

**ORDINANCE NO. 2015-154**

**AN ORDINANCE OF THE CITY OF WACO, TEXAS, PROVIDING THAT THE COMPREHENSIVE PLAN BE AMENDED TO CHANGE THE LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO HIGH QUALITY VERY LIGHT INDUSTRIAL ON 0.600 ACRES, BEING A PART OF LOT 4, BLOCK 1 OF THE HELMSCO ADDITION TO THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, KNOWN AS 1500 PRIMROSE DRIVE; PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF WACO BE AMENDED BY REVISING SECTION 28-247 IN CHAPTER 28 “ZONING” OF SAID CODE; PROVIDING THAT THE ZONING MAP SHALL BE CHANGED SO THAT THE PROPERTY DESCRIBED ABOVE SHALL BE CHANGED FROM R-1B TO M-2 DISTRICT CLASSIFICATION, AND CERTAIN PROPERTY DESCRIBED AS 1.571 ACRES, BEING A PART OF LOT 4, BLOCK 1 OF THE HELMSCO ADDITION TO THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, KNOWN AS 1500 PRIMROSE DRIVE SHALL BE CHANGED FROM R-1B TO O-3 DISTRICT CLASSIFICATION; PROVIDING FOR PENALTIES; PROVIDING A SEVERABILITY CLAUSE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WACO, TEXAS:**

**Section 1.** That the Waco Comprehensive Land Use Plan be amended to change the land use designation from **Low Density Residential** to **High Quality Very Light Industrial** on the following described property:

**BEING 0.600 ACRES, BEING A PART OF LOT 4, BLOCK 1 OF THE HELMSCO ADDITION TO THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, KNOWN AS 1500 PRIMROSE DRIVE AND BEING DESCRIBED ON THE ATTACHED EXHIBIT “A” AND SHOWN ON THE ATTACHED EXHIBIT “B” ATTACHED.**

**Section 2.** That the City Council hereby adopts the following findings to change the land use designation:

1. The adjacent properties are designated for high quality very light industrial uses; and  
The existing public infrastructure is adequate to provide for the zoning district allowed in the proposed high quality, very light industrial land use designation.

**Section 3.** That pursuant to Section 28-247 in Chapter 28 “Zoning” of the Code of Ordinances of the City of Waco, Texas, the zoning for the property described in Section 1 above be changed

from **R-1B** to **M-2** District classification based on the findings that:

1. The proposed zoning is in keeping with the land use component of the Comprehensive Plan as revised;  
There is M-2 zoning adjacent to the subject property;
3. The property meets all the area and width requirements for the M-2 zoning district;  
and
4. The existing public infrastructure is adequate to provide for uses allowed in the M-2 zoning district,

and the Zoning Map shall be changed to reflect said zoning change on the property located in the City of Waco, McLennan County, Texas, as heretofore described above in Section 1.

**Section 4.** That pursuant to Section 28-247 in Chapter 28 “Zoning” of the Code of Ordinances of the City of Waco, Texas, the zoning for the following described property, to-wit:

**BEING 1.571 ACRES, BEING A PART OF LOT 4, BLOCK 1 OF THE HELMSCO ADDITION TO THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, KNOWN AS 1500 PRIMROSE DRIVE AND BEING DESCRIBED ON THE ATTACHED EXHIBIT “C” AND SHOWN ON THE ATTACHED EXHIBIT “D” ATTACHED.**

be changed from **R-1B** to **O-3** District classification based on the findings that:

1. The proposed zoning is in keeping with the land use component of the Comprehensive Plan;  
The property meets all the area and width requirements for the O-3 zoning district;
3. The proposed O-3 zoning provides a buffer from the M-2 to the north and the single family residences to the south; and
4. The proposed O-3 zoning is more inline with the existing use on the property than the R-1B zoning,

and the Zoning Map shall be changed to reflect said zoning change on the property located in the City of Waco, McLennan County, Texas, as heretofore described above in this Section 4.

**Section 5.** That a violation of this ordinance shall be a Class C misdemeanor and the penalty for violating this ordinance shall be as provided for in Sec. 1-14 of the Code of Ordinances of the City of Waco which shall be a fine of not less than \$1.00 and no more than \$2,000.00, and each day a violation exists shall be a separate offense.

**Section 6.** That the terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

**Section 7.** That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place and purpose of said meeting was given as required by law.

**PASSED AND APPROVED:**

**First Reading:** this 17<sup>th</sup> day of February, 2015.

**Second Reading:** this 3<sup>rd</sup> day of March, 2015.

\_\_\_\_\_  
Malcolm Duncan, Jr., Mayor  
City of Waco, Texas

**ATTEST:**

\_\_\_\_\_  
Esmeralda Hudson, City Secretary

**APPROVED AS TO FORM & LEGALITY:**

\_\_\_\_\_  
Jennifer Richie, City Attorney

**APPROVED:**

\_\_\_\_\_  
Clint Peters, Director of Planning Services

EXHIBIT "A"



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Fax: 254-751-0198

1519gis.com • 1519surveying.com

STATE OF TEXAS  
COUNTY OF MCLENNAN

BEING all that tract of land in the City of Waco, McLennan County, Texas, and being part of that called Lot 4, Block 1 of the Helmsco Addition to the City of Waco, McLennan County, Texas, as per plat recorded under County Clerk's File Number 2004025915 of the Official Public Records of McLennan County, Texas, and being further described as follows:

BEGINNING at a 1/2 inch steel rod found at the North corner of said Lot 4, the West corner of that called Lot 3 of said addition and the Southeast line of Primrose Drive;

THENCE South 47 degrees 33 minutes 58 seconds East, 348.12 feet to a 1/2 inch steel rod found at the East corner of said Lot 4 and the South corner of said Lot 3;

THENCE South 42 degrees 08 minutes 59 seconds West, 75.00 feet to a 1/2 inch steel rod set in the Southeast line of said Lot 4;

THENCE North 47 degrees 33 minutes 59 seconds West, 348.51 feet to a 1/2 inch steel rod set in the Northwest line of said Lot 4 and the Southeast line of Primrose Drive;

THENCE North 42 degrees 26 minutes 48 seconds East, 75.00 feet to the Point of Beginning, containing 0.600 acres of land.

Bearings based on Grid North, State Plane Coordinate System, NAD 83, Texas Central Zone.

1519 Job#: 7714

The field notes hereon was prepared from an on-the-ground survey performed under my supervision on January 6, 2015.

January 9, 2015

Harold Alexander Taylor  
R.P.L.S. No. 6176



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Zoning Case Z-15-5  
 1500 Primrose Drive  
 Low Density Residential to  
 High Quality Very Light Industrial  
 Property Location Map  
 and Surrounding  
 Land Use Designations

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

-  Z-15-5
-  200' Property Notice Buffer
- Landuse Designations**
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Mixed Use
-  Office Only
-  Commercial and Office
-  Service Commercial
-  High Quality Office and Industrial
-  High Quality Very Light Industrial
-  General Industrial
-  Public Semi-Public
-  Planned Unit Development



January 2015

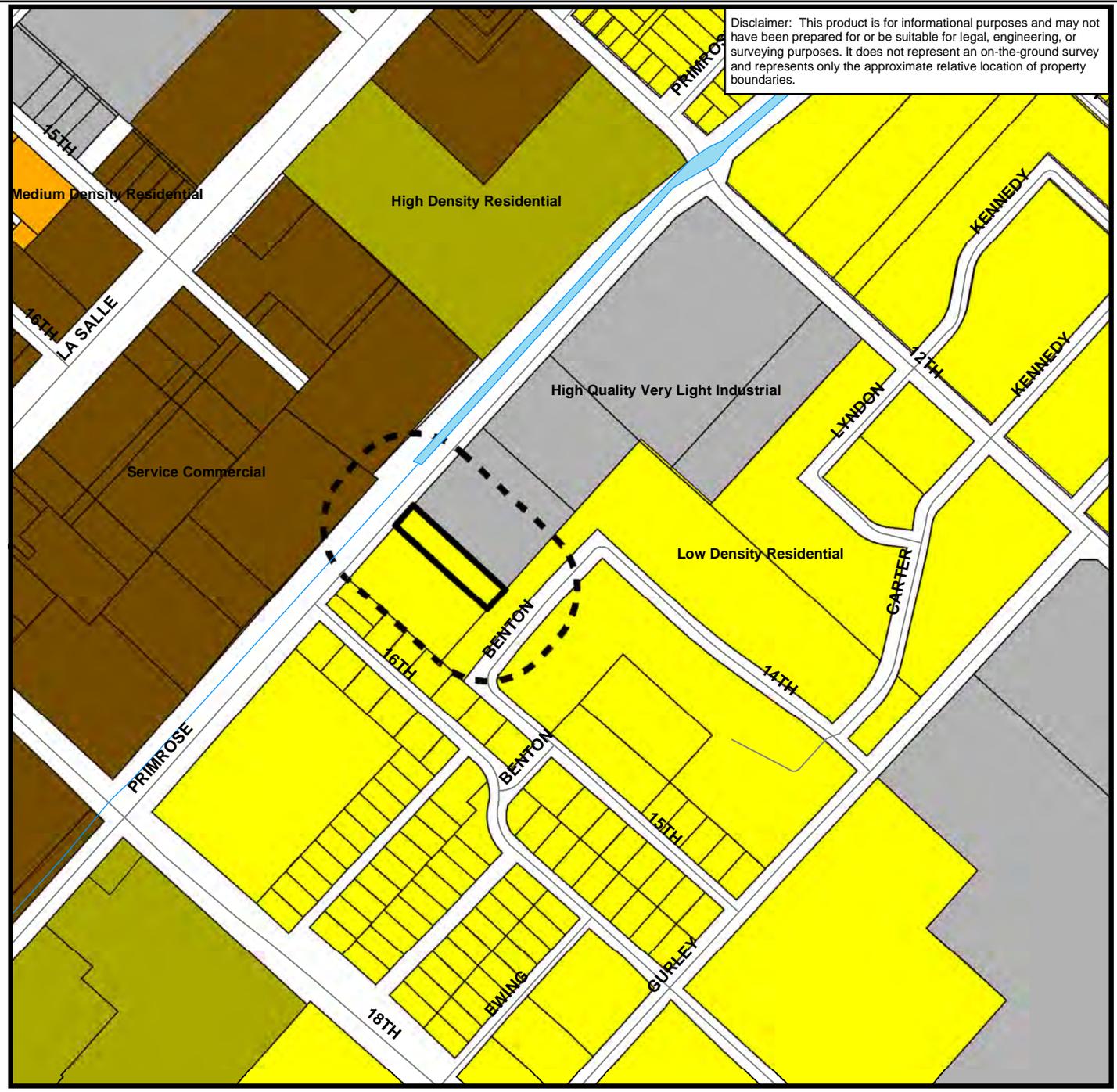


EXHIBIT "B"

EXHIBIT "C"



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STATE OF TEXAS  
COUNTY OF MCLENNAN

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BEGINNING at a pipe found at the West corner of said Lot 4, the North corner of that called Lot 6 of the Mostyn-Roberts Addition to the City of Waco, McLennan County, Texas, as per plat recorded in Volume 714, Page 608 of the Deed Records of McLennan County, Texas, and the Southeast line of Primrose Drive;

THENCE North 42 degrees 26 minutes 29 seconds East, 197.87 feet to a 1/2 inch steel rod set in the Northwest line of said Lot 4 and the Southeast line of said Primrose Drive, a 1/2 inch steel rod found at the North corner of said Lot 4 bears North 42 degrees 26 minutes 29 seconds East, 75.00 feet for reference;

THENCE South 47 degrees 33 minutes 59 seconds East, 348.51 feet to a 1/2 inch steel rod set in the Southeast line of said Lot 4, a 1/2 inch steel rod found at the East corner of said Lot 4 bears North South 42 degrees 04 minutes 25 seconds East, 75.00 feet for reference;

THENCE South 42 degrees 04 minutes 25 seconds West, 194.20 feet to a 1/2 inch steel rod found at the South corner of said Lot 4;

THENCE North 48 degrees 10 minutes 05 seconds West, 349.77 feet to the Point of Beginning, containing 1.571 acres of land.

Bearings based on Grid North, State Plane Coordinate System, NAD 83, Texas Central Zone.

1519 Job#: 7714

The field notes hereon was prepared from an on-the-ground survey performed under my supervision on January 6, 2015.

January 9, 2015

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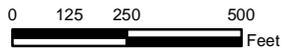
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Zoning Case Z-15-5  
 1500 Primrose Drive  
 R-1B to O-3 & M-2  
 Property Location Map  
 and Surrounding  
 Zoning Categories

-  Case Z-15-5
-  200' Property Notice Buffer
- Zoning Categories**
-  R-1A
-  R-1B
-  R-1C
-  R-2
-  R-3A
-  R-3B
-  R-3C
-  R-3D
-  R-3E
-  O-1
-  O-2
-  O-3
-  C-1
-  C-2
-  C-3
-  C-4
-  C-5
-  M-1
-  M-2
-  M-3
-  PUD



January 2015



CITY OF WACO  
 PLANNING SERVICES

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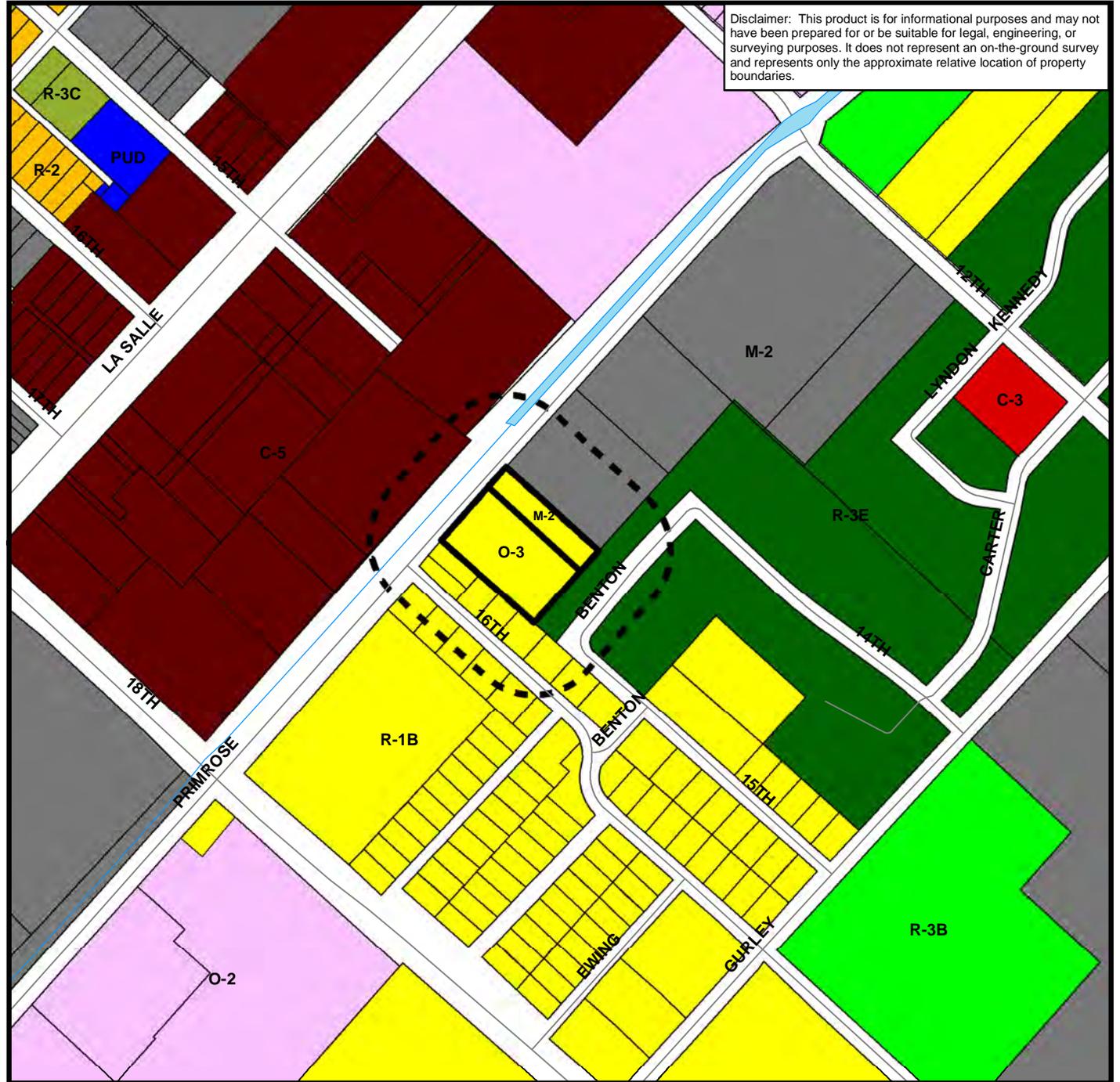


EXHIBIT "D"