



PLANNING & ZONING COMMISSION

Notice of Regular Meeting
Tuesday, March 31, 2015 ~ 5:30 p.m.
City Hall ~ Council Chambers
201 E. Nash, Terrell, Texas 75160

AGENDA

Chairman	Jerry Yates	Vice-Chairman	Joe Hood
Commissioner	Bruce Bryant	Commissioner	Stephanie Elswick
Commissioner	Vickie Anderson	Commissioner	Bruce Loflin
Commissioner	Kathy Russell	Commissioner	Carolyn Fairley
Commissioner	Robert Lee		

1. Call to order.
2. Hear remarks from visitors.
3. Discuss and consider approval of the Planning and Zoning Commission meeting minutes of January 27, 2015.

PUBLIC HEARINGS

4. Conduct a public hearing to discuss and consider a request for a Zoning Change from Single-Family (SF-6) District to Light (LI) District on property located at 204 S Catherine St; being Lots 17-22, Block 10 of the Terrell Original Addition; City of Terrell, Kaufman County, Texas. (ZC-15-03)
5. Conduct a public hearing to discuss and consider a request for a Zoning Change from Single-Family (SF-7.5) District to Townhouse Residential (TH-12) on property located at 113 Pecos St; being Lots 26 & 27A, Park Place Addition; City of Terrell, Kaufman County, Texas. (ZC-15-04)
6. Conduct a public hearing to discuss and consider a request to amend Ordinance No. 2585 - Planned Development District 6R, on property located east of F.M. 148 between Spur 557 and Interstate 20, being Lot 1, Block 1, Terrell Market Center/Medical Plaza Addition; City of Terrell, Kaufman County, Texas. (ZC-15-05)

ACTION ITEMS

7. Discuss and consider approval of the What-A-Burger Final Plat, being Lot 3, Block 1, Terrell Market Center/Medical Plaza Addition; located at 1261 F.M. 148; City of Terrell, Kaufman County, Texas. (PL-15-03)
8. Adjourn.

POSTED AT CITY HALL BULLETIN BOARD Thursday, March 26, 2015 at 5:30 p.m.

ATTEST:

John Rounsavall, City Secretary

Planning & Zoning Commission Meeting

Tuesday, January 27, 2014 ~ 5:30 p.m.

City Hall Council Chambers

201 E. Nash ~ Terrell, Texas ~ 75160

MINUTES

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

Absent:

Staff: Terry Capehart and Omaira Renteria

1. Call to order.

Chairman Jerry Yates called the regular meeting of the Planning and Zoning Commission to order on January 27, 2015 at 5:30 p.m.

2. Hear remarks from visitors.

No public visitors spoke. Council Wilson was present.

3. Discuss and consider approval of Planning and Zoning Commission meeting minutes of December 9, 2014.

Commissioner Robert Lee made and Commissioner Joe Hood seconded motion to approve the December 9, 2014 meeting minutes. The motion carried unanimously.

PUBLIC HEARING

4. Conduct a public hearing and consider a request for a Zoning Change from Single-Family (SF-7.5) District to Neighborhood Services (NS) Retail District on property located at 203 & 205 F.M. 148; being Lots 1 and 2, Block 2, of the Mitchell Addition, City of Terrell, Kaufman County, Texas. (ZC-15-01)

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

Jorge Vargas, property owner present to speak in favor of the request.

Commissioner Bruce Bryant made and Commissioner Stephanie Elswick seconded motion to approve the request. The motion carried unanimously.

5. Conduct a public hearing and consider a request for Zoning Change from Light Industrial (LI) District to Multi-Family (MF-22) District on property located on S Catherine between E Cottage St and E Rochester St; being Lots 1-4, Block 22, Terrell Original Addition, City of Terrell, Kaufman County, Texas. (ZC-15-02)

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

Rodney Deen, property owner present to speak in favor of the request.

Commissioner Bruce Bryant made and Commissioner Vickie Anderson seconded motion to approve the request. The motion carried unanimously.

ACTION ITEMS

- 6. Discuss and consider approval of the Re Plat for Lots 1 & 2, Mitchell Subdivision located at 203 & 205 F.M. 148, City of Terrell, Kaufman County, Texas. (PL-15-01).**

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

Commissioner Joe Hood made and Commissioner Stephanie Elswick seconded motion to approve the request. The motion carried unanimously.

- 7. Discuss and consider approval of the satisfactory completion of the Public Improvements related to the Terrell Market Center/Medical Plaza Construction Plat as recommended by the Terrell City Engineer. (PL-15-02)**

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

Commissioner Joe Hood made and Commissioner Stephanie Elswick seconded motion to approve the request. The motion carried unanimously.

8. Adjourn.

Chairman Jerry Yates adjourned meeting at 6:00 p.m.

Approved as presented:

Jerry Yates, Chairman



Agenda Item No. 4

Zoning Change Request (ZC-15-03)

Planning and Zoning Commission Meeting: March 31, 2015

Existing Zoning: Single-family 6 (SF-6)

Proposed Zoning: Light Industrial (LI)

Location: Located at 204 S. Catherine Street between E. Cottage St. and Rochester St., City of Terrell, Kaufman County, Texas

Owner/Applicant: Tom Norton

Background:

The subject property is located on Catherine Street between Grove and Cottage Street and consists of six adjoining lots which take up the entire southeast corner of the block. The applicant also owns the rest of the eastern half of the block just to the north of the subject tract. The entire north half of the block is zoned Light Industrial and the southern half is zoned Single-Family 6 but is entirely vacant land with no residential structures left in the block. The applicant is proposing to rezone the residential portion of his land to Light Industrial in order to construct a mini-storage facility which is permitted by right in the Light Industrial District.

Issues:

1. The zoning change request is compatible with current existing development and with the intensity of land uses and adjacent zoning.

Financial Considerations:

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

Notification:

Public comment forms were mailed to eight (8) property owners within 200 feet of the request in accordance with Section 212.015 of the Texas Local Government Code, one comment form was returned as of the posting of the Agenda favoring the request.

Staff Recommendation:

Approval

Attachments:

Aerial
Buffer map and Notification List
Comment Form

AERIAL



BUFFER MAP



NOTIFICATION LIST

PARCEL ID	OWNER	ADDR_1	ADDR_CITY	ADDR_ST	ADDR_ZIP
39975	HOLMES JOHNNIE C	308 FM RD 148	TERRELL	TX	75160
39974	HOLMES JOHNNIE C	308 FM RD 148	TERRELL	TX	75160
39973	C & N LP	PO BOX 684	TERRELL	TX	75160
39976	NEROES IRA JR & ALMA T	1843 SHADY GLENN LN	DALLAS	TX	75232
39977	NEROES NERO & ALMA	1843 SHADY GLENN LN	DALLAS	TX	75232
39978	NEROES IRA JR & ALMA T	1843 SHADY GLENN LN	DALLAS	TX	75232
39979	ADLINGER THOMAS K	505 GRIFFITH AVE	TERRELL	TX	75160
39982	TOMBLIN REGINALD W & REBECCA R ALLEN	PO BOX 896	TERRELL	TX	75160
40020	BRYANT MARY LOUISE & PATRICIA ANN BRYANT	401 S FRANCIS	TERRELL	TX	75160
40019	WEBER WALTER	615 OLD SEGUIN LULING RD	SEGUIN	TX	78155
40021	CITY OF TERRELL	P O BOX 310	TERRELL	TX	75160
40023	WEBER WALTER	615 OLD SEGUIN LULING RD	SEGUIN	TX	78155
40018	ROBINSON DAVID	P O BOX 42	CRANDALL	TX	75114

This will be a part of the public record.

RE: *204 S Catherine St Lots 17-22, Block 10, Terrell Original Addition*

As a property owner within 200 feet of the property that is the subject of the above referenced case I am in

Favor
 Opposition

for the following reasons:

*I think it will benefit
the City of Terrell*

Name: Tom Norton
Address: PO Box 684
Signature: *Tom Norton*

Please return to:

City of Terrell
Municipal Development Department
P.O. Box 310
Terrell, TX 75160



Agenda Item No. 5

Zoning Change Request (ZC-15-04)

Planning and Zoning Commission Meeting: March 31, 2015

Existing Zoning: Single-family 7.5 (SF-7.5)

Proposed Zoning: Townhouse (TH-12) Residential

Location: Located at 113 Pecos Street; being Lots 26 & 27A, Park Place Addition; City of Terrell, Kaufman County, Texas

Owner/Applicant: Dereian Wilson

Background:

The subject property is located on Pecos Street near the intersection of State Street. Terrell State Hospital is just across State Street from the subject property. The subject property consists of two vacant lots with vacant lots on either side. The applicant is proposing to rezone the property to Townhouse residential in order to construct a single duplex. There is a duplex directly across the street at 112 Pecos Street and from midblock to the corner of Brin Street over half of the block on the same side of the street as the subject property is currently Zoned Townhouse District.

Issues:

1. The zoning change request is compatible with current existing development and with the intensity of land uses and adjacent zoning.

Financial Considerations:

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

Notification:

Public comment forms were mailed to nineteen (19) property owners within 200 feet of the request in accordance with Section 212.015 of the Texas Local Government Code, no comment forms were returned as of the posting of the Agenda.

Staff Recommendation:

Approval

Attachments:

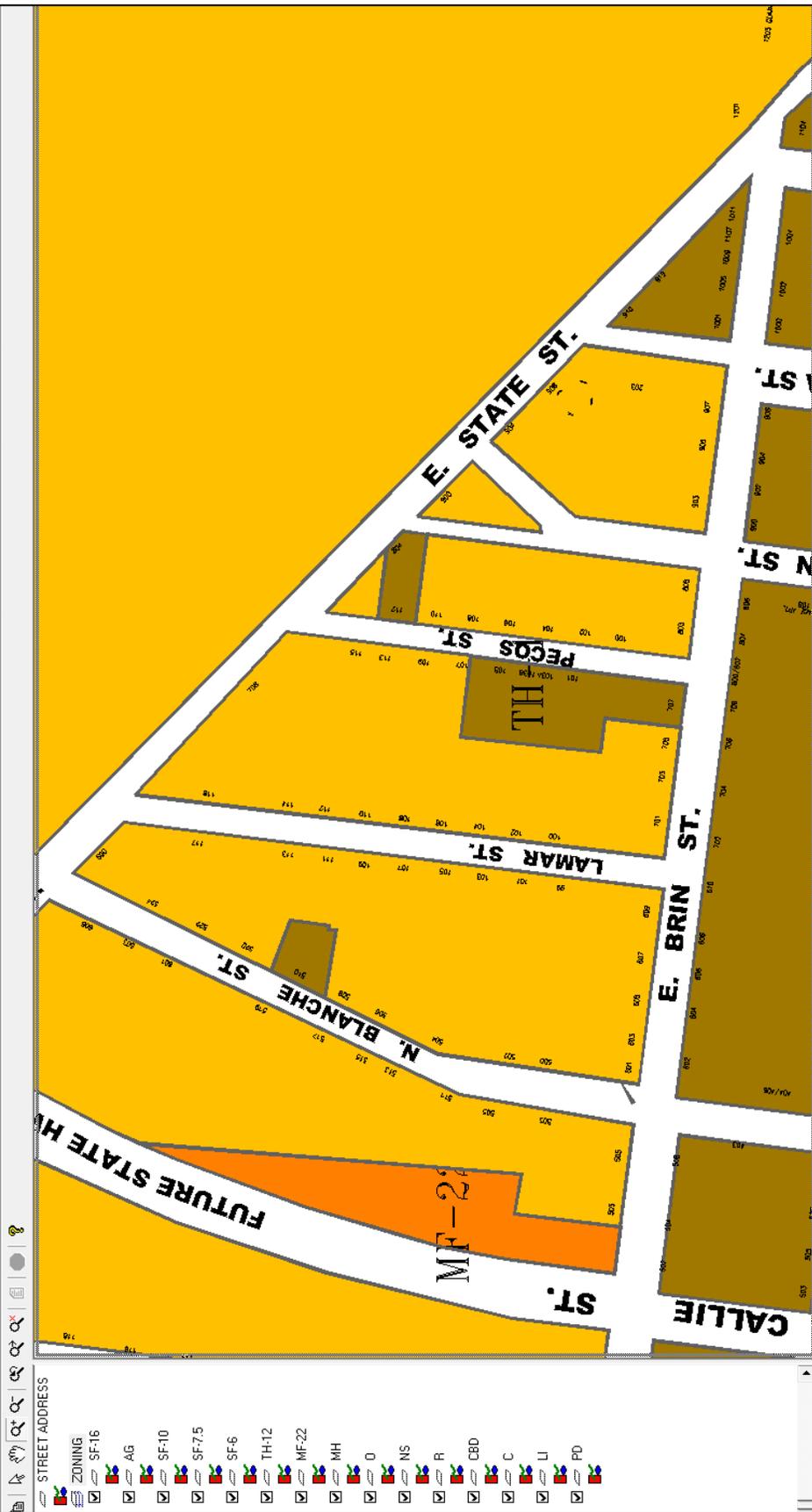
Elevation Rendering
Zoning Map
Buffer map and Notification List



ZONING MAP

City of Terrell Zoning Map

Note: You must install the Active X controller to see the map viewer! (Located at the top of the window.)



STREET ADDRESS

- ZONING
- SF-16
- AG
- SF-10
- SF-7.5
- SF-6
- TH-12
- MF-22
- MH
- O
- NS
- R
- CBD
- C
- LI
- PD

7:5: 1:2,036

Main Map Open in alternate window

BUFFER MAP



NOTIFICATION LIST

PARCEL ID	OWNER	ADR_2	ADDR_CITY	ADDR_ST	ADDR_ZIP
33258	VRR ENTERPRISES LLC	1335 E CRSOBY SUITE A	CARROLLTON	TX	75006
33279	HENDRICKS JAMES & JUDITH % TORRES LUIS & NIB	708 E STATE ST	TERRELL	TX	75160
33259	VENEGAS MARGARITA	15761 CR 109	KAUFMAN	TX	75142
33260	VANCE JOHNNY L SR	114 LAMAR	TERRELL	TX	75160
33278	GOBER GREG	P O BOX 691	TERRELL	TX	75160
33261	CASTRO JOSE LUIS	110 LAMAR	TERRELL	TX	75160
33262	BAILON MARTIN A & MARIA	108 LAMAR	TERRELL	TX	75160
33276	THAKORBHAJ JAY	109 PECOS	TERRELL	TX	75160
33263	DE LEON CHRISTINE	106 LAMAR	TERRELL	TX	75161
33275	ALONSO SEVERIANO & MARTINA	107 PECOS	TERRELL	TX	75160
33264	BAILON MARTIN & ELVIRA	104 LAMAR ST	TERRELL	TX	75160
33272	GUARDADO GUILLERMO	105 PECOS	TERRELL	TX	75160
33265	VELAZQUEZ TERESA	P O BOX 2184	TERRELL	TX	75160
33274	DIAZ LORENZO	103B PECOS	TERRELL	TX	75160
33280	BARROW J W III	P O BOX 745	TERRELL	TX	75160
33281	PANIAGUA SEFERINO & MARIA LUZ	1055 SLEEPY HOLLOW RD	TERRELL	TX	75161
33284	BROWN CLIFF	1131 FM RD 741	FORNEY	TX	75126
33283	MC GARY MARIE	108 PECOS	TERRELL	TX	75160
33282	HOLLON ROBIN	P O BOX 1481	TERRELL	TX	75160



Agenda Item No. 6

Zoning Change Request to Amend PD-6R, Ord. No. 2585 (ZC-15-05)

Planning and Zoning Commission Meeting: March 31, 2015

Existing Zoning: Planned Development 6R, Ord. No. 2585

Requested Zoning: Planned Development 6R (PD-6R)

Location: Generally located south of Spur 557 and north of Interstate 20 and east of FM 148, City of Terrell, Kaufman County, Texas

Owner/Applicant: Terrell Market Center, Ltd.

Engineer: Jones & Boyd, Inc.

Background:

In accordance to the original Planned Development Ordinance PD-6R (Ord. No. 2585, adopted on November 19, 2013), Section IV.e.iii.1. - Development Standards - Signage - pylon signs are to be constructed by the Developer only along the major highway frontages with multi-tenant signs strategically placed on the signs for both visibility and direction. The pylon signs along Interstate 20 are already entitled to fifty feet (50') in height while the remainder along F.M. 148 and Spur 557 are limited to thirty feet (30') in height. The Developer is requesting that in order to have a more uniform appearance in the development as well as accommodate the tenants' need for visibility all the pylons are to be of a uniform height not to exceed fifty feet.

Current existing PD-6R Ordinance:

iii. Pylon Signs

1. Along IH 20, pylon signs shall be constructed at a height not to exceed fifty (50') feet. Along FM 148, pylon signs shall be constructed at a height not to exceed thirty (30') feet. Along Spur 557, pylon signs shall be constructed at a height not to exceed thirty (30') feet. The face area of a pylon sign shall not exceed 300 square feet per face excluding the sign base. The base area for a pylon sign shall not exceed 100 square feet per face area.

Proposed Amendment:

iii. Pylon Signs

1. Along IH 20, pylon signs shall be constructed at a height not to exceed fifty (50') feet. Along FM 148, pylon signs shall be constructed at a height not to exceed thirty (50') feet. Along Spur 557, pylon signs shall be constructed at a height not to exceed thirty (50') feet. The face area of a pylon sign shall not exceed 700 square feet per face excluding the sign base. The base area for a pylon sign shall not exceed 150 square feet per face area.

Issues:

Request is consistent with other signs on the site as well as throughout other highway corridors in the City.

Financial Considerations:

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

Notification:

As prescribed by State Law, public hearing notice for the zoning change request was published in the official newspaper of the City of Terrell (Section 211.006.a of the Texas Local Government Code). Public comment forms were mailed to five (5) property owners within 200 feet of the request in accordance with Section 211.007.c TLGC, no comment forms were returned as of the posting of the Agenda.

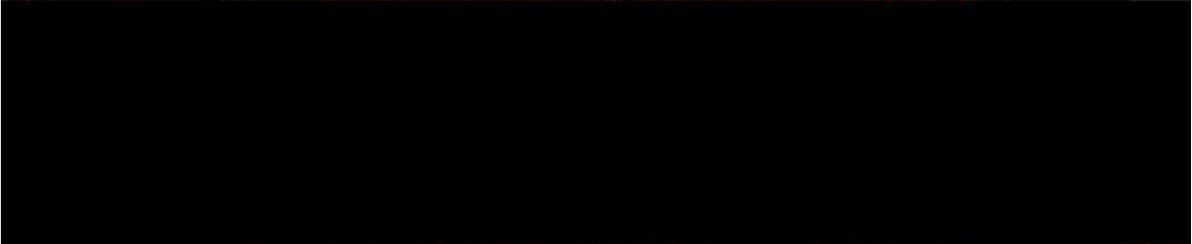
Staff Recommendation:

Approval

Attachments:

Notification map and mailing list
Amended Ordinance with Exhibits

200' NOTIFICATION MAP



NOTIFICATION LIST

PROP_ID	OWNER_NAME	ADDR_LINE 1	ADDR_LINE 2	ADDR_CITY	ADDR_STATE	ADDR_ZIP
7671	255 TERRELL LP	C/O OAKMONT CAPITAL GROUP INC	5700 W PLANO PKWY 1200	PLANO	TX	75093
18997	TERRELL TRADING CO INC		4044 CREEK VALLEY BLVD	CARROLLTON	TX	75010
18997	TERRELL TRADING CO INC		4044 CREEK VALLEY BLVD	CARROLLTON	TX	75010
175951	NOORANI ABDUL RASHID & DAR ENTERPRISES LLC		4044 CREEK VALLEY BLVD	CARROLLTON	TX	75010
175952	MANJI SULTANALI & FAIRSHARE ENTERPRISES LAND LLC		4044 CREEK VALLEY BLVD	CARROLLTON	TX	75010
179071	BAYLOR HEALTH CARE SYSTEMS		3600 GASTON AVE SUITE 150	DALLAS	TX	75246

ORDINANCE No. XXXX

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING PLANNED DEVELOPMENT-6R (PD-6R), ORDINANCE No. 2585, ON 36.823 ACRES OF THE J. C. HALE SURVEY, ABSTRACT NO. 202, KAUFMAN COUNTY, TEXAS, AS CONVEYED TO TERRELL MARKET CENTER, LTD. RECORDED IN VOLUME 3294, PAGE 549, DEED RECORDS KAUFMAN COUNTY TEXAS; GENERALLY LOCATED AT THE SOUTHERN INTERSECTION OF FM 148 AND SPUR 557, AND BEING PART OF THAT 89.24 ACRE TRACT OF LAND CONVEYED TO CHARLIE RISINGER AND WIFE, DENA RISINGER AS RECORDED IN VOLUME 2665, PAGE 338, DEED OF RECORDS OF KAUFMAN COUNTY, TEXAS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ARTICLE I.

WHEREAS, the Planning and Zoning Commission of the City of Terrell, Texas, held a public hearing on March 31, 2015, on a request to amend Planned Development 6R (PD-6R), Ordinance No. 2585, on 36.823 acres of the J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, generally located at the Southern intersection of FM 148 and Spur 557, and being part of that 89.24 acre tract of land conveyed to Charlie Risinger and wife, Dena Risinger as recorded in Volume 2665, Page 338, Deed of Records of Kaufman County, Texas and recommended approving a zone change on this property; and

WHEREAS, the City Council of the City of Terrell, Texas, held a public hearing on April 21, 2015, on a request to amend Planned Development 6R (PD-6R), Ordinance No. 2585 on 36.823 acres of the J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, generally located at the Southern intersection of FM 148 and Spur 557, and being part of that 89.24 acre tract of land conveyed to Charlie Risinger and wife, Dena Risinger as recorded in Volume 2665, Page 338, Deed of Records of Kaufman County, Texas; and

WHEREAS, the City Council has determined that all notice requirements have been given in compliance with the laws and ordinances of the City of Terrell; and

WHEREAS, the City Council of the City of Terrell, Texas, has determined that it would be in the best interest of the citizens of Terrell to amend Planned Development 6R (PD-6R), Ordinance No. 2585, on 36.823 acres of the J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, generally located at the Southern intersection of FM 148 and Spur 557, and being part of that 89.24 acre tract of land conveyed to Charlie Risinger and wife, Dena Risinger as recorded in Volume 2665, Page 338, Deed of Records of Kaufman County, Texas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Terrell, Texas:

THAT Planned Development 6R (PD-6R), Ordinance No. 2585, be and is hereby amended by Ordinance No. XXXX by the inclusion of a new Exhibit G as delineated herein; on that certain 36.823 acre tract of land conveyed to Terrell Market Center, Ltd. recorded in Volume 3294, Page 549, D.R.K.C.T. out of the J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, generally located at the Southern intersection of FM 148 and Spur 557, and being part of that 89.24 acre tract of land conveyed to Charlie Risinger and wife, Dena Risinger as recorded in Volume 2665, Page 338, Deed of Records of Kaufman County, Texas.

ARTICLE II

All ordinances or part 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 unconstitutionality 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 in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

ARTICLE IV

This Ordinance will take effect immediately from and after its passage and the publication of the caption, as the law in such case provides.

PASSED AND APPROVED this the 21st day of April, 2015.

PASSED AND ADOPTED this the 5th day of May, 2015.

APPROVED:

Hal Richards, Mayor

ATTEST:

John Rounsavall, City Secretary

APPROVED AS TO FORM:

Mary Gayle Ramsey, City Attorney

EXHIBIT G

AMENDMENT TO PLANNED DEVELOPMENT DISTRICT (PD-6R) TERRELL MARKET CENTER TERRELL, TEXAS

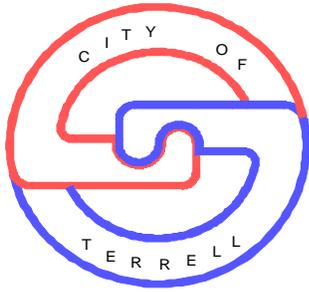
On the prior Exhibit A of the Planned Development (PD-6R) Ordinance No. 2585, the language of **Section IV. Development Standards - e.iii.1. Signage and Graphics** shall be replaced in its entirety with the below standards for pylon signs:

IV. Development Standards

e. Signage and Graphics

iii. Pylon Signs

1. Along IH 20, pylon signs shall be constructed at a height not to exceed fifty (50') feet. Along FM 148, pylon signs shall be constructed at a height not to exceed thirty (50') feet. Along Spur 557, pylon signs shall be constructed at a height not to exceed thirty (50') feet. The face area of a pylon sign shall not exceed 700 square feet per face excluding the sign base. The base area for a pylon sign shall not exceed 150 square feet per face area.



Agenda Item No. 7

Lot 3, Block 1, Terrell Market Center/Medical Plaza Addition Final Plat PL 15-03

Planning and Zoning Commission Meeting: March 31, 2015

Existing Zoning: Planned Development (PD-6R)

Proposed Use: What-A-Burger Restaurant

Location: Located at 1261 F.M. 148 between Spur 557 and Interstate Highway 20, being all of a certain called 1.077 acre (46,914 sq. ft.) tract of land being situated in the John C. Hale Survey, Abstract No. 202; as described in a deed to Terrell Market Center, Ltd. recorded in Volume 3294, Page 549 of the Deed Records of Kaufman County; described as Lot 3, Block 1, Terrell Market Center/Medical Plaza Addition, City of Terrell, Kaufman County, Texas.

Owner: Terrell Market Center, Ltd.

Agent/Surveyor: Vannoy Surveyors, Inc.

Background:

The owner is proposing to plat a single lot of record out of the Terrell Market Center, Ltd. tract, in order to develop the property for a new What-A-Burger Restaurant. 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 for this development was for the Buc-ee's Travel Center and Fueling Station and a new Dairy Queen site was the second pad site to be developed.

Due to the complex civil engineering required to develop this site a number of utilities, drainage infrastructure, water lines, sewer lines were filed as separate instruments. Primary access will be off of F.M. 148 on a public access easement roadway called Walker Way with secondary access from Crossroads Parkway to Terrell Market Center Drive which runs behind the proposed restaurant. 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.

Issues:

1. The property was rezoned to a Planned Development (PD-6) in 2008 which was revised in November 2013 to PD-6R.
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. Construction Plat for comparison

