

The Planning & Zoning Commission will hold a meeting on November 6, 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: 844 8170 6005 Passcode: 215259

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. City Secretary to administer the Oath of Office to newly appointed commissioners.
- 2. Discuss, consider, and possible action on appointment of the Chairperson and Vice-Chairperson for a one-year term.
- 3. Discuss, consider, and possible action on meeting minutes of September 05, 2023.
- <u>4.</u> Public hearing on a request for a zoning change regarding approximately 5.51 acres of land in the Meyers Subdivision, Lot 2, BLK 1, County of Johnson, Texas, located at 1140 W FM 917, to change from (R-1) Single Family Residential District to the (A) Agricultural District.
 - Staff Presentation
 - Owner's Presentation
 - Those in Favor
 - Those Against
 - Owner's Rebuttal
- 5. Discuss, consider, and possible action on a request for a zoning change regarding approximately 5.51 acres of land in the Meyers Subdivision, Lot 2, BLK 1, County of Johnson, Texas, located at 1140 W FM 917, to change from (R-1) Single Family Residential District to the (A) Agricultural District.

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 817/556-0603.

CERTIFICATE:

I hereby certify that the above agenda was posted on the 2nd day of November 2023 by 5:00 p.m. on the official bulletin board at Joshua City Hall, 101 S. Main, Joshua, Texas.

Alice Holloway, City Secretary



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

PRESENT

Commissioner Brent Gibson Commissioner Jerry Moore Commissioner Richard Connally Commissioner Robert Purdom Commissioner Kathy Sales Commissioner Jason Allred Sr Commissioner Billy Jenkins STAFF Dev. Serv. Director Aaron Maldonado City Secretary Alice Holloway

ABSENT Commissioner Julian Torrez

The Planning & Zoning Commission held a meeting on September 5, 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 or access the meeting via videoconference or telephone conference call.

Join Zoom Meeting:

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

Meeting ID: 844 8170 6005 Passcode: 215259

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 questions in the order they are received.

A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

Commissioner Gibson 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. No Commission deliberation is permitted. Each person will have 3 minutes to speak.

C. REGULAR AGENDA

1. Discuss, consider, and possible action on the meeting minutes of July 06, 2023.

Motion made by Commissioner Moore to approve the meeting minutes of July 06, 2023. Seconded by Commissioner Allred Sr. Voting Yea: Commissioner Gibson, Commissioner Allred Sr, Commissioner Moore, Commissioner

Connally, Commissioner Purdom, Commissioner Jenkins, Commissioner Sales.

2. Public hearing on a request for amending subsection C, "Public Hearing and Notice," of section 3.1.4, "Amendments, Changes, and Procedures," of the City's Zoning Ordinance, found in Chapter 14, "Zoning," of the Code of Ordinances of the City of Joshua, Texas, by providing for notices relative to a change in a zoning regulation that could result in a nonconforming use consistent with Senate Bill 929; amending section 4.1.11, "Amortization," of Article 4, "Nonconformities," of the City's Zoning Ordinance, found in Chapter 14, "Zoning," of the Code of Ordinances of the City of Joshua, Texas, providing for amortization procedures consistent with Senate Bill 929; providing for a penalty; providing a severability clause; providing for publication; and providing an effective date.

Commissioner Gibson opened the public hearing at 6:31 pm.

Development Services Director Maldonado stated that the City has hired a consultant to review the zoning ordinances and make recommendations.

Commissioner Moore asked why the city was paying for a consultant and a city attorney to do the same job. City Secretary Holloway stated that this ordinance was prepared by the city attorney after Senate Bill 929 was passed this last legislature.

Commissioner Gibson closed the public hearing at 6:33 pm.

3. Discuss, consider, and possible action on approving an Ordinance amending subsection "C", "Public Hearing and Notice," of section 3.1.4, "Amendments, Changes and Procedures," of the City's Zoning Ordinance, found in Chapter 14, "Zoning," of the Code of Ordinances of the City of Joshua, Texas, by providing for notices relative to a change in a zoning regulation that could result in a nonconforming use consistent with Senate Bill 929; Amending section 4.1.11, "Amortization," of Article 4, "Nonconformities," of the City's Zoning Ordinance, found in Chapter 14, "Zoning," of the Code of Ordinances of the City of Joshua, Texas, providing for amortization procedures consistent with Senate Bill 929; providing for a penalty; providing a severability clause; providing for publication; and providing an effective date.

Motion made by Commissioner Purdom to recommend approval of an Ordinance amending subsection "C", "Public Hearing and Notice," of section 3.1.4, "Amendments, Changes and Procedures," of the City's Zoning Ordinance, found in Chapter 14, "Zoning," of the Code of Ordinances of the City of Joshua, Texas, by providing for notices relative to a change in a zoning regulation that could result in a nonconforming use consistent with Senate Bill 929; Amending section 4.1.11, "Amortization," of Article 4, "Nonconformities," of the City's Zoning Ordinance, found in Chapter 14, "Zoning," of the Code of Ordinances, Seconded by Commissioner Jenkins.

Voting Yea: Commissioner Gibson, Commissioner Allred Sr, Commissioner Moore, Commissioner Connally, Commissioner Purdom, Commissioner Jenkins, Commissioner Sales

4. Discuss, consider, and possible action on approving a final plat regarding 1.50 acres of land known as Lot 1, Block 1, Purselley Addition, Thomas W. Baird Survey, Abstract No. 40, City of Joshua, Johnson County, Texas located at 1201 S. Broadway St. for the future construction of a carwash.

The property is undeveloped and has never been platted. This property is zoned (C1) Restricted Commercial District. The plat is converting one tract into one platted lot for the construction of a carwash. Water is provided by Johnson County Special Utility District. A letter of final approval has been submitted. Transportation: Rights-of-way dedications have already been dedicated.

Motion made by Commissioner Moore to approve the final plat as presented. Seconded by Commissioner Sales. Voting Yea: Commissioner Gibson, Commissioner Allred Sr, Commissioner Moore, Commissioner Connally, Commissioner Purdom, Commissioner Jenkins, Commissioner Sales

5. Discuss, consider, and possible action on approving a final plat regarding 31.854 acres of land known as Lot 1 & 2, Block 1, Dornan Acres, Thomas W. Baird Survey, Abstract No. 40, and McKinney & Williams Survey, Abstract No. 636, City of Joshua, Johnson County, Texas located at 1301 S. Broadway St. for the future construction of two residential homes.

The property is undeveloped and has never been platted. The subject property has been used as agricultural raw land. This property is zoned (R1) Single Family Residential District. The plat is converting one tract into two platted lots for the construction of two residential homes. Water is provided by Johnson County Special Utility District. A letter of final approval has been submitted. Rights-of-way dedications have already been dedicated.

Motion made by Commissioner Jenkins to approve the final plat as presented. Seconded by Commissioner Purdom. Voting Yea: Commissioner Gibson, Commissioner Allred Sr, Commissioner Moore, Commissioner Connally, Commissioner Purdom, Commissioner Jenkins, Commissioner Sales

6. Discussion and update on an Ordinance amending the Joshua Subdivision Ordinance to be in full compliance and meet all House Bill No 3699 requirements.

Development Services Director Maldonado gave an update regarding the ordinance approved by the city council regarding House Bill 3699. There was no action.

D. ADJOURN

Commissioner Gibson adjourned the meeting at 6:44 pm.

Brent Gibson, Commissioner

ATTEST:

Alice Holloway, City Secretary

Approved: November 06, 2023



Planning & Zoning Agenda November 6, 2023

Minutes Resolution

Action Item

Agenda Description:

Public hearing on a request for a zoning change regarding approximately 5.51 acres of land in the Meyers Subdivision, Lot 2, BLK 1, County of Johnson, Texas, located at 1140 W FM 917, to change from (R-1) Single Family Residential District to the (A) Agricultural District.

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

Background Information:

HISTORY: The current property is platted and rezoned to Single Family Residential District on May 16, 2019.

ZONING: The property is zoned (R-1) Single Family Residential District.

ANALYSIS: The property meets the minimum 2 acres for the area regulations of the Agricultural District and is considered low-density residential.

Financial Information:

The cost associated with the zoning change request is the publication expense and mailing of public hearing notices to property owners within 200 ft. as required by law. Public written notices sent out not less than 10 days before the P&Z public hearing and at least 15 days before the City Council public hearing.

City Contact and Recommendations:

Aaron Maldonado, Development Services Director

Staff recommends approval.

Attachments:

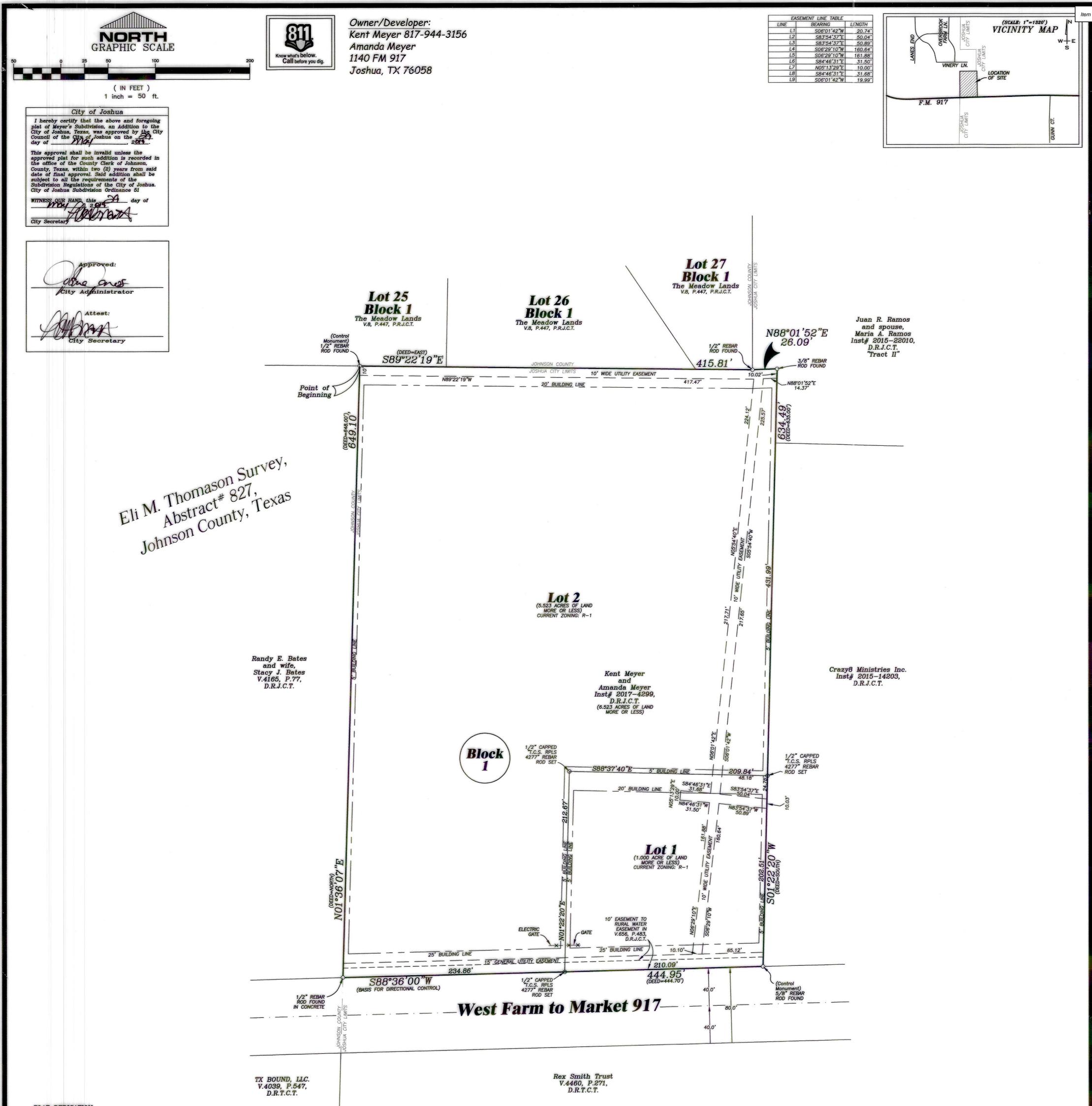
- 1) Rezone Application
- 2) Minor Plat
- 3) Survey of Property
- 4) Property Owner Letter
- 5) Vicinity Map
- 6) Public Notice

\$	City of Joshua Development Services Universit American
	Please check the appropriate box below to indicate the type of application you are requesting and provide all information required to process your request.
:	Image: Pre-Application Meeting Image: Comprehensive Plan Amendment Image: Comprehensive Plan Amendment Image: Conditional Use Permit Image: Comprehensive Plan Amendment Image: Comprehensive Plan Amendment Image: Conditional Use Permit Image: Comprehensive Plan Amendment Image: Comprehensive Plan Amendment Image: Conditional Use Permit Image: Comprehensive Plan Amendment Image: Comprehensive Plan Amendment Image: Conditional Use Permit Image: Comprehensive Plan Variance (ZBA) Image: Comprehensive Plan Amending Plat Image: Comprehensive Plan Image: Comprehensive Plan Plan Image: Comprehensive Plan Amending Plat Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive Plan Image: Comprehensive
	PROJECT INFORMATION Project Name:
.558.7447	Project Name: N/A Lot 2 Bik 1 Meyers Subdivision Project Address (Location): 1140 W Em 97, Joshon TX
817.558	Proposed Zoning: Age, the Dester 1
3	Existing Use: Proposed Use: Restand / Augurtural
76058	Existing Comprehensive Plan Designation: 600 Deals Res List Gross Acres: 5,5
and Texa	Application Requirements: The applicant is required to submit sufficient information that describes and justifies the proposal. See appropriate checklist located within the applicable ordinance and fee schedule for minimum requirements. Incomplete applications will not be processed.
ldso	APPLICANT INFORMATION
et, J	Applicant: Marco Wilson Company: N/A
Stre	Address: 1140 W Find 917 Tel: 682-240-2828 Fax:
Main	City:State: TX_ZIP: 76058 Email: management
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nent	City:State:ZIP:Email:
Iopr	SIGNATURE OF PROPERTY OWNER OF ARRIVE AND A LONG AND A
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Planning and Development	(Letter of authorization required if signature is other than property owner) Print or Type Name: Maccuse Natle and State (1997) Case No.: 12-03-03 23-00744-01
inin	Known to me to be the person whose name is subscribed to the above and foregoing
Plan	Known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that the second consideration expressed and in the capacity stated. Given under my hand and seal of office optimis 111 dayor 2023 Check No:
	Given under my hand and seal of office or this the day of the 20.23 156 157
OF JOSHUA	Check No:
Y OF	Signature Uppend MC Claure Sproce of Plan 9-19-23 Accepted By: MM
CITY	Date of Complete Application

Ordina # 752-2019

100 miles

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PLAT DEDICATION:

Description for a tract of land situated in the Eli M. Thomason Survey, Abstract Number 827, Johnson County, Texas, being that same tract of land situated in Kent Meyer and Amanda Meyer, recorded in Instrument Number 2017-4299, Deed Records, Johnson County, Texas, being more particularly described by metes and bounds as follows:

Beginning at 1/2" rebar rod found (Control Monument) for the northwest corner of the Meyer Tract, same being the northeast corner of a tract of land described in a deed to Randy E. Bates and wife, Stacy J. Bates, recorded in Volume 4165, Page 77, Deed Records, Johnson County, Texas, and being in the south line of Lot 25, Block 1, The Meadow Lands, recorded in Volume 8, Page 447, Plat Records, Johnson County, Texas;

Notes

According to the Flood Insurance Rate Map for Johnson County, Texas, and Incorporated Areas, Community Panel Number 48251C 0160 J, Dated December 4, 2012, this tract is in Zone X, which is not in the 1% annual chance flood.

The easements recorded in Volume 369, Page 91, and Volume 531, Page 555, Deed Records, Johnson County, Texas, are blanket type easements that affect this tract.

Thence S89°22'19"E. (DEED=EAST), 415.81 feet along the common line of the Meyer Tract and The Meadow Lands to a 1/2" rebar rod found for the southeast corner of Lot 27, The Meadow Lands, same being an "ell" corner of a tract of land described in a deed as "Tract II" to Juan R. Ramos and spouse, Maria A. Ramos, recorded in Instrument Number 2015-22010, Deed Records, Johnson County, Texas;

Thence N88°01'52"E., 26.09 feet along a common line of the Meyer Tract and the Ramos Tract to a 3/8" rebar rod found for the northeast corner of the Meyer Tract;

Thence S01°22'20"W. (DEED=SOUTH), 634.49 feet (DEED=635.00') along the common line of the Meyer Tract; the Ramos Tract, and a tract of land described in a deed to Crazy8 Ministries Inc., recorded in Instrument Number 2015-14203, Deed Records, Johnson County, Texas to a 5/8" rebar rod found (Control Monument) in the north line of Farm to Market 917, an existing 80 feet wide right of way, for the southeast corner of the Meyer Tract, same being the southwest corner of the Crazy8 Ministries Tract;

S88°36'00"W. (BASIS FOR DIRECTIONAL CONTROL), 444.95 feet (DEED=444.70') along the north line of Farm to Market 917 to a 1/2" rebar rod found in concrete for the southwest corner of the Meyer Tract, same being the southeast corner of the Bates Tract;

Thence NO1°36'07"E. (DEED=NORTH), 649.10 feet (DEED=648.00') along the common line of the Meyer Tract and the Bates Tract to the point of beginning and containing 6.523 acres of land more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS

We the undersigned owners of the land shown on this plat, and designated herein as the Meyer's Subdivision, an addition to the City of Joshua, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all rights-of-way, streets, alleys, parks, water courses, drains, easements and public places thereon shown for the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the Meyer's Subdivision have been notified and signed this plat.

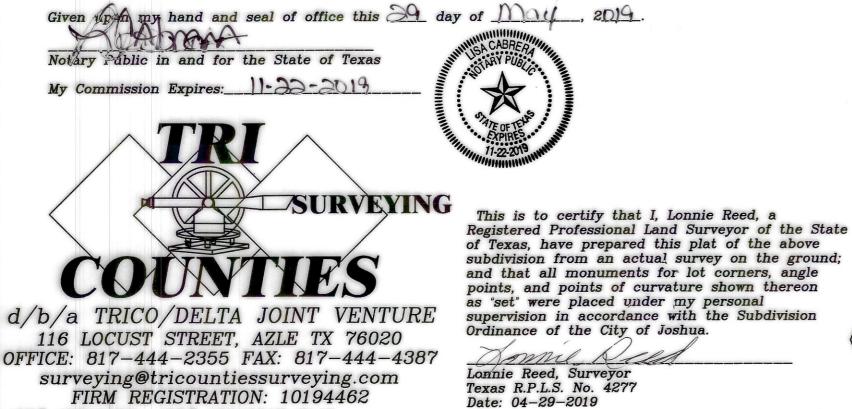
We further acknowledge that the dedications and / or exactions made herein are proportional to the impact of the subdivision upon the public services required.

emanda Theun 1 h Amanda Meyer Kent Meyer

STATE OF TEXAS COUNTY OF Somson

JOB# 19040127 JOB# 19010017-PLAT

Before me, the undersigned authority, on this day personally appeared Kent Meyer and Amanda Meyer, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purpose and consideration therein stated.



of Texas, have prepared this plat of the above subdivision from an actual survey on the ground; and that all monuments for lot corners, angle points, and points of curvature shown thereon as "set" were placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Joshua.



Right of way dedication for Farm to Market 917 to the State of Texas, is recorded in Volume 377, Page 237, Deed Records, Johnson County, Texas.

This property may be subject to changes related to impact fees, and the applicant should contact the City regarding any applicable fees due.

There are no liens against the property.

Any public utility, including the City of Joshua, shall have the right to remove all or part of any building, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective

systems on any of the easements shown on the plat: and any public utility, including the City of Joshua, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

Selling a portion of any lot within this addition by metes and bounds is a violation of state law and City ordinance and is subject to fines and withholding of utility services and building permits.

Current zoning is Single Family Residential (R-1).

Filed For Record 6-03-19

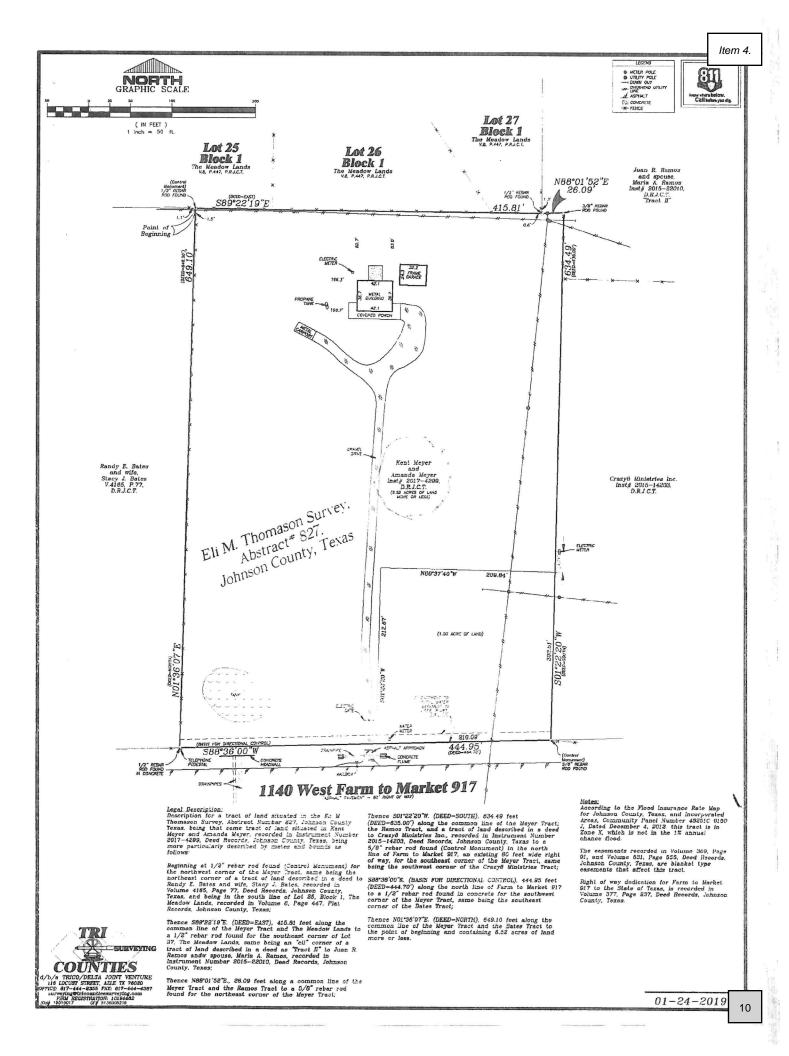
MINOR PLAT SHOWING Lots 1 and 2, Block 1, **Meyer's Subdivision** AN ADDITION TO THE CITY OF JOSHUA, JOHNSON COUNTY, TEXAS, BEING

2 RESIDENTIAL LOTS

6.523 ACRES OF LAND SITUATED IN THE ELI M. THOMASON SURVEY, ABSTRACT NUMBER 827, JOHNSON COUNTY, TEXAS.

THIS PLAT FILED FOR RECORD IN VOLUME____, PAGE____, SLIDE ____, DATE_

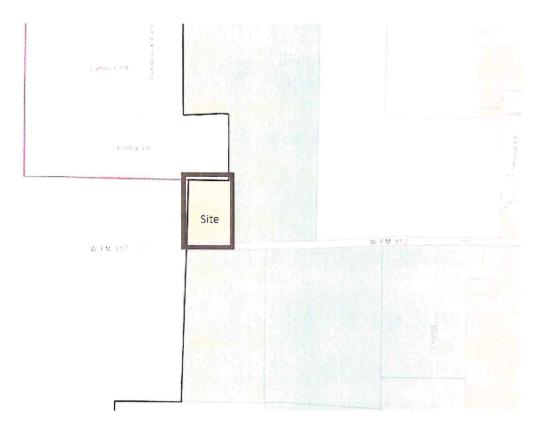
PLAT PREPARED 04-29-2019, REVISED 05-28-2019



The proposal is to downgrade the zoning from Light Residential to Agricultural District. The site is not suitable for development for the following reasons:

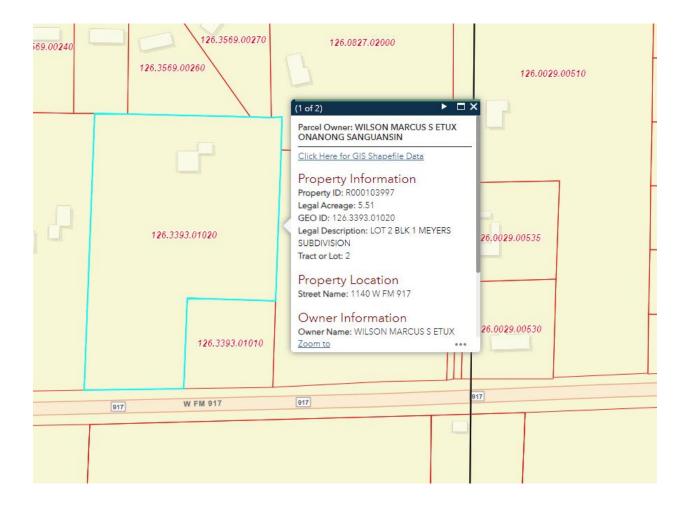
- 1. The property consists of approximately 90% tree pine tree canopy. Developing the site would require clear cutting of the trees. The new tree ordinance makes this site not conducive for development.
- 2. The available land next to W 917 has the potential to flood, making any area near the road undevelopable.

The site is surrounded by either areas outside the city limits or next to agricultural properties. The proposed zone change will permit flexibility by permitting additional goats and other animals that eat pine needles.



The A Agricultural District facilitates the use of land according to the transition of residential edges as described in the Comprehensive Land Use Plan. This district promotes a single main dwelling unit on a lot of two acres or more.

The property currently meets the minimum requirements such as 2 acres, lot width, depth etc.



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 a rezone, in the Meyers Subdivision, Lot 2, BLK 1, County of Johnson, Texas, located at 1140 W FM 917, and being approximately 5.51 acres of land, changing the zoning from (R-1) Single Family Residential District to the (A) Agricultural District.

The Planning and Zoning Commission will conduct its public hearing on November 6, 2023, at 6:30 PM, and the City Council will conduct its public hearing and consideration on November 16, 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 November 6, 2023

Minutes Resolution

Action Item

Agenda Description:

Discuss, consider, and possible action on a request for a zoning change regarding approximately 5.51 acres of land in the Meyers Subdivision, Lot 2, BLK 1, County of Johnson, Texas, located at 1140 W FM 917, to change from (R-1) Single Family Residential District to the (A) Agricultural District.

Background Information:

HISTORY: The current property is platted and rezoned to Single Family Residential District on May 16, 2019.

ZONING: The property is zoned (R-1) Single Family Residential District.

ANALYSIS: The property meets the minimum 2 acres for the area regulations of the Agricultural District and is considered low-density residential.

Financial Information:

The cost associated with the zoning change request is the publication expense and mailing of public hearing notices to property owners within 200 ft. as required by law. Public written notices sent out not less than 10 days before the P&Z public hearing and at least 15 days before the City Council public hearing.

City Contact and Recommendations:

Aaron Maldonado, Development Services Director

Staff recommends approval.

Attachments:

ltem 5.