

# **Planning and Zoning Commission Regular Meeting**

January 26, 2016

5:30 p.m.  
City Hall Council Chambers  
201 E. Nash Street  
Terrell, Texas



## PLANNING & ZONING COMMISSION

Notice of Regular Meeting  
Tuesday, January 26, 2016 ~ 5:30 p.m.  
City Hall ~ Council Chambers  
201 E. Nash, Terrell, Texas 75160

### AGENDA

<b>Chairman</b>	Jerry Yates	<b>Vice-Chairman</b>	Danny Stephens
<b>Commissioner</b>	Bruce Bryant	<b>Commissioner</b>	Trini B. Jones
<b>Commissioner</b>	Vickie Anderson	<b>Commissioner</b>	Bruce Loflin
<b>Commissioner</b>	Kathy Russell	<b>Commissioner</b>	Carolyn Fairley
<b>Commissioner</b>	Tom Aldinger		

1. Call to order.
2. Election of Officers
3. Hear remarks from visitors.
4. Discuss and consider approval of the Planning and Zoning Commission meeting minutes of October 13, 2015.
5. Remarks from Director.

### PUBLIC HEARINGS

6. **ZC 16-01:** Discuss and consider a recommendation to the City Council regarding approval of a request to change the zoning from Retail (R) to Planned Development (PD) for a variety of uses, including, but not limited to, retail, commercial, service, automotive, office, and residential (multi-family or townhome) on 255.68 acres of the J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, generally located at the northwestern intersection of FM 148 and Interstate 20, and being all of a called 255.68 acre tract as described in a Foreclosure Sale Deed from 255 Terrell, L.P. to Terrell 80/20, Ltd., dated October 5, 2010 and recorded in Document No. 2010-0016297 in the Deed Records of Kaufman County, Texas.
7. **ZC 16-02:** Discuss and consider a recommendation to the City Council regarding approval of a request to amend the Terrell Zoning Ordinance as follows: (1) amend Article IV., Section 32., Use Regulations (Charts) to add bail bond services, a use currently not listed in the Ordinance, as a Special Permit use in the Commercial (C) zoning district subject to the provisions of Article V. Section 42.7; (2) to amend Article V., Section 42., Special Regulations for Certain Types of Uses, by adding Section 42.7 requiring a minimum separation of 1,000 feet between (a) the nearest property line of any lot or tract that is the location of a bail bond service and the nearest boundary of a residential zoning district, including the EE-32 Executive Estate district, all SF- Single-Family districts, the TH-12 Townhome district, the MF Multi-Family district, the MH Manufactured Home district, any property zoned CBD Central Business District, or any PD Planned Development district that allows residential uses; and (b) between the nearest property line of a tract containing a bail bond service and the nearest property line of any other tract containing a bail bond service; and (3) to amend Section 44.1, Definitions, by adding a definition for bail bond service.

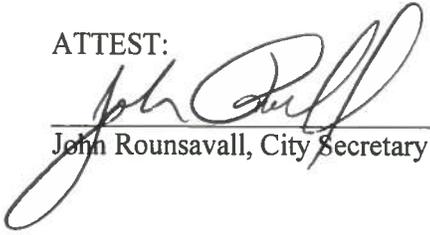
8. **ZC 16-03:** Discuss and consider a recommendation to the City Council regarding approval of a request to amend the Terrell Zoning Ordinance to establish a maximum building height for accessory structures in all single-family residential districts of 14-1/2 feet at the highest point of the roof. Said zoning districts and the pertinent sections of the ordinance include: EE-32 Executive Estate (Section 15.3.A.2.); Single-Family districts SF-16 (Section 16.3.A.2.), SF-10 (Section 17.3.A.2.), SF-7.5 (Section 18.3.A.2.), SF-6 (Section 19.3.A.2.); TH-12 Townhome (Section 20.3.A.2.); MH Manufactured Home (Section 23.3.G.2); and any portion of a PD Planned Development district which allows single-family residential uses. The current Ordinance restricts the height of accessory buildings to one story but does not specify the maximum height in feet.

#### ACTION ITEMS

9. **ZC 16-01:** Discuss and consider a recommendation to the City Council regarding approval of a request to change the zoning from Retail (R) to Planned Development (PD) for a variety of uses, including, but not limited to, retail, commercial, service, automotive, office, and residential (multi-family or townhome) on 255.68 acres of the J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, generally located at the northwestern intersection of FM 148 and Interstate 20, and being all of a called 255.68 acre tract as described in a Foreclosure Sale Deed from 255 Terrell, L.P. to Terrell 80/20, Ltd., dated October 5, 2010 and recorded in Document No. 2010-0016297 in the Deed Records of Kaufman County, Texas.
10. **ZC 16-02:** Discuss and consider a recommendation to the City Council regarding approval of a request to amend the Terrell Zoning Ordinance as follows: (1) amend Article IV., Section 32., Use Regulations (Charts) to add bail bond services, a use currently not listed in the Ordinance, as a Special Permit use in the Commercial (C) zoning district subject to the provisions of Article V. Section 42.7; (2) to amend Article V., Section 42., Special Regulations for Certain Types of Uses, by adding Section 42.7 requiring a minimum separation of 1,000 feet between (a) the nearest property line of any lot or tract that is the location of a bail bond service and the nearest boundary of a residential zoning district, including the EE-32 Executive Estate district, all SF- Single-Family districts, the TH-12 Townhome district, the MF Multi-Family district, the MH Manufactured Home district, any property zoned CBD Central Business District, or any PD Planned Development district that allows residential uses; and (b) between the nearest property line of a tract containing a bail bond service and the nearest property line of any other tract containing a bail bond service; and (3) to amend Section 44.1, Definitions, by adding a definition for bail bond service.
11. **ZC 16-03:** Discuss and consider a recommendation to the City Council regarding approval of a request to amend the Terrell Zoning Ordinance to establish a maximum building height for accessory structures in all single-family residential districts of 14-1/2 feet at the highest point of the roof. Said zoning districts and the pertinent sections of the ordinance include: EE-32 Executive Estate (Section 15.3.A.2.); Single-Family districts SF-16 (Section 16.3.A.2.), SF-10 (Section 17.3.A.2.), SF-7.5 (Section 18.3.A.2.), SF-6 (Section 19.3.A.2.); TH-12 Townhome (Section 20.3.A.2.); MH Manufactured Home (Section 23.3.G.2); and any portion of a PD Planned Development district which allows single-family residential uses. The current Ordinance restricts the height of accessory buildings to one story but does not specify the maximum height in feet.
12. Discuss, consider and take appropriate action on the Final Plat of Lot 5, Block 1, Terrell Market Center/Medical Plaza Addition, 1.207 acres located at 1221 F.M. 148, City of Terrell, Kaufman County, Texas. (Discount Tire)
13. Discuss, consider, and take appropriate action on the Final Plat of Lot 1R, Block 1, Terrell Market Center/Medical Plaza Addition, 0.926 acres located at 1291 F.M. 148, City of Terrell, Kaufman County, Texas. (Starbucks)
14. Adjourn.

POSTED AT CITY HALL BULLETIN BOARD Thursday, January 21, 2016 at 5:00 p.m.

ATTEST:



John Rounsavall, City Secretary



**Planning & Zoning Commission Meeting**

Tuesday, October 13, 2015 ~ 5:30 p.m.

City Hall Council Chambers

201 E. Nash ~ Terrell, Texas ~ 75160

**MINUTES**

Present: Jerry Yates, Joe Hood, Bruce Bryant, Carolyn Fairley, Kathy Russell, Vickie Anderson and Bruce Loflin

Absent: Stephanie Elswick (moved out of City)

Staff: Terry Capehart, Gina Dominguez, Ricky Mendez and Bobby Phillips

**1. Call to order.**

Chairman Jerry Yates called the regular meeting of the Planning and Zoning Commission to order on October 13, 2015 at 5:30 p.m.

**2. Hear remarks from visitors.**

No public visitors spoke.

**3. Discuss and consider approval of Planning and Zoning Commission meeting minutes of July 28, 2015.**

Commissioner Joe Hood made motion to approve Minutes from July 28, 2015, Commissioner Vickie Anderson seconded motion for minutes to be approved. The motion carried unanimously.

**4. Discuss Holiday Schedule.**

**ACTION ITEMS**

**5. Discuss and consider a recommendation to the City Council regarding a request to place Street Name Toppers at certain locations along Rochester Street honoring Fred and Mamie Frazier, Jr.**

Commissioner Kathy Russell recused herself due to Conflict of Interest. Quorum remains.

Terry Capehart, Municipal Development Director, gave the staff report.

Commissioner Joe Hood made and Commissioner Carolyn Fairley seconded motion to approve the request. The motion carried unanimously.

**6. Adjourn.**

Chairman Jerry Yates adjourned meeting at 5:50 p.m.

Approved as presented:

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Jerry Yates, Chairman

ORDINANCE NO. 2350

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS AMENDING CHAPTER 2, ADMINISTRATION, SECTION 10, PLANNING AND ZONING COMMISSION; TERRELL CITY CODE REVISED, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, THAT:

SECTION I.

That Chapter 2, Administration, Section 10, Planning And Zoning Commission, Terrell City Code Revised, is hereby amended and shall hereafter read as follows:

**Sec. 2-10. Planning And Zoning Commission.**

(a) *Planning And Zoning Commission created; composition.* There is hereby created a Planning And Zoning Commission which shall be composed of nine (9) members who shall be resident citizens, taxpayers and qualified voters of the city and who must meet the policy guidelines established by the City Council for all board members of the City.

(b) *Appointment and terms of members.* Members of the commission shall be appointed by a majority vote of the City Council. All appointments to the Planning And Zoning Commission shall be for a term of two (2) years. Vacancies on the Planning and Zoning Commission occurring other than through expiration shall be filled by the City Council for that portion of the unexpired term remaining.

Term Limitations. No appointed office holder shall serve more than three (3) consecutive terms in the position to which the office holder was appointed.

(c) *Election of officers and adoption of rules.* The Planning And Zoning Commission shall elect a chairperson and vice chairperson from its membership and shall have the power to make rules, regulations and bylaws for its own government, which shall conform as nearly as possible with those governing the city council and shall be subject to approval of such city council. Such bylaws shall include, among other items, provisions for:

- (1) Regular and special meetings, open to the public;
- (2) Records of its proceedings, to be open for inspection by the public;
- (3) Reporting to the governing body and the public, from time to time and annually; and
- (4) For the holding of public hearings on its recommendations.

(d) *Duty to prepare master plan and zoning ordinance; other duties.* The Planning And Zoning Commission shall have the power and it shall be its duty to make and recommend for adoption a master plan, as a whole or in parts, for the future development and redevelopment of the municipality and its environs and shall have power and it shall be its duty to prepare a comprehensive plan and ordinance for zoning the city in accordance with Chapter 283, Acts of the Regular Session of the Legislature, 1927, (Articles 1011a to 1011j, Vernon's Revised Civil Statutes). The Commission shall perform such other duties as may be prescribed by ordinance or state law.

(e) *Employment powers.* The Planning And Zoning Commission shall have power to employ such qualified persons as may be necessary for the proper conduct and undertakings of the commission and to pay for their services and such other necessary expense, provided that the cost of such services and expenses shall not exceed the amount appropriated by the City Council for the use of the Commission.

(f) *Absence.* Members with three (3) consecutive unexcused absences per calendar year from regular or posted meetings shall forfeit the unexpired portion of their term.

ARTICLE II.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**ARTICLE III.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionally shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

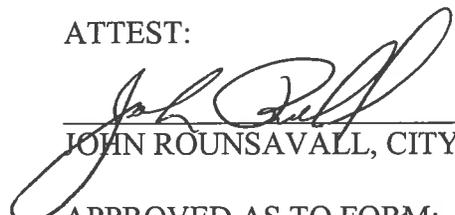
**ARTICLE IV.**

That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Terrell, and it is accordingly so ordained.

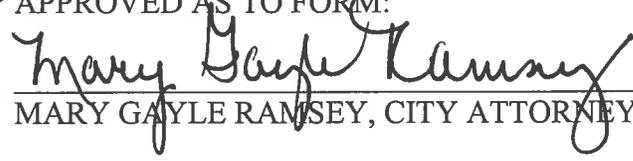
PASSED AND APPROVED THIS 16<sup>TH</sup> DAY OF OCTOBER, 2007.  
PASSED AND ADOPTED THIS 5<sup>TH</sup> DAY OF NOVEMBER, 2007.

  
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HAL RICHARDS, MAYOR

ATTEST:

  
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JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
MARY GAYLE RAMSEY, CITY ATTORNEY

**City of Terrell  
Boards and Commissions**

Member	Contact Information	Term Count	Appointed / Re-App't'd	Term Expiration	Attendance Record			
					Present	Absent		
					1/1/2012	12/31/2012		
<b>Planning &amp; Zoning Commission</b>								
Bruce Bryant Replaced Tom Aldinger who termed out Effective 10/2013	211 Collins Dr. Terrell, TX 75160 H: 972-524-6634 M: 214-356-8493 EM: bnb1916@hotmail.com	2	10/20/2015	Oct-17	0	0		
Tom Aldinger Original appointment date - 10/20/2015 Replaced Robert Lee (deceased)	505 Griffith Ave. Terrell, TX 75160 T: 972-551-3055 M: 214-704-0408 EM: tkaldinger@hotmail.com	1	10/20/2015	Oct-17	0	0		
Vickie Anderson Appointed 03/19/2013 to replace Danny Stephens, who term'd out 03/2013	1017 S. Medora Terrell, Texas 75160 T: 972-551-3669 O: 972-749-1800 EM: vanderson@dallasisd.org	2	3/3/2015	Mar-17	0	0		
Kathy Russell Original Appointment Date: 05/15/2012	913 S. Rockwall Street Terrell, TX 75160 H: 972-524-3828 M: 214-236-8578 W: 972-551-8973 EM: jrock2mom@sbcglobal.net	2	6/3/2014	Jun-16	7	0		
Trini B. Jones Original appointment date - 10/20/2015 Replaced Stephanie Elswick who resigned effective 10/2015	136 E. McCoulskey Terrell, TX 75160 M: 469-343-8245 EM: trinibjones@gmail.com	1	10/20/2015	Oct-17	0	0		
Carolyn Fairley Appointed 01/21/2014 to replace Raylan Smith, who resigned effective 10/28/2013	1007 N. Frances Terrell, TX 75160 T: 972-563-0206 C: 972-332-1990	1	1/21/2014	Jan-16	0	0		
Bruce Loflin Original Appointment: 8/6/2013 Replace Bill Baker, who termed out 5/2012	101 E. Brin Street Terrell, Texas 75160 T: 210-387-6564 M: 210-387-6564 W: 972-524-2226 EM: bruce.loflin@autozone.com	2	10/20/2015	Oct-17	0	0		
Danny Stephens Orig. Appt. Date - 1/5/16 to replace Joe Hood who termed out	307 W. Moore Ave Terrell, Texas 75160 T: 972-524-5025 C: 214-926-9204 EM: dannystephens@sbcglobal.net	1	1/15/2016	Jan-18	0	0		
Jerry Yates Appointed 08/18/09 to fill the unexpired term of Aaron Cook who was appointed 2006 CHAIRMAN	109 Brookhollow Terrell, TX 75160 T: 972-551-1314 W: 972-551-1314 C: 214-669-4654 EM: jerryates@sbcglobal.net	3	3/3/2015	Mar-17	7	2		
(3) Terms: 2 years 4th Tuesday of each month Quorum: 5 members Ordinance 2350								
Request Reappointment								
Needs a Replacement								



Agenda Item No. 6 and 9

**PD Planned Development Zoning  
255.68 Acres of the J.C. Hale Survey, Abstract No. 202  
Terrell 80/20 Planned Development  
(ZC 16-01)**

<b>Planning and Zoning Commission:</b>	<b>January 26, 2016</b>
<b>Existing Zoning:</b>	<b>Planned Development (PD-7)</b>
<b>Proposed Use:</b>	<b>Mixed Use</b>

**Background:**

This case concerns 255.68 acres of the J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, generally located at the northwestern intersection of FM 148 and Interstate 20, and being all of a called 255.68 acre tract as described in a Foreclosure Sale Deed from 255 Terrell, L.P. to Terrell 80/20, Ltd., dated October 5, 2010 and recorded in Document No. 2010-0016297 in the Deed Records of Kaufman County, Texas. At this location there is a pending landowner request for a change in zoning from Retail (R) to Planned Development (PD-7) for a variety of uses, including, but not limited to, retail, commercial, service, automotive, office, and residential (multi-family or townhome).

**Issues:**

Additional materials are needed to process the application.

**Financial Considerations:**

Not Applicable.

**Notification:**

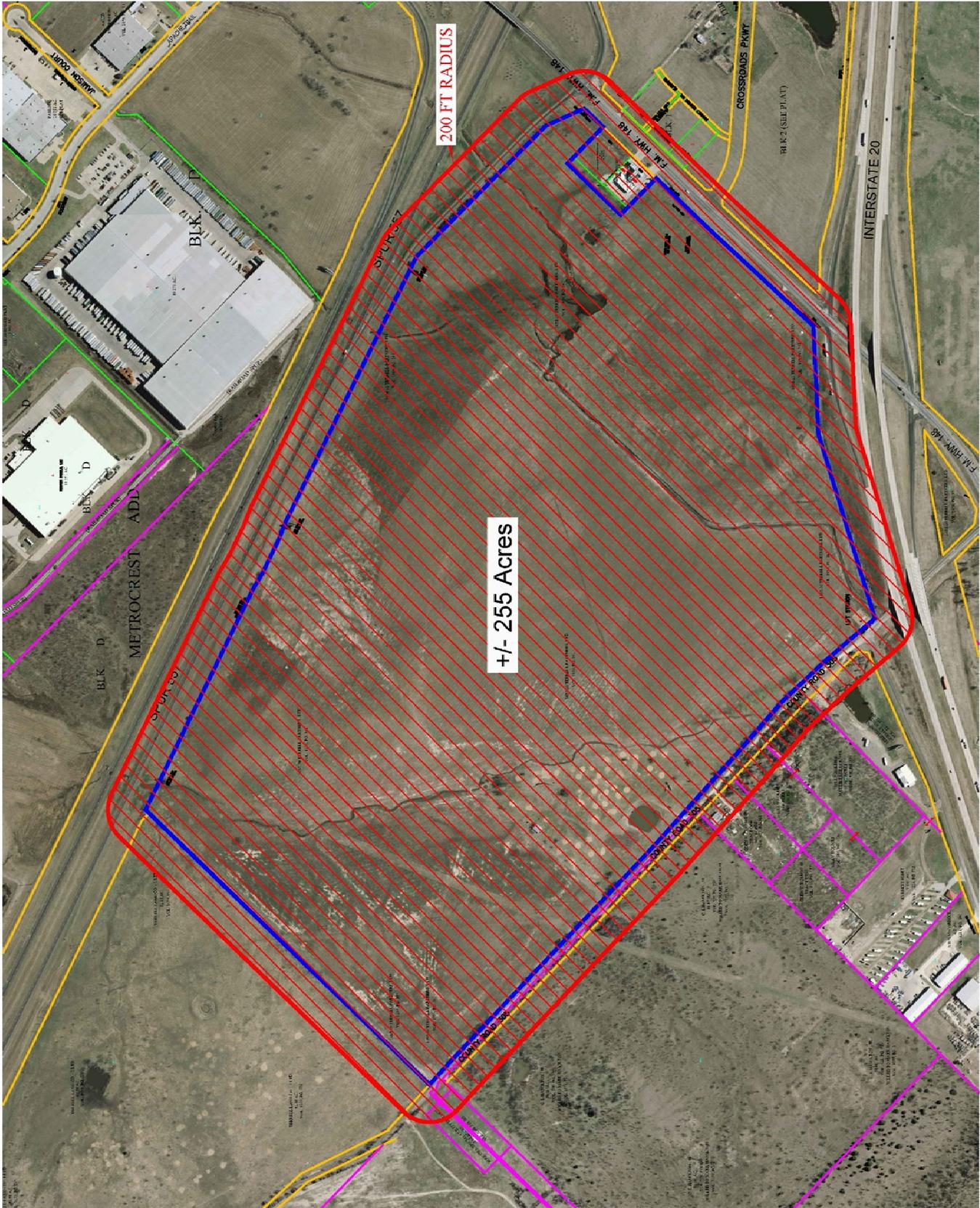
Notification to surrounding landowners provided.

**Staff Recommendation:**

Materials necessary for consideration and action on the item are not available at this time; therefore, staff recommends tabling the item until the next scheduled Planning and Zoning Commission Meeting, February 23, 2016 at 5:30 p.m. Because the public hearing has been advertised, the Chair should open the hearing, take comments from persons present who wish to speak at this time, then ask for a motion to table the hearing to the date specified.

**Attachments:**

1. Notification Zone Map
2. Notification List



PARCEL ID	OWNER	ADDR_1	ADDR_2	ADDR_3	CITY	ST	ZIP
7655	TERRELL MARKET CENTER LTD		8350 N CENTRAL EXPWY	STE M-1020	DALLAS	TX	75206
7655	TERRELL MARKET CENTER LTD		8350 N CENTRAL EXPWY	STE M-1020	DALLAS	TX	75206
9941	AP DUPONT LIMITED PARTNERSHIP		12770 COIT RD STE 970		DALLAS	TX	75251
9940	AP DUPONT LIMITED PARTNERSHIP		12770 COIT RD STE 970		DALLAS	TX	75251
177761	ROSE HILL SPECIAL UTILITY DISTRICT		P O BOX 190		KAUFMAN	TX	75142
175952	MANJI SULTANALI & FAIRSHARE ENTERPRISES LAND LLC		4044 CREEK VALLEY BLVD		CARROLLTON	TX	75010
18997	TERRELL TRADING CO INC		4044 CREEK VALLEY BLVD		CARROLLTON	TX	75010
18997	TERRELL TRADING CO INC		4044 CREEK VALLEY BLVD		CARROLLTON	TX	75010
18998	TERRELL TRADING CO INC		4044 CREEK VALLEY BLVD		CARROLLTON	TX	75010
16562	HENNIG MIKE & NORMA J WHITE		4171 LAWSON RD		MESQUITE	TX	75181
16558	HOLMES GLEN VIEW JR		11325 CO RD 305		TERRELL	TX	75160
16557	HOLMES BILLY		11259 CO RD 305		TERRELL	TX	75160
16556	HOLMES BILLY		11259 CO RD 305		TERRELL	TX	75160
16555	HAMILTON MARK DAVID ET AL		12215 CROSS CREEK DR		DALLAS	TX	75243
7672	TERRELL 80/20 LTD	% MARK DAVID HAMILTON EXECUTOF	8350 N CENTRAL EXPWY	STE M-1020	DALLAS	TX	75206
188838	BUC-EES LTD		327 FM 2004 RD		LAKE JACKSON	TX	77566
189923	WARREN JOHN H & SANDRA A TRUSTEES OF TH WARREN FAMILY TRUST		150 SENIC ST		SANTA CRUZ	CA	95060 (DQ)
190817	FOX PARTNERS LP		711 ANGELUS PLACE		VENICE	CA	90291 (WHATABURGER)
7671	CROSS ROADS AT TERRELL 2015 LP		8350 N CENTRAL EXPWY		DALLAS	TX	75206



Agenda Items No. 7 and 10  
**Zoning Text Amendment:  
Bail Bond Service  
(ZC 16-02)**

**Planning and Zoning Commission:**

**January 26, 2016**

**Request:**

**Multiple Changes to the text of the  
Terrell Zoning Ordinance relative  
to a bail bond service**

**Background:**

The City has been approached by an applicant who would like to open a bail bond service. This activity is not included in the list of permitted uses in the Terrell Zoning Ordinance. The Use Regulations section of the Zoning Ordinance includes a process for adding an unlisted use that includes public hearings before the Planning and Zoning Commission and the City Council to determine the appropriate zoning classification for the proposed use and any other conditions that may be appropriate.

The new use may be allowed by right or as a Specific Use Permit use. The Specific Use Permit (SUP) regulations allow conditions to be imposed to help mitigate the impact of the proposed use on the property and on surrounding properties; to protect the health, safety and welfare of the public; and to assure compliance with the intent of the Zoning Ordinance. If the use is allowed by SUP, a site plan must be approved for the property in question denoting the specific location and size of the area involved in the SUP activity and ensuring compliance with all other applicable codes and ordinances.

**Request:**

This request is being made by the City of Terrell in response to a contact from an individual interested in opening a bail bond service. The proposal is:

- (1) To allow the use in the Commercial district only and to require a Specific Use Permit;
- (2) To impose some separation requirements between this activity and certain other zoning districts that are incompatible; and
- (3) To add a definition for the use. Specifically, the proposal is:

**Issues:**

The proposed change will affect three different sections of the Terrell Zoning Ordinance. These sections and the proposed amendments are as follows:

- (1) **Amend Article IV., Section 32., Use Regulations (Charts), Chart 7, Personal and Service Uses, Non-Residential Zoning Districts, Commercial (C) District** by adding Bail Bond Service in the Commercial District by Specific Use Permit subject to the provisions of Article V. Section 42.7;
- (2) **Amend Article V., Section 42., Special Regulations for Certain Types of Uses**, by adding Section 42.7 requiring a minimum separation of 1,000 feet between the bail bond use and a residential zoning district boundary and the bail bond service use and any other bail bond service. The proposed language is as follows:

**Chapter 42. Special Regulations for Certain Types of Uses**

...

**Sec. 42.7. BAIL BOND SERVICES**

- A. No bail bond service office shall be located within 1,000 feet of any residential zoning district boundary line, including the EE-32 Executive Estate district, all SF- Single-Family districts, the TH-12 Townhome district, the MF Multi-Family district, the MH Manufactured Home district, any property zoned CBD Central Business District, or any PD Planned Development district that allows residential uses;
- B. No bail bond service office shall be located within 1,000 feet of any other tract that is the location of a bail bond service;
- C. For purposes of this section, the required separation shall be measured in a straight line without regard to intervening structures or objects:
  - 1. If confirming the separation between the proposed bail bond service and residential uses, the distance shall be measured from the nearest portion of the boundary line of the Commercial District where the bail bond service is proposed to the nearest portion of the boundary line of any of the residential zoning districts in 42.7.A. above, any CBD district, or any PD Planned Development District for residential uses.
  - 2. If confirming the separation between bail bond service locations, the distance shall be measured from the nearest portion of the property line of the Commercial District where the existing bail bond service is located to the nearest portion of the property line of the Commercial District where the new business is proposed.

...

- (3) **Amend Section 44.1, Definitions**, by adding a definition for bail bond service as follows:

...

**287.BAIL BOND SERVICE** – A service arranged by an agent promising money or property to ensure that a person named in a legal action appears in court for the designated criminal proceeding at the date and time specified.

...

Council approval of the amendments as proposed would require any potential bail bond service operator to file an application and secure a Specific Use Permit for this use at the intended location. This application would require notification and public hearings before the P&Z and City Council. The approval of the text amendment does not grant the approval of any pending request for this use at any specific location.

**Financial Considerations:**

The City is the applicant in this case; therefore, no application fee or tax payments were required.

**Notification:**

A public hearing notice for this application was published in the official newspaper of the City of Terrell. Because this is a text change, no notices were required to be mailed.

**Staff Recommendation:**

Approval

**P&Z Action:**

The Planning and Zoning Commission may recommend

- (1) Approval of the request as presented;
- (2) Approval with additional or modified condition; or
- (3) Denial.

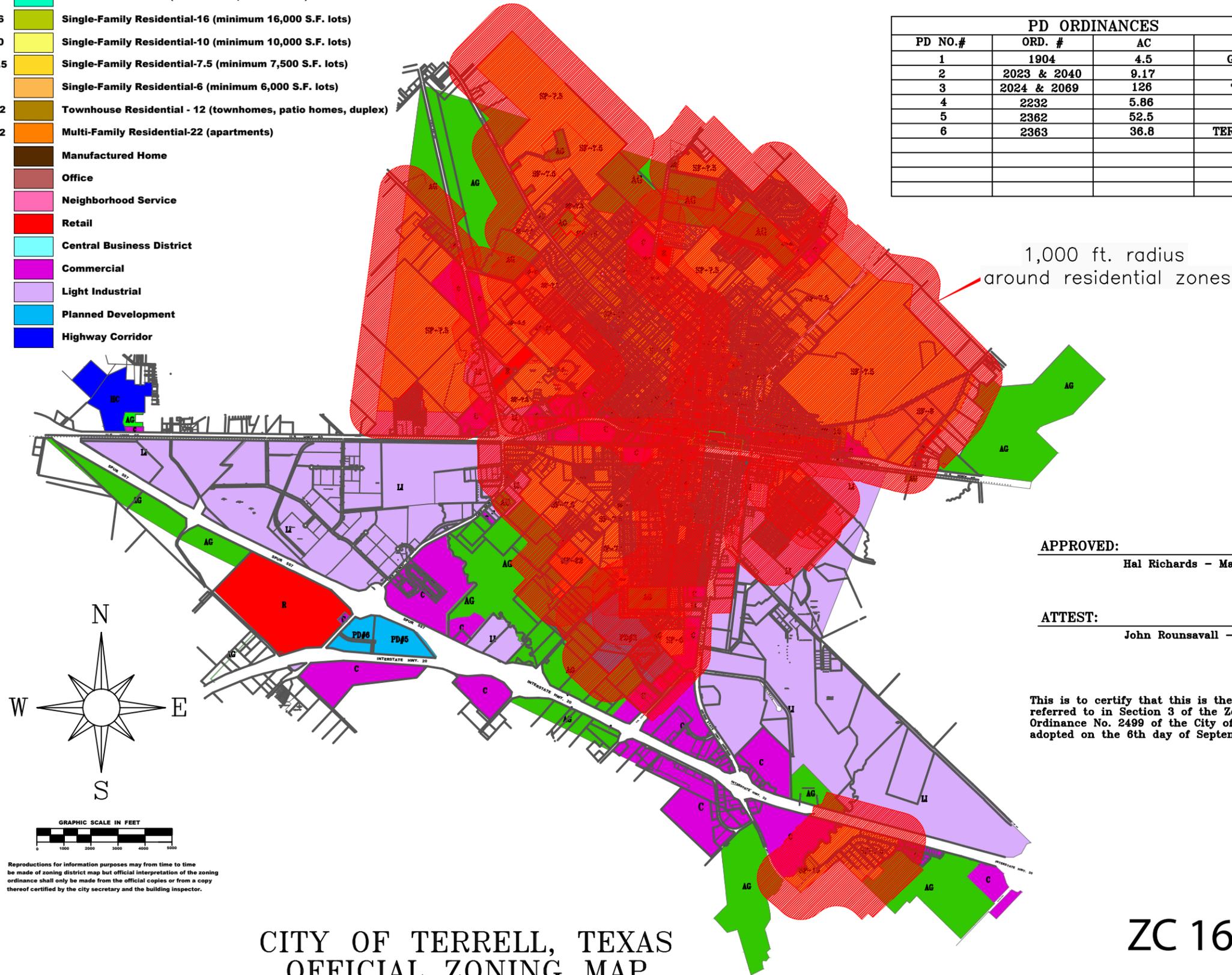
Final approval of the application requires a public hearing and action from the City Council. The City Council is scheduled to conduct a public hearing on this application at its meeting of February 2, 2016.

**Attachments:**

Map of Zoning Districts with 1,000' buffer around residential zones

- AG** **Agricultural**
- EE-32** **Executive Estate-32 (minimum 32,000 S.F. lots)**
- SF-16** **Single-Family Residential-16 (minimum 16,000 S.F. lots)**
- SF-10** **Single-Family Residential-10 (minimum 10,000 S.F. lots)**
- SF-7.5** **Single-Family Residential-7.5 (minimum 7,500 S.F. lots)**
- SF-6** **Single-Family Residential-6 (minimum 6,000 S.F. lots)**
- TH-12** **Townhouse Residential - 12 (townhomes, patio homes, duplex)**
- MF-22** **Multi-Family Residential-22 (apartments)**
- MH** **Manufactured Home**
- O** **Office**
- NS** **Neighborhood Service**
- R** **Retail**
- CBD** **Central Business District**
- C** **Commercial**
- LI** **Light Industrial**
- PD** **Planned Development**
- HC** **Highway Corridor**

PD ORDINANCES			
PD NO.#	ORD. #	AC	LOCATION
1	1904	4.5	GRIFFITH MANOR
2	2023 & 2040	9.17	CALVARY OAKS
3	2024 & 2069	126	THE TERRACES
4	2232	5.86	TOWER PLACE
5	2362	52.5	BAYLOR
6	2363	36.8	TERRELL MKT CENTER



**APPROVED:**  
 \_\_\_\_\_  
 Hal Richards - Mayor, City of Terrell

**ATTEST:**  
 \_\_\_\_\_  
 John Rounsavall - City Secretary

This is to certify that this is the Official Zoning Map referred to in Section 3 of the Zoning Ordinance, Ordinance No. 2499 of the City of Terrell, Texas, adopted on the 6th day of September, 2011

**CITY OF TERRELL, TEXAS  
 OFFICIAL ZONING MAP  
 ORDINANCE #2499**

**ZC 16-02**



Agenda Items No. 8 and 11

**Zoning Text Amendment:  
Accessory Buildings  
(ZC 16-03)**

**Planning and Zoning Commission:**

**January 26, 2016**

**Request:**

**Multiple Changes to the text of the Terrell Zoning Ordinance relative to the height of accessory buildings in all residential districts**

**Background:**

Staff has been asked to review the regulations regarding accessory buildings in residential districts, specifically as to building height. Presently, the Ordinance limits the height of an accessory building to one story. The purpose of this proposal is to establish a reasonable building height limit for accessory buildings, expressed not only in terms of the number of stories, but also in terms of feet and inches.

Accessory structures are allowed by right in all single-family districts in accordance with Section 32.2, Use Regulations. This change will affect a number of different zoning districts and sections in the Zoning Ordinance. (Note: Accessory Dwellings/Garage Apartments, which are permitted by right in the AG Agricultural and EE-32 Executive Estate districts only, and by special permit in the SF-16 Single-Family district, have different height limitations and would not be affected by the proposed change.)

**Request:**

The proposal is to amend the Terrell Zoning Ordinance to establish a maximum building height of 14-1/2', measured to the highest point of the roof, for accessory structures in all single-family residential districts and PD districts for single-family uses. The current Ordinance restricts the height of accessory buildings to one story, but does not specify the maximum height in feet and inches.

**Issues:**

The Ordinance defines this type of structure as follows:

**ACCESSORY BUILDING (RESIDENTIAL)** - In a residential district, a subordinate building that is attached or detached and is used for a purpose that is customarily incidental to the main structure but not involving the conduct of a business (i.e., the building area must be significantly less than that of the main structure). Examples may include, but are not limited to, the following: a private garage for automobile storage, carport, tool shed, greenhouse as a hobby (no business), home workshop, children's playhouse, storage building, gazebo, patio cover, garden shelter, etc.

The definition of building height under the Zoning Ordinance is as follows. See also attached graphic: Measurement of Building Height, Accessory Structures/Buildings (Residential).

**BUILDING HEIGHT** - The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hipped roof.

The proposed change will affect multiple sections of the Terrell Zoning Ordinance. The verbiage will be the same in each section.

**Maximum Height:**

...

One story with a maximum height of 14-1/2 feet, measured at the highest point of the roof, for accessory buildings, including, but not limited to a detached garage, garden shed, gazebo, etc.

These applicable sections in the Zoning Ordinance include:

- (1) EE-32 Executive Estate (Section 15.3.A.2.);
- (2) Single-Family districts SF-16 (Section 16.3.A.2.), SF-10 (Section 17.3.A.2.), SF-7.5 (Section 18.3.A.2.), SF-6 (Section 19.3.A.2.);
- (3) TH-12 Townhome (Section 20.3.A.2.);
- (4) MH Manufactured Home (Section 23.3.G.2); and
- (5) The height regulations portion of any PD Planned Development district ordinance that allows single-family residential uses.

**Financial Considerations:**

The City is the applicant in this case; therefore, no application fee or tax payments were required.

**Notification:**

A public hearing notice for this application was published in the official newspaper of the City of Terrell. Because this is a text change, no notices were required to be mailed.

**Staff Recommendation:**

Approval

**P&Z Action:**

The Planning and Zoning Commission may recommend:

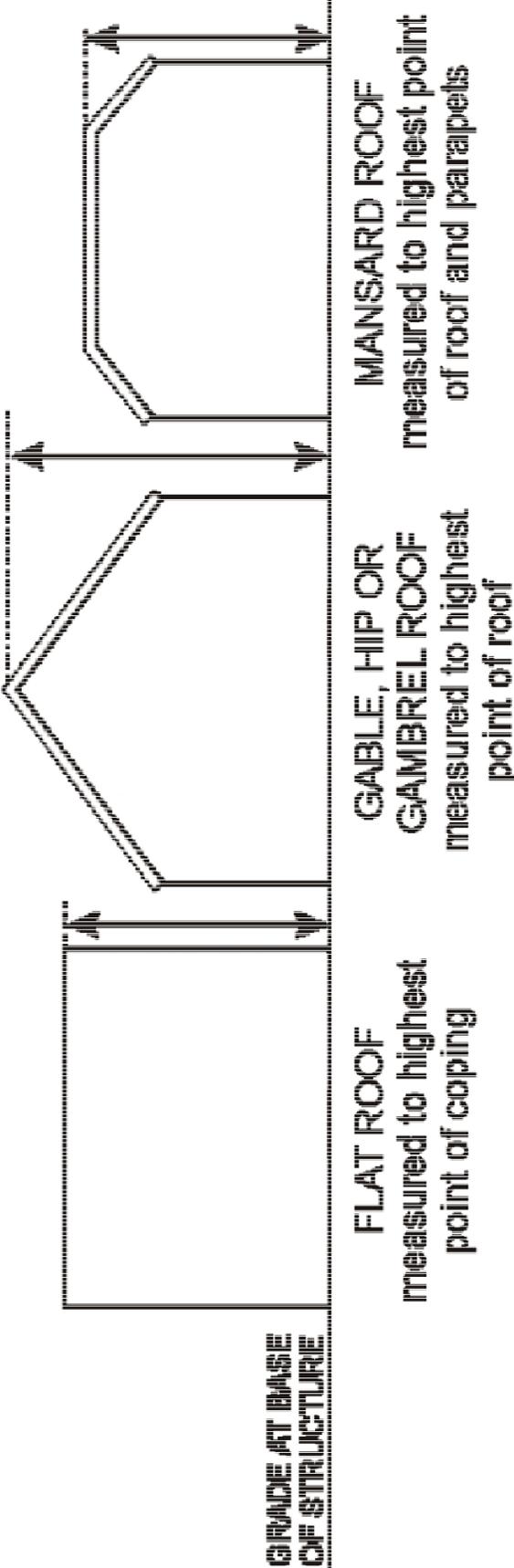
- (1) Approval of the request as presented;
- (2) Approval with additional or modified conditions; or
- (3) Denial.

Final approval of the application requires a public hearing and action from the City Council. The City Council is scheduled to conduct a public hearing on this application at its meeting of February 2, 2016.

**Attachments:**

Graphic depicting the measurement of building height

**MEASUREMENT OF BUILDING HEIGHT, ACCESSORY STRUCTURES/BUILDINGS  
(RESIDENTIAL)**





Agenda Item No. 12

## **Lot 5, Block 1, Terrell Market Center/ Medical Plaza Addition Final Plat FP 16-01**

**Planning and Zoning Commission:**

**January 26, 2016**

**Existing Zoning:**

**Planned Development (PD-6R)**

**Proposed Use:**

**Discount Tire**

### **Background:**

The owner is proposing to plat a single lot in the Terrell Market Center, Ltd. tract, in order to develop the property for a new Discount Tire. The Terrell Market Center/Medical Plaza Addition Construction Plat was approved by the City Council in November 2013 for the development of approximately 92 acres for retail, hotel and hospital uses under Planned Development 6R zoning regulations. The first Final Plat approved for this development was for the Buc-ee's Travel Center. Each development thus far has provided sidewalks and cross-connecting drive aisles for emergency access, internal traffic, pedestrian circulation and public access.

Primary access to the property will be off of F.M. 148 via a public access easement roadway called Walker Way with secondary access from Crossroads Parkway to Market Center Drive, which runs behind the proposed site. Signage, building design, landscaping and lighting are all controlled by the Planned Development regulations and are approved by both the TMC developer and the City. Sidewalks are required on the FM 148 and Spur 557 sides of the property.

Drainage is split with a portion going to FM 148 and Spur 557 while the back half of the lot will drain to the existing detention pond on site. Water service for domestic, irrigation and fire flow already exists adjacent to the site. Sanitary service is available to the site already; however, the developer is obligated to extend the 12" sanitary sewer main across their property to serve adjacent development.

### **Issues:**

1. The property was rezoned to a Planned Development (PD-6) in 2008 and subsequently revised in November 2013 to PD-6R.

**Lot 5, Block 1, Terrell Market Center/Medical Plaza Addition Final Plat  
FP 16-01**

2. The proposed plat meets all of the technical requirements of the Subdivision Regulations and the applicable Planned Development regulations.

**Financial Considerations:**

Application fees have been paid and all applicable taxes are current.

**Notification:**

None required.

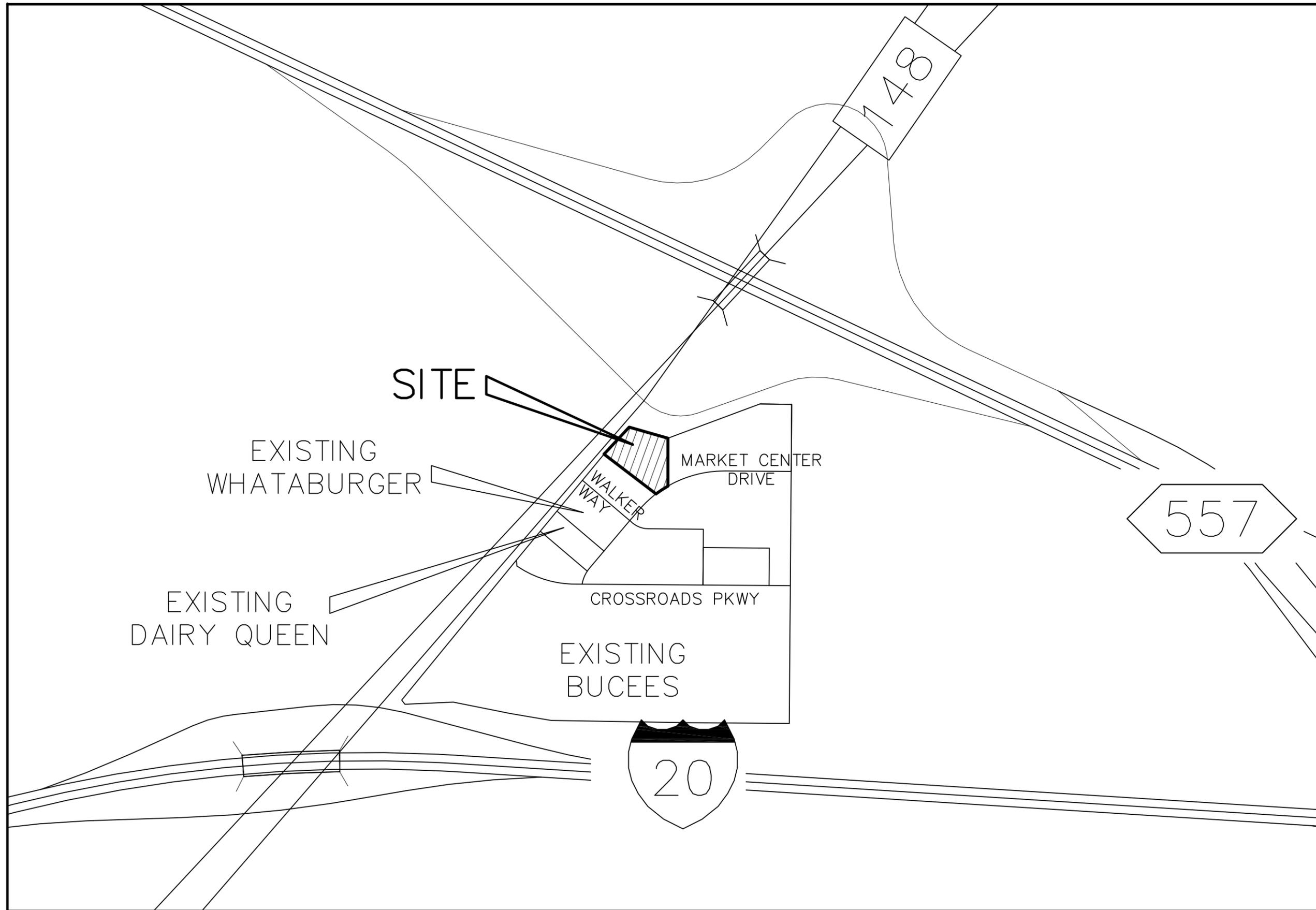
**Staff Recommendation:**

Approval

**Attachments:**

1. Final Plat
2. Vicinity Map





SITE

EXISTING  
WHATABURGER

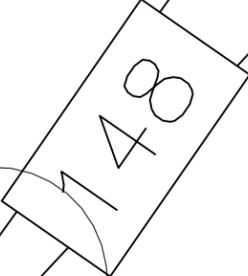
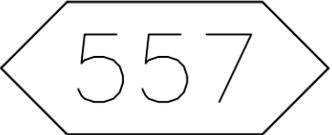
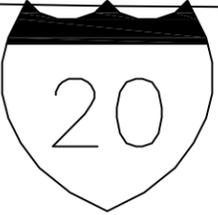
EXISTING  
DAIRY QUEEN

EXISTING  
BUCEES

CROSSROADS PKWY

MARKET CENTER  
DRIVE

WALKER  
WAY





Agenda Item No. 13

## **Lot 1, Block 1, Terrell Market Center/ Medical Plaza Addition Final Plat FP 16-02**

**Planning and Zoning Commission:**

**January 26, 2016**

**Existing Zoning:**

**Planned Development (PD-6R)**

**Proposed Use:**

**Starbucks**

### **Background:**

The owner is proposing to plat a single lot in the Terrell Market Center, Ltd. tract, in order to develop the property for a new Starbucks. The Terrell Market Center/Medical Plaza Addition Construction Plat was approved by the City Council in November 2013 for the development of approximately 92 acres for retail, hotel and hospital uses under Planned Development 6R zoning regulations. The first Final Plat approved for this development was for the Buc-ee's Travel Center. Each development thus far has provided sidewalks and cross-connecting drive aisles for emergency access, internal traffic, pedestrian circulation and public access.

Primary access to the property will be off of F.M. 148 via a public access easement roadway called Walker Way with secondary access from Market Center Drive, which runs behind the proposed site. Signage, building design, landscaping and lighting are all controlled by the Planned Development regulations and are approved by both the TMC developer and the City. Sidewalks are required on the FM 148 and Crossroads Parkway sides on the lot.

Drainage for the lot was planned to enter the FM 148 ditch in front of the property and is detained in the detention pond on the corner of the Buc-ee's property. Water is available from existing water mains installed in the previous development. Sanitary sewer is also available in the front of the property along FM 148.

### **Issues:**

1. The property was rezoned to a Planned Development (PD-6) in 2008 and subsequently revised in November 2013 to PD-6R.

**Lot 1, Block 1, Terrell Market Center/Medical Plaza Addition Final Plat  
FP 16-02**

2. The proposed plat meets all of the technical requirements of the Subdivision Regulations and the applicable Planned Development regulations.

**Financial Considerations:**

Application fees have been paid and all applicable taxes are current.

**Notification:**

None required.

**Staff Recommendation:**

Approval

**Attachments:**

1. Final Plat
2. Vicinity Map



