

# HEWITT TEXAS

## **PLANNING AND ZONING COMMISSION**

Walter H. Peterson - Chairman

Travis Bailey

Bobby Drake

Dustin Crawford

Michael Lee Hix

Brian Dalrymple

Paul Lasater

## **CITY STAFF**

Bo Thomas – City Manager

Miles Whitney – City Engineer

Tracy Lankford – Community Development Director

Brittney Cantu – Zoning Secretary

Planning and Zoning meetings are held as needed on the first Tuesday of each month at 6PM in the City of Hewitt Council Chambers located at 200 Patriot Court, Hewitt, Texas 76643.

# HEWITT TEXAS

## NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION

Notice is given that a **PUBLIC** meeting will be held before the Planning and Zoning Commission of the City of Hewitt on **Tuesday, April 4, 2023 at 6:00PM in the City Council Chambers at Hewitt City Hall, located at 200 Patriot Court, Hewitt, Texas** at which time the following subjects will be discussed:

1. Call Planning and Zoning Commission Meeting to order.
2. Consider approval of minutes for the August 2, 2023 Planning and Zoning Commission regular meeting.
3. **Public Hearing:** Consider a request of Kirby Smith Machinery, KSMI Properties LLC, to rezone a portion of James Sprowl Survey, Abstract 817 16.572 acres, located at the southwest corner of I-35 Frontage Road and South Hewitt Drive, from R-1 Single Family Residential District to C-O Outdoor Commercial District.
4. Discussion and possible action: Consider a request of Kirby Smith Machinery, KSMI Properties LLC, to rezone a portion of James Sprowl Survey, Abstract 817 16.572 acres, located at the southwest corner of I-35 Frontage Road and South Hewitt Drive, from R-1 Single Family Residential District to C-O Outdoor Commercial District.
5. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Hewitt, Texas was posted on a Public Notice Board located in front of City Hall before 5:00PM on March 31, 2023.

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Brittney Cantu, City of Hewitt Zoning Secretary

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print Braille, are requested to contact the Zoning Secretary at (254) 666-6173 at least 24 hours prior to the meeting, so that appropriate arrangements can be made.

# HEWITT TEXAS

## PLANNING AND ZONING COMMISSION

August 02, 2022 at 6:00 PM

Hewitt City Hall, 200 Patriot Court, Hewitt, TX 76643

## MINUTES

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### **CALL OF PLANNING AND ZONING COMMISSION MEETING TO ORDER FOR AUGUST 2, 2022.**

Chairman Walt Peterson called the meeting to order at 6pm.

#### PRESENT

Chairman Walter Peterson

Brian Dalrymple

Bobby Drake

Mike Hix

#### ABSENT

Travis Bailey

Dustin Crawford

Paul Lasater

### **CONSIDER APPROVAL OF MINUTES FOR THE JULY 12, 2022 PLANNING AND ZONING COMMISSION REGULAR MEETING.**

Meeting minutes approved but allowing for corrections as needed.

Motion made by Hix, Seconded by Dalrymple.

Voting Yea: Chairman Peterson, Dalrymple, Drake, Hix

### **PUBLIC HEARING: Special Permit request for an Electrical Substation by Kimley-Horn for TXU Electric Delivery Co. and Alan Anjurn located at the Northeast corner of Old Temple Rd and Spring Valley Rd, Hewitt, Texas, known as O'Campo C A-32 Tract 1C2.**

Public Hearing opened at 6:01pm.

Speaking for project: Rob Myers with Kimbley-Horn, 6160 Warren Pwky, Frisco, TX. Mr. Myers is representing this project for an electrical substation to be placed on requested property. The property is currently owned by ONCOR. Prior to the meeting beginning, Mr. Myers spoke with citizens that came to the meeting to address potential concerns regarding this project. The Planning and Zoning Commission did not have questions for Mr. Myers at this time.

Andrew Huntington, residing at 205 Keswick, Hewitt, TX. Mr. Huntington wants to make sure that all the information that Mr. Myers spoke with the citizens about the wall around the substation prior to the meeting is written down and will be done. Mr. Huntington was also concerned about the property value of his home going down with the substation being built.

Katie Price, residing at 109 Briar Ridge, Hewitt, TX. Ms. Price had questions regarding how close the wall would be to her property line. According to proposed map, this wall would be 100' or more away from property lines. Ms. Price also wants the wall around the substation to be safe and be masonry like Mr. Myers proposed to the citizens prior to the meeting.

Kristi Huntington, residing at 205 Keswick, Hewitt, TX. Ms. Huntington had questions about this substation bringing down property values as well as property tax values.

Katie Charanza, residing at 212 Keswick, Hewitt, TX. Ms. Charanza expressed concerns about property taxes. Ms. Charanza also expressed concerns on if this substation would produce high voltage. Mr. Myers explained that the substation would not produce any more voltage than what was already there, and would actually lower the voltage from the transmission lines. Ms. Charanza is not in favor of the project.

Bertha Arellano, residing at 117 Briar Ridge, Hewitt, TX. Ms. Arellano had questions about general safety and how this substation would be maintained. Mr. Myers addressed her safety concerns, as well as explained that the substation is maintained online 24 hours a day.

Public Hearing closed at 6:19pm.

**DISCUSSION AND POSSIBLE ACTION: Special Permit request for an Electrical Substation by Kimley-Horn for TXU Electric Delivery Co. and Alan Anjurn located at the Northeast corner of Old Temple Rd and Spring Valley Rd, Hewitt, Texas, known as O'Campo C A-32 Tract 1C2.**

Tracy Lankford, Director of Community Services, spoke with the Commission regarding the special terms of this requested special permit. The Planning and Zoning Commission has recommended approval of the requested project, but are requiring the special conditions to be an 8' tall masonry wall instead of the original proposed 7' tall chain link/barbed wire fence; as well as the special condition of 3' Evergreen trees spaced every 8 to 10 feet apart to be planted around the outside wall for aesthetics per conversation with Mr. Myers. All four members in favor, motion to go before City Council August 15, 2022.

Motion made by Hix, Seconded by Dalrymple.  
Voting Yea: Chairman Peterson, Dalrymple, Drake, Hix

**ADJOURN**

Meeting is adjourned at 6:29pm.

# HEWITT TEXAS

City of Hewitt

## Application for Amendment of the Zoning Ordinance To the Planning & Zoning Commission and the City Council

Legal Description of Property:

16.572 acres located in the James Sprowl Survey, Abstract 817 in the City of Hewitt, McLennan County, Texas

Describe the location of the property as submitted by this application. This may be in the form of a street address, general physical description, or nearest intersection.

SWQ of I-35 frontage and South Hewitt Drive, Hewitt, TX

Zoning Change From R-1 to C-O

Please describe the interest in property:

KSMI Properties, LLC is currently under contract as for with Seller, Warren Brothers Farms, LLC to purchase land for Kirby Smith Machinery, a heavy equipment rental, sales and service center. They have several ocations across the SW region

Existing Building(s) on Property: N/A

Total sq. ft. of all buildings on property: N/A

Please provide the following recording information and a copy of the document (s) listed below with this application:

Ownership (deed): Doc. #/MCC No. Volume 1038, Page 581 (Vesting Deed)

Please provide the proposed meeting date for this application to be considered (See Meeting Schedule):

April 4, 2023

**The rezoning application must be completed along with the following required information:**

1. A notarized letter from the property owner authorizing applicant to present the request, if the property owner will not be presenting the request.
2. 1 PDF and 1 hard copy of plat in State Plane Coordinates using the Texas Central Zone NAD 83.
3. Submit 1 copy of building plans, if existing building(s) exist.
4. Non-refundable application fee (see Fee Schedule).
5. Application, fee, documents, etc., in completed form must be submitted to the Planning Department before or no later than 12:00 noon on the deadline date (see Meeting Schedule).

I attest that the above information is true and correct to the best of my knowledge that I am now or will be fully prepared to present the above proposal at the Planning & Zoning Commission hearing. I understand that if any of the above information is found to be wrong or inaccurate that my application may be removed from consideration prior to the time the application is voted upon by the governing body of the City.

I understand that in the event the undersigned is not present or represented at the public hearing, the Zoning Commission shall have the power to dismiss this proposal either at the call of the case or after hearing and such dismissal shall constitute a denial by both the Planning & Zoning Commission and the City Council.

I reserve the right to withdraw this proposal. However, written withdrawals filed at any time after the giving of notice of the Planning and Zoning Commission hearing shall constitute a denial by the Commission and City Council. I understand that the filing fee is not refundable upon withdrawal of proposal.

Name of Property Owner: Warren Brothers Farms c/o Robert McCollum Phone No. (214) 957-9694  
Mailing Address: 2724 Redate City: OK State: TX  
Email Address: mccollumprop@aol.com  
Signature of Property Owner: [Signature] Date: 2-27-2023

Name of Applicant/Representative David Baker Phone No. 405-520-4020  
Mailing Address: 6715 W. Reno Avenue City: Enid State: OK 73127  
Email Address: david.baker@kirby-smith.com  
Signature of Applicant/Representative: [Signature] Date: 2/27/2023

City of Hewitt  
Planning & Zoning Commission  
103 N. Hewitt Drive  
Hewitt, TX 76643

This letter is in regards to a zoning application in the City of Hewitt for a 16.572 acre site that Kirby Smith Machinery (KSMI Properties, LLC) has contracted for, out of a larger 141.803 tract owned by Warren Brothers Farms, LLC.

Warren Brothers Farms, LLC authorizes KSMI Properties, LLC to proceed with the City of Hewitt on a zoning application for the attached and referenced property.

WARREN BROTHERS FARMS, LLC

By: Peggy Sumner  
Peggy Sumner

Its: Manager

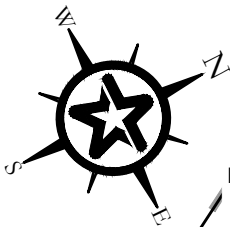
By: Ann Hightower  
Ann Hightower

Its: Manager

NANCY BURWELL SURVEY  
ABSTRACT 88  
MCLENNAN COUNTY, TEXAS

JAMES SPROWL SURVEY  
ABSTRACT 817  
MCLENNAN COUNTY, TEXAS

WARREN BROTHERS FARMS, LLC  
M.C.C.D. 2015032867, M.C.C.D. 2015032868,  
M.C.C.D. 2015032869, M.C.C.D. 2015032870,  
M.C.C.D. 2015032871 AND M.C.C.D. 2015032872  
ALL OF THE O.P.R.M.C.T.



N 26°25'48" E - 832.78'

D.R.M.C.T. = DEED RECORDS MCLENNAN COUNTY, TEXAS

M.C.C.D. = MCLENNAN COUNTY CLERK'S DOCUMENT

O.P.R.M.C.T. = OFFICIAL PUBLIC RECORDS MCLENNAN COUNTY, TEXAS

○ = 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" SET

● = 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" FOUND (UNLESS NOTED OTHERWISE)

N 86°56'50" W  
164.47'

WARREN BROTHERS FARMS, LLC  
M.C.C.D. 2015032867, M.C.C.D. 2015032868,  
M.C.C.D. 2015032869, M.C.C.D. 2015032870,  
M.C.C.D. 2015032871 AND M.C.C.D. 2015032872  
ALL OF THE O.P.R.M.C.T.

CITY OF WACO, TEXAS  
1.528 ACRE PERMANENT UTILITY  
EASEMENT  
M.C.C.D. 2010029360  
O.P.R.M.C.T.

N 38°05'39" W - 316.10'

16.572 ACRES  
(BY THIS SURVEY)

S 63°34'12" E - 900.00'

1/2" IRON ROD FOUND

S 59°24'17" W - 507.28'

N 30°35'43" W - 24.83'

REMAINDER OF  
MCLENNAN COUNTY  
CALLED 9.610 ACRES  
VOLUME 1403, PAGE 739  
D.R.M.C.T.

S 59°24'17" W - 277.01'

CITY OF WACO, TEXAS  
1.528 ACRE SEWER AND  
WATERLINE EASEMENT  
M.C.C.D. 2010029360  
O.P.R.M.C.T.

20' WIDE UTILITY EASEMENT  
M.C.C.D. 2021048988  
O.P.R.M.C.T.

CITY OF HEWITT, TEXAS  
1.174 ACRE SEWER AND WATER  
EASEMENT  
M.C.C.D. 2010018617  
O.P.R.M.C.T.

STATE OF TEXAS  
PARCEL 25  
CALLED 6.048 ACRES  
M.C.C.D. 2011031931  
O.P.R.M.C.T.

FIELD NOTE POINT  
OF BEGINNING

DISTURBED TxDOT  
MONUMENT BEARS  
N 17°56'46" E - 1.19'

S 30°13'54" W - 361.64'

APPROXIMATE LOCATION OF SURVEY LINE

STATE OF TEXAS  
CALLED 3.470 ACRES  
M.C.C.D. 2012008074  
O.P.R.M.C.T.

S 26°25'48" W - 228.70'

N 26°25'48" E - 221.37'

+/-1025' TO FM 1695



INTERSTATE HIGHWAY 35  
(RIGHT-OF-WAY WIDTH VARIES)

JAMES STEWART SURVEY  
ABSTRACT 816  
MCLENNAN COUNTY, TEXAS

FIELD NOTES ATTACHED HERETO, MADE A PART HEREOF AND TITLED:  
16.572 ACRES LOCATED IN THE JAMES SPROWL SURVEY, ABSTRACT 817, IN THE CITY OF HEWITT, MCLENNAN COUNTY, TEXAS.

EXHIBIT FOR REZONING OF A 16.572 ACRE TRACT

LOCATED IN THE JAMES SPROWL SURVEY, ABSTRACT 817 IN MCLENNAN COUNTY, TEXAS, AND BEING OUT OF A REMAINDER OF A CALLED 307.88 ACRE TRACT DESCRIBED IN A DEED TO CLEON K. WARREN AND AGNES ANN BARNES RECORDED IN VOLUME 1038, PAGE 248, AND IN A DEED TO PEGGY WARREN SUMNER, HOMER CLAY WARREN, JR., JESSIKA WARREN CLEVELAND AND ANNE HAL WARREN PLEDGER, RECORDED IN VOLUME 1038, PAGE 581, ALL IN THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS, REMAINDER TRACT CONVEYED TO WARREN BROTHERS FARMS, LLC BY CORRECTION INSTRUMENTS RECORDED IN MCLENNAN COUNTY CLERK'S

DOCUMENTS 2015032867, 2015032868, 2015032869, 2015032870, 2015032871 AND 2015032872  
ALL IN THE OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS

SURVEYED: JANUARY 13, 2023.  
RELEASED: FEBRUARY 24, 2023

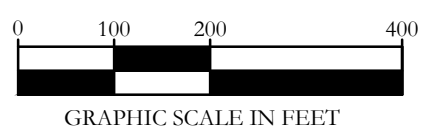
*Corey Lee Smith*

KOREY LEE SMITH, R.P.L.S. 6645  
ksmith@walkerpartners.com

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823 Washington Ave. • Waco, Texas 76701  
Phone: 1-254-714-1402 • T.B.P.E. Registration No. 8053  
T.B.P.L.S. Registration No. 10032500



REVISIONS

PLAT NO. A1-2198 DRAFT DATE 02/24/23 FB/PG N/A  
PROJ. NO. 1-03795.01 TAB NO. N/A FIELD NOTE NO. 01  
DWG. NAME 1-03795ZONING DRAWN BY KLS

G:\PROJECTS\1-03795\1 SURVEY\1.0 CAD\1-03795ZONING.DWG, 8.5X11, 2/24/2023 4:28:14 PM, ksmith, 1:1





823 Washington Ave., Suite 100  
Waco, Texas 76701

**16.572 ACRES  
LOCATED IN THE JAMES SPROWL SURVEY, ABSTRACT 817  
IN THE CITY OF HEWITT, MCLENNAN COUNTY, TEXAS**

FIELD NOTES FOR A 16.572 ACRE TRACT OF LAND LOCATED IN THE JAMES SPROWL SURVEY, ABSTRACT 817, IN THE CITY OF HEWITT, MCLENNAN COUNTY, TEXAS, AND BEING A REMAINDER OF A CALLED 307.88 ACRE TRACT, DESCRIBED IN DEEDS TO CLEON K. WARREN AND AGNES ANN BARNES RECORDED IN VOLUME 1038, PAGE 248, OF THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS (D.R.M.C.T.) AND TO PEGGY WARREN SUMNER, HOMER CLAY WARREN, JR., JESSIKA WARREN CLEVELAND AND ANNE HAL WARREN PLEDGER, RECORDED IN VOLUME 1038, PAGE 581, OF THE D.R.M.C.T., SAID REMAINDER TRACT CONVEYED TO WARREN BROTHERS FARMS, LLC BY CORRECTION INSTRUMENTS RECORDED IN MCLENNAN COUNTY CLERK'S DOCUMENTS (M.C.C.D.) 2015032867, 2015032868, 2015032869, 2015032870, 2015032871 AND 2015032872, ALL IN THE OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS (O.P.R.M.C.T.), SAID 16.572 ACRES BEING MORE PARTICULARLY SHOWN ON THE ATTACHED ALTA/NSPS LAND TITLE SURVEY DRAWING AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" FOUND IN THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF INTERSTATE 35 (R.O.W. VARIES) AND THE EAST LINE OF THE REMAINDER OF THE 307.88 ACRE TRACT, MARKING THE NORTH CORNER OF THE REMAINDER OF A CALLED 9.610 ACRE TRACT DESCRIBED IN A DEED TO MCLENNAN COUNTY RECORDED IN VOLUME 1403, PAGE 739 OF THE D.R.M.C.T., THE NORTHWEST CORNER OF A CALLED 6.048 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS, RECORDED UNDER M.C.C.D. 2011031931 OF THE O.P.R.M.C.T., THE SOUTHWEST CORNER OF A CALLED 3.470 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS, RECORDED UNDER M.C.C.D. 2012008074 OF THE O.P.R.M.C.T., FROM WHICH A DISTURBED TEXAS DEPARTMENT OF TRANSPORTATION CONCRETE MONUMENT FOUND BEARS N 17°56'46" E - 1.19';

**THENCE S 59°24'17" W - 277.01'** LEAVING THE R.O.W. LINE OF INTERSTATE 35, WITH THE COMMON LINE OF THE REMAINDER OF THE 307.88 ACRE TRACT AND THE REMAINDER OF THE 9.610 ACRE TRACT TO A 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" SET, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 1/2" IRON ROD FOUND IN THE WEST LINE OF THE REMAINDER OF THE 9.610 ACRE TRACT AND MARKING THE SOUTHEAST CORNER OF THE REMAINDER OF THE 307.88 ACRE TRACT BEARS S 59°24'17" W - 507.28';

**THENCE** THROUGH THE INTERIOR OF THE REMAINDER OF THE 307.88 ACRE TRACT THE FOLLOWING SIX CALLS:

- 1) **N 30°35'43" W - 24.83'** TO A 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" FOUND IN THE NORTH LINE OF A CALLED 1.528 ACRE PERMANENT UTILITY EASEMENT DESCRIBED IN A DEED TO THE CITY OF WACO RECORDED UNDER M.C.C.D. 2010029360 OF THE O.P.R.M.C.T.,
- 2) **N 83°05'49" W - 284.44'** WITH THE NORTH LINE OF SAID EASEMENT TO A 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" FOUND,
- 3) **N 38°05'39" W - 316.10'** WITH THE NORTH LINE OF SAID EASEMENT TO A 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" FOUND,
- 4) **N 86°56'50" W - 164.47'** WITH THE NORTH LINE OF SAID EASEMENT TO A 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" SET, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" FOUND MARKING THE END THE NORTH LINE OF SAID EASEMENT IN THE WEST LINE OF THE REMAINDER OF THE 307.88 ACRE TRACT BEARS N 86°56'50" W - 121.56',
- 5) **N 26°25'48" E - 832.78'** LEAVING SAID EASEMENT LINE TO A 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT,
- 6) **S 63°34'12" E - 900.00'** TO A 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" SET IN THE PREVIOUSLY MENTIONED WEST R.O.W. LINE OF INTERSTATE 35 FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

[www.WalkerPartners.com](http://www.WalkerPartners.com)

**THENCE** WITH THE COMMON LINE OF THE REMAINDER OF THE 307.88 ACRE TRACT AND THE R.O.W. LINE THE FOLLOWING TWO CALLS:

- 1) **S 26°25'48" W - 228.70'** TO A 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" FOUND,
- 2) **S 30°13'54" W - 361.64'** RETURNING TO THE **POINT OF BEGINNING** AND CONTAINING 16.572 ACRES OF LAND AS SURVEYED BY KOREY LEE SMITH, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 6645 ON JANUARY 13, 2023. BEARINGS CITED WITHIN THIS DESCRIPTION ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS.

  
KOREY LEE SMITH, R.P.L.S. 6645

PROJ NO. 1-03795.00  
PLAT NO. B1-0541  
FIELD NOTE NO. 01 (16.572 Ac)  
MAP CHECKED 02/17/23 KLS

