTE: (8,0) to **approve Item 12.**

C. ZONING APPLICATIONS

6. Z-22-63 April Walker – 1211 Miller Street – Rezone from R-1B to R-2

Planning Services recommends **WITHDRAWAL** of item 6 due to an incomplete request.

Notices Mailed:

38 mailed; 3 returned, 1 in favor and 2 opposed

Persons in favor:

None

Persons opposed:

None

Disposition by the Commission:

Motion by Mr. Ramos to **withdraw** item 6 listed above, according to staff findings. Seconded by Mr. Smith.

VOTE: (8,0) to **withdraw Item 6.**

7. Z-22-75 Arbelio Vela and Ana Gonzalez-Lara – 1803 Avondale Avenue – Rezone from R-1B to O-3

City Staff received a request from the applicant to continue this request to the February 28, 2023 Plan Commission meeting.

Planning Services recommends **APPROVAL TO CONTINUE** this case to the February 28, 2023, Plan Commission Meeting.

Notices Mailed:

41 mailed; 0 returned

Persons in favor:

None

Persons opposed:

None

Disposition by the Commission:

Motion by Mr. Smith to **APPROVE CONTINUANCE** of the request for Item 7 listed above, to the February 28, 2023 Plan Commission meeting. Seconded by Ms. Reynolds.

VOTE: (8,0) to **approve continuance of Item 7.**

8. **Z-23-1** John Hamilton, on behalf of Velan Hospitality, Inc. and Brazos at Waco, LLC – 500 N. Jack Kultgen Expressway and 502 S. Martin Luther King Jr Boulevard – Rezone from C-3 and M-2 to PUD

City Staff received a request from the applicant to continue this request to the February 28, 2023 Plan Commission meeting.

Planning Services recommends **APPROVAL TO CONTINUE** this case to the February 28, 2023, Plan Commission Meeting.

Notices Mailed:

19 mailed; 0 returned

Persons in favor:

None

Persons opposed:

None

Disposition by the Commission:

Motion by Mr. Smith to **APPROVE CONTINUANCE** of the request for Item 8 listed above, to the February 28, 2023, Plan Commission meeting. Seconded by Ms. Briscoe.

VOTE: (8,0) to **approve continuance of item 8.**

9. **Z-23-2** Herb Cross and CWA Federal Construction LLC, on behalf of LL Waco Real Estate LP – 2301 W. Loop 340 – Amendment to a Final PUD Plan for a Planned Unit Development, Known as the Allen Samuels PUD and more recently referred to as the Volkswagen of Waco PUD (“the PUD”), for the purpose of increasing the allowed building footprint from a maximum of 22,000 square feet to approximately 27,000 square feet.

Planning Services recommends **APPROVAL** of the Amendment to the Final PUD based on the following findings and conditions:

Findings:

1. The Final PUD plan is consistent with the approved concept PUD plan, conditions of the approved concept PUD plan, and the requirements of the PUD ordinance.
2. The circulation plan, public facilities and services plan, preliminary architectural plan, and site development and landscaping plan included in the final PUD plan are adequate.

Conditions:

1. At time of development, full building plans must be submitted meeting all City of Waco development requirements including but not limited to the following: applicable building codes, site grading & drainage, parking, signage, vehicle/ pedestrian access & circulation, landscaping, refuse location & access and fire protection location & access. Building permits will not be issued until full compliance with all development standards of the City of Waco and the approved PUD plans.

Notices Mailed:

13 mailed; 0 returned.

Persons in favor:

Herb Cross- 1021 Clover Ridge

Persons opposed:

None

Disposition by the Commission:

Motion by Ms. Jefferson to **APPROVE** of the request for Item 9 listed above.
Seconded by Mr. Braus.

VOTE: (8, 0) to **approve** Item 9.

10.Z-23-3

Grant Arias, on behalf of 115 Garden Drive, LLC – 230 Garden Drive – Approval of Phase 3 of a Final PUD Plan, for a Planned Unit Development known as the Black Bear Village PUD ("the PUD")

Planning Services recommends **APPROVAL** of the Final PUD based on the following findings and conditions:

Findings:

1. The Final PUD plan is consistent with the approved concept PUD plan, conditions of the approved concept PUD plan, and the requirements of the PUD ordinance.
2. The circulation plan, public facilities and services plan, preliminary architectural plan, and site development and landscaping plan included in the final PUD plan are adequate.

Conditions:

1. At time of development, full building plans must be submitted meeting all City of Waco development requirements including but not limited to the following: applicable building codes, site grading & drainage, parking, signage, College and University Neighborhoods District standards, vehicle/ pedestrian access & circulation, landscaping, refuse location & access, and fire protection location & access. A

building permit will not be issued until full compliance with all development standards of the City of Waco and the approved PUD plans.

2. The property must be platted meeting requirements of the PUD and subdivision ordinance before the issuance of building permits.
3. A ten-foot pedestrian way, consisting of a minimum five-foot sidewalk and planter strip between the sidewalk and the public right-of-way, must be installed along Garden Drive.

Notices Mailed:

17 mailed; 0 returned.

Persons in favor:

Mark Arias- 230 Garden Dr

Persons opposed:

None

Disposition by the Commission:

Motion by Ms. Reynolds to **APPROVE** of the request for Item 10 listed above.
Seconded by Mr. Ramos.

VOTE: (8, 0) to **approve** Item 10.

11.Z-23-4

Haywood Sawyer Jr and Brittany Lannen, on behalf of It's a Civil Matter, LLC – 305 N. 29th Street

A: Land Use Designation Change from Urban Residential to Mixed Use Flex

B: Rezone from R-2 to O-1 or O-3

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

1. The proposed land use could be considered incompatible with the existing low-density residential neighborhood near the subject property.
2. The adjacent Mixed Use Flex land use designation has frontage on Waco Drive which is classified as an arterial street. This property fronts on 29th Street which is classified as a local street.

Planning Services recommends **DISAPPROVAL** of this request to change the zoning from **R-2 to O-1 or O-3** based on the following findings:

1. The proposed zoning is not in keeping with the land use component of the Comprehensive Plan.
2. The existing R-2 zoning is more compatible with the existing single-family neighborhood than the proposed O-1 or O-3 zoning.

3. The surrounding office and commercial zoning in the area has frontage on Waco Drive which is classified as an arterial street. This property fronts on 29th Street which is classified as a local street.
4. There is an adequate supply of commercial and office zoning to accommodate growth in the area for the foreseeable future.

Notices Mailed:

25 mailed; 36 emails in favor, 4 emails opposed, 1 protest notice oppose, 1 card in opposed returned.

Persons in favor:

Brittany Lannan
Haywood Sawyer- China Spring
Michael Simon- 2901 Hillcrest
Joe Gweyn-3533 Beutel Rd Lorena, TX
Kara
Gerald Villarrial- 4606 Shadow Mountain
Marcus Smith-815 Columbus Ave
Tashqua Amos-3003 Cole Ave
Robert Callahan- 2624 Washington Ave
Michael Miller- Lorena, TX
William Retcherson- 1823 Southern View Lorena, TX

Persons opposed:

Aaron Zimmerman- 2727 Columbus Ave
Kara Lesslie
Alberto Mellis- 3909 Hubby Ave
Andrea Zimmerman- 2727 Columbus Ave

Disposition by the Commission:

Motion by Mr. Smith for **Disapproval** of the request for Item 11 listed above.
Seconded by Mr. Braus.

VOTE: (5,3) to **Disapprove item 11.**

D. ORDINANCE AMENDMENTS

13. Consider an ordinance amending definitions for Bed and Breakfast Homestay Establishment, Short Term Rental Type I, Short Term Rental Type II, and Short Term Rental Type III, in Chapter 13, Article XIII – Bed and Breakfast Facilities and Short Term Rental Facilities and Chapter 28 – Zoning of the Code of Ordinances of the City of Waco, Texas.

Planning Services recommends **APPROVAL** of this ordinance amendment.

Persons in favor:

None

Persons opposed:

None

Disposition by the Commission:

Motion by Mr. Embry to **APPROVE** the request for Item 13 listed above, based on staff recommendation. Seconded by Ms. Jefferson.

VOTE: (8,0) to approve Item 13.

There being no further business, the meeting was adjourned at 9:08 PM.

Ross Harris, Chairperson
Approved:

Prepared by: Josephine Olvera
Planning Services