



AGENDA
PLANNING & ZONING COMMISSION
JOSHUA CITY HALL - COUNCIL CHAMBERS
JULY 06, 2023
6:30 PM

The Planning & Zoning Commission will hold a meeting on July 06, 2023, at 6:30 pm in the City Hall Council Chambers, 101 S. Main Street, Joshua, Texas.

Individuals may attend the Joshua Planning & Zoning Meeting in person, access the meeting via videoconference or telephone conference call.

Join Zoom Meeting:

<https://us02web.zoom.us/j/88563410597?pwd=dWxiZTFNY09hS2pTOVdLbVBmdlpSQT09>

Meeting ID: 885 6341 0597 Passcode: 196444

A member of the public who would like to submit a question on any item listed on this agenda may do so via the following options:

Online: An online speaker card may be found on the City’s website (cityofjoshuatx.us) on the Agenda/Minutes/Recordings page. Speaker cards received will be read during the meeting in the order received by the City Secretary.

By phone: Please call 817/558-7447 ext. 2003 no later than 5:00 pm on the meeting day and provide your name, address, and question. The City Secretary will read your question in the order they are received.

A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

B. CITIZENS FORUM

The Planning & Zoning Commission invites citizens to speak on any topic. However, unless the item is specifically noted on this agenda, the Planning & Zoning Commission is required under the Texas Open Meetings Act to limit its response to responding with a statement of specific factual information, reciting the City’s existing policy, or directing the person making the inquiry to visit with City Staff about the issue. No Commission deliberation is permitted. Each person will have 3 minutes to speak.

C. REGULAR AGENDA

1. Discuss, consider, and possible action on meeting minutes of June 05, 2023.
2. Public hearing on a request for amending section 5.2 Permitted Use Table, found in Ch. 14 Zoning Ordinance, by repealing the Land Use Type “Community or Social Buildings” contained in the “Institutional/Governmental” uses portion of the permitted use table and replacing it with Land Use Type “Assembly Hall (Private) and Event Centers”.

- Staff Presentation
- Owner’s Presentation
- Those in Favor

- Those Against
- Owner’s Rebuttal

3. Discuss, consider, and possible action on a request for amending section 5.2 Permitted Use Table, found in Ch. 14 Zoning Ordinance, by repealing the Land Use Type “Community or Social Buildings” contained in the “Institutional/Governmental” uses portion of the permitted use table and replacing it with Land Use Type “Assembly Hall (Private) and Event Centers”.

D. ADJOURN

The Planning & Zoning Commission reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551.071 for private consultation with the attorney for the City.

Pursuant to Section 551.127, Texas Government Code, one or more Commissioner may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting. A quorum will be physically present at the posted meeting location of City Hall.

In compliance with the Americans with Disabilities Act, the City of Joshua will provide reasonable accommodations for disabled persons attending this meeting. Requests should be received at least 24 hours prior to the scheduled meeting by contacting the City Secretary's office at 817/558-7447.

CERTIFICATE:

I hereby certify that the above agenda was posted on the 29th day of June 2023, by 5:30 p.m. on the official bulletin board at the Joshua City Hall, 101 S. Main, Joshua, Texas.

Alice Holloway, City Secretary



MINUTES
PLANNING & ZONING COMMISSION
JOSHUA CITY HALL - COUNCIL CHAMBERS
JUNE 05, 2023
6:30 PM

PRESENT

Commissioner Jerry Moore
 Commissioner Richard Connally
 Commissioner Julian Torrez
 Commissioner Robert Purdom
 Commissioner Kathy Sales
 Commissioner Elizabeth Webb

STAFF

Dev. Serv. Director Aaron Maldonado
 City Secretary Alice Holloway

ABSENT

Chair Brent Gibson
 Commissioner Billy Jenkins
 Commissioner Jason Allred Sr

The Planning & Zoning Commission held a meeting on June 05, 2023, at 6:30 pm in the City Hall Council Chambers, 101 S. Main Street, Joshua, Texas.

Individuals may attend the Joshua Planning & Zoning Meeting in person, access the meeting via videoconference or telephone conference call.

Join Zoom Meeting:

<https://us02web.zoom.us/j/84481706005?pwd=bXMyZGRuYjkrSDFjYjhXZVY0UWdEQT09>

Meeting ID: 84481706005 Passcode: 215259

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By phone: Please call 817/558-7447 ext. 2003 no later than 5:00 pm on the meeting day and provide your name, address, and question. The City Secretary will read your question in the order they are received.

A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

Commissioner Moore announced a quorum and called the meeting to order at 6:30 pm

B. CITIZENS FORUM

The Planning & Zoning Commission invites citizens to speak on any topic. However, unless the item is specifically noted on this agenda, the Planning & Zoning Commission is required under the Texas Open Meetings Act to limit its response to responding with a statement of specific factual information, reciting the

City's existing policy, or directing the person making the inquiry to visit with City Staff about the issue. Commission deliberation is permitted. Each person will have 3 minutes to speak.

Item 1.

NA

C. REGULAR AGENDA

1. Discuss, consider, and possible action on appointment of the Vice-Chairperson for the remainder of the term.

Motion made by Commissioner Connally to appoint Jerry Moore as Vice-Chairperson. Seconded by Commissioner Purdom.

Voting Yea: Commissioner Moore, Commissioner Connally, Commissioner Purdom, Commissioner Sales, Commissioner Webb

Voting Abstaining: Commissioner Torrez

2. Discuss, consider, and possible action on meeting minutes of May 1, 2023.

Motion made by Commissioner Torrez to approve the meeting minutes of May 1, 2023. Seconded by Commissioner Purdom.

Voting Yea: Commissioner Torrez, Commissioner Moore, Commissioner Connally, Commissioner Purdom, Commissioner Sales, Commissioner Webb

3. Public hearing on a request for a zoning change regarding approximately 1.594 acres of land in the H. G. Cason Survey, Abstract No. 156, County of Johnson, Texas, located at 131 Oak Hill Dr., to change from (MH) HUD Code Manufactured Home District to the (R2) Two Family Residential District to allow for the construction of a duplex.

Commissioner Moore opened the public hearing at 6:33 pm regarding a request for a zoning change regarding approximately 1.594 acres of land in the H. G. Cason Survey, Abstract No. 156, County of Johnson, Texas, located at 131 Oak Hill Dr., to change from (MH) HUD Code Manufactured Home District to the (R2) Two Family Residential District to allow for the construction of a duplex.

Development Services Director Maldonado read the following statement:

The current property is undeveloped and has never been platted. The property will be required to Final Plat. This property is zoned (MH) HUD Code Manufactured Home District. The proposed development of this property is to allow for the construction of a duplex.

No comments made from the public. Commissioner Moore closed the public hearing at 6:34 pm.

4. Discuss, consider, and possible action on a request for a zoning change regarding approximately 1.594 acres of land in the H. G. Cason Survey, Abstract No. 156, County of Johnson, Texas, located at 131 Oak Hill Dr., to change from (MH) HUD Code Manufactured Home District to the (R2) Two Family Residential District to allow for the construction of a duplex.

Motion made by Commissioner Purdom to approve the zoning change request regarding 131 Oak Hill Drive. Seconded by Commissioner Connally.

Voting Yea: Commissioner Torrez, Commissioner Moore, Commissioner Connally, Commissioner Purdom, Commissioner Sales, Commissioner Webb

5. Discuss, consider, and possible action on approving a replat regarding 2.499 acres of land known as Lot 28R, Wagon Wheel Estates, George Casseland Survey, Abstract No. 173, City of Joshua, Johnson County, Texas located at 4824 Wagon Wheel Road for the future construction of a residential home.

Motion made by Commissioner Torrez to approve a replat for property located at 4824 Wagon Wheel Road. Seconded by Commissioner Sales.

Voting Yea: Commissioner Torrez, Commissioner Moore, Commissioner Connally, Commissioner Purdom, Commissioner Sales, Commissioner Webb

- 6. Discuss, consider, and possible action on approving a replat regarding 0.156 acres of land known as Lot 3R, Block 10, Original Town of Joshua, W. Byers Survey, Abstract No. 29, City of Joshua, Johnson County, Texas located at 207 N. Main Street for the future construction of a commercial building.

Motion made by Commissioner Connally to approve a replat for property located at 207 N. Main Street. Seconded by Commissioner Torrez.

Voting Yea: Commissioner Torrez, Commissioner Moore, Commissioner Connally, Commissioner Purdom, Commissioner Sales, Commissioner Webb

D. ADJOURN

Commissioner Moore adjourned the meeting at 6:40 pm.

Brent Gibson, Chair

ATTEST:

Alice Holloway, City Secretary

Approved: July 6, 2023



**Planning & Zoning Agenda
July 6, 2023**

Minutes Resolution

Action Item

Agenda Description:

Public hearing on a request for amending section 5.2 Permitted Use Table, found in Ch. 14 Zoning Ordinance, by repealing the Land Use Type “Community or Social Buildings” contained in the “Institutional/Governmental” uses portion of the permitted use table and replacing it with Land Use Type “Assembly Hall (Private) and Event Centers”.

- A. Staff Presentation
- B. Owner’s Presentation
- C. Those in Favor
- D. Those Against
- E. Owner’s Rebuttal

Background Information:

ANALYSIS: The Zoning Ordinance has a definition of **Assembly Hall (Private) and Event Centers** as

Assembly Hall (Private) and Event Centers. Meeting or event space, utilized for dances, conventions, weddings or similar gatherings of individuals for lease by a private company.

The permitted use table has a similar use of Community or Social Buildings listed in the table that should be replaced with Assembly Hall (Private) and Event Centers. There is no definition for Community or Social Buildings listed in the Zoning Ordinance. Please see a section of the permitted use table below.

Civic club, halls and lodges						
Community center (public)	C	C	C	C	C	
Community or social buildings	C	C	C	C	C	

Financial Information:

The cost associated with the zoning change request is the publication expense.

City Contact and Recommendations:

Aaron Maldonado, Development Services Director

Item 2.

Staff recommends approval.

Attachments:

1. Publication Notice

Notice of Public Hearing

Notice is hereby given that the City of Joshua's Planning and Zoning Commission and City Council will conduct public hearings to consider the request for amending section 5.2 Permitted Use Table, found in Ch.14 Zoning Ordinance, by repealing the Land Use Type "Community or Social Buildings" contained in the "Institutional/Governmental" uses portion of the permitted use table and replacing it with Land Use Type "Assembly Hall (Private) and Event Centers".

The Planning and Zoning Commission will conduct its public hearing on July 6, 2023, at 6:30 PM, and the City Council will conduct its public hearing and consideration on July 20, 2023, at 6:30 PM. Both meetings will be held in the City Council Chambers at Joshua City Hall, 101 South Main Street, Joshua, TX 76058.



**Planning & Zoning Agenda
July 6, 2023**

Ordinance

Action Item

Agenda Description:

Discuss, consider, and possible action on a request for amending section 5.2 Permitted Use Table, found in Ch. 14 Zoning Ordinance, by repealing the Land Use Type “Community or Social Buildings” contained in the “Institutional/Governmental” uses portion of the permitted use table and replacing it with Land Use Type “Assembly Hall (Private) and Event Centers”.

Background Information:

ANALYSIS: The Zoning Ordinance has a definition of **Assembly Hall (Private) and Event Centers** as

Assembly Hall (Private) and Event Centers. Meeting or event space, utilized for dances, conventions, weddings or similar gatherings of individuals for lease by a private company.

The permitted use table has a similar use of Community or Social Buildings listed in the table that should be replaced with Assembly Hall (Private) and Event Centers. There is no definition for Community or Social Buildings listed in the Zoning Ordinance. Please see a section of the permitted use table below.

Civic club, halls and lodges						
Community center (public)	C	C	C	C	C	
Community or social buildings	C	C	C	C	C	

Financial Information:

The cost associated with the zoning change request is the publication expense.

City Contact and Recommendations:

Aaron Maldonado, Development Services Director

Staff recommends approval.

Attachments:

1. Ordinance

Item 3.

CITY OF JOSHUA, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, AMENDING SECTION 5.2, "PERMITTED USE TABLE," OF ARTICLE 5, "PERMITTED USES," IN THE CITY'S ZONING ORDINANCE, FOUND IN CHAPTER 14, "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF JOSHUA, TEXAS, BY REPEALING THE LAND USE TYPE "COMMUNITY OR SOCIAL BUILDINGS" CONTAINED IN THE "INSTITUTIONAL/GOVERNMENTAL" USES PORTION OF THE PERMITTED USE TABLE AND REPLACING IT WITH THE LAND USE TYPE "ASSEMBLY HALL (PRIVATE) AND EVENT CENTERS"; MAKING FINDINGS RELATIVE THERETO; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, while the term "Assembly Hall (Private) and Event Centers" is defined in Section 11.2, "Definitions," of the Zoning Ordinance, such term, "Assembly Hall (Private) and Event Centers" is not reflected as a permissible land use in the Permitted Use Table contained in Section 5.2 of the Zoning Ordinance; and

WHEREAS, since the term "'Community or Social Buildings" is reflected in the Permitted Use Table in Section 5.2 of the Zoning Ordinance, but is not defined in Section 11.2, "Definitions," of the Zoning Ordinance, the City Council wishes to repeal and remove the term "Community or Social Buildings" from the Permitted Use Table and replace it with "Assembly Hall (Private) and Event Centers"; and

WHEREAS, the Planning and Zoning Commission of the City of Joshua and the City Council of the City of Joshua, in compliance with the laws of the State of Texas, have given the requisite notices and have concluded that such will promote the public health, safety and welfare of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, THAT:

SECTION 1

All of the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

From and after the effective date of this Ordinance, the land use type "Community or Social Buildings" contained in the "Institutional/Governmental" uses portion of the Permitted Use Table, found in Section 5.2, "Permitted Use Table," of Article 5, "Permitted Uses," of the City's Zoning Ordinance, found in Chapter 14, "Zoning," of the Code of Ordinances of the City of Joshua, Texas, is hereby repealed and removed, and is

replaced with the land use type “Assembly Hall (Private) and Event Centers.” All associated notations, such as the requirement of a conditional use permit, parking ratios and supplemental regulations, in the row “Community or Social Buildings” shall apply to “Assembly Hall (Private) and Event Centers.”

SECTION 3

If any word, section, article, phrase, paragraph, sentence, clause, or portion of this Ordinance or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity which remaining portions shall remain in full force and effect.

SECTION 4

This Ordinance shall take effect and be in full force from and after its passage and publication, as provided by the laws of the State of Texas.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, THIS THE ___ DAY OF _____, 2023.

Scott Kimble, Mayor

ATTEST:

Alice Holloway, City Secretary

APPROVED AS TO FORM:

Terrence S. Welch, City Attorney