



**MINUTES
PLANNING & ZONING COMMISSION
JOSHUA CITY HALL – COUNCIL CHAMBERS
101 SOUTH MAIN STREET, JOSHUA, TX 75058
May 3, 2021
6:30 PM**

The Planning & Zoning Commission will hold a regular meeting on May 3, 2021, 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/81369957504?pwd=Yk40aGFsWXc4N1JVUy9WbFBQbFdJZz09>

Meeting ID: 813 6995 7504 Passcode: 552139 or dial 1-346-248-7799.

Planning & Zoning Commission Members Present: Brent Gibson, Chairman; John Mauldin, Place 1; Brandon Gage, Place 2; Michael Frazier, Place 3, Richard Connally, Place 4; Bryan Sears, Place 6, Billy Jenkins, Place 7

Planning & Zoning Commission Members Absent: NA

City Staff Present: Aaron Maldonado, Development Services Director; Nora Fussner, City Planner; and Alice Holloway, City Secretary

A. Call to Order and announce a quorum present.

The meeting was called to order at 6:30 p.m. and a quorum was announced.

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.

NA

C. Discuss, consider, and possible action on the meeting minutes of the April 05, 2021 meeting.

Commissioner Connally moved to approve the meeting minutes of April 05, 2021. Commissioner Jenkins seconded the motion. The motion passed unanimously.

D. Public hearing on a request for a zoning change regarding a 0.016 acre of land known as Lt. 9 S.28ft. and Lt.10, Blk.5, Original Town of Joshua in the W.W. Byers Survey, Abstract No. 29, County of Johnson, Texas located on the northeast corner of N. Main St. and E. 12th St. to

change from (C-1) Restricted Commercial District to the (PD) Planned Development District and associated Detailed Site Plan located in the Heritage Preservation Overlay District for the development of a retail building.

- Staff Presentation
- Owner's Presentation
- Those in Favor
- Those Against
- Owner's Rebuttal

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

Staff Presentation

Development Services Director Maldonado read the following statement:

The property was originally platted as the Original Town of Joshua. It is located within the Heritage Preservation Overlay District and as properties develop, they need to have a Planned Development designation to meet the design requirements of that district.

This property is zoned C-1, Restricted Commercial

The proposed development of this property is to allow for a retail building with multiple spaces. The proposed building will be 5,090 square feet.

This development will be required to submit engineered construction plans and will also be required to replat, the City has agreed that these matters may be part of the construction and platting review process.

Owner's Presentation

Robbie Rumfield stated that this development will be for retail and no restaurant.

Those in Favor

NA

Those Against

NA

Owner's Rebuttal

NA

After no more comments, Commissioner Gibson closed the public hearing at 6:34 pm.

- E. Discuss, consider, and possible action on making a recommendation to the City Council on a request for a zoning change regarding a 0.016 acre of land known as Lt. 9 S.28ft. and Lt.10, Blk.5, Original Town of Joshua in the W.W. Byers Survey, Abstract No. 29, County of Johnson, Texas located on the northeast corner of N. Main St. and E. 12th St. to change from (C-1) Restricted Commercial District to the (PD) Planned Development District and associated Detailed Site Plan located in the Heritage Preservation Overlay District for the development of a retail building.

Commissioner Sears moved to approve a request for a zoning change regarding a 0.016 acre of land known as Lt. 9 S.28ft. and Lt.10, Blk.5, Original Town of Joshua in the W.W. Byers Survey,

Abstract No. 29, County of Johnson, Texas located on the northeast corner of N. Main St. and E. 12th St. to change from (C-1) Restricted Commercial District to the (PD) Planned Development District and associated Detailed Site Plan located in the Heritage Preservation Overlay District for the development of a retail building. Commissioner Mauldin seconded the motion. The motion passed unanimously.

- F. Public hearing regarding a request to rezone a tract of land in the Eli M. Thomason Survey, Abstract No. 827, TR 52 County of Johnson, Texas and being approximately 46.040 acres of land and locally known as 1200 CR 909, changing the zoning to the foregoing property from (A) Agricultural District to the (PD) Planned Development District to allow for a residential subdivision.

- Staff Presentation
- Owner's Presentation
- Those in Favor
- Those Against
- Owner's Rebuttal

Commissioner Gibson opened the public hearing at 6:35 pm.

Staff Presentation

Development Services Director Maldonado read the following statement:

The approximate 46-acre tract of land has never been platted and has been zoned and used for agriculture with a single-family residence located on the property.

This property is zoned A – Agricultural District

Three open spaces to be served by the standard curb and gutter residential streets. A Homeowners Association will maintain the open spaces as well as the entry signs.

The applicant is requesting a Planned Development District and is meeting most of the requirements of the R-1 zoning district except for the lot width and lot size as detailed in the "Zoning Requirement Comparison Table" shown in their proposal.

This proposal was first denied by the Planning and Zoning Commission on April 5, 2021, by a vote of 6-1. The applicant withdrew his application and revised his proposal according to the concerns of the Planning and Zoning Commission and the citizen comments. The applicant reapplied and went before the Planning and Zoning Commission on May 3, 2021, and was denied by a vote of 5-2. Since then, the applicant has updated his Planned Development proposal and has added a document showing the increases to the R-1 zoning regulations. These increases will drastically increase the look and the value of the homes built within this subdivision.

The requirements of a Detailed Site Plan include specific information related to engineering such as drainage and other transportation-related issues. Because this property requires to be final platted, the City has agreed that these matters may be part of the preliminary and final platting review process.

This request appears to meet the minimum requirements as outlined in the Subdivision Ordinance except for the lot width and the lot size as stated above.

Owner's Presentation

Courtney Coats stated the following:

- Not a lot of difference between the 1st proposal
- Plenty of capacity for water and electricity
- Complies with city's future land use plan
- The changes reduce the lots by 10
- The minimum lot size is 9,000 and 2/3 of lots are 9500 or larger

Those in favor:

Gerald Miller, 8400 CR1016a – Mr. Miller stated that he is the current owner of the property and is in favor of development because it will be beneficial to the city. In addition, he stated that we are all about growth and families.

Those Against:

Mary Steed, 1304 CR 909 – Ms. Steed stated that just last month, the project was denied. She stated that she has the same concerns as last month. In addition, she stated that the new proposal is very dense.

Owner's Rebuttal:

Mr. Courtney Coats stated that the understands the concerns, but the future land use was designed for this type of development.

After no more comments, Commissioner Gibson closed the public hearing at 6:50 pm.

- G. Discuss, consider, and possible action on making a recommendation to the City Council regarding a request to rezone a tract of land in the Eli M. Thomason Survey, Abstract No. 827, TR 52 County of Johnson, Texas and being approximately 46.040 acres of land and locally known as 1200 CR 909, changing the zoning to the foregoing property from (A) Agricultural District to the (PD) Planned Development District to allow for a residential subdivision.

Commissioner Sears moved to deny a request to rezone a tract of land in the Eli M. Thomason Survey, Abstract No. 827, TR 52 County of Johnson, Texas and being approximately 46.040 acres of land and locally known as 1200 CR 909, changing the zoning to the foregoing property from (A) Agricultural District to the (PD) Planned Development District to allow for a residential subdivision. Commissioner Jenkins seconded the motion. The motion passed. Commissioner Gibson and Commissioner Connally voted against.

- H. Discuss, consider, and possible action on approving the Final Plat of Lot 9, Block 1, Joshua Station Addition being a 1.1529-acre tract of land situated in the George Casseland Survey, Abstract No. 173, City of Joshua, Johnson County, Texas and located on the northwest corner of Plum St. and S. Broadway (SH 174).

Commissioner Connally moved to approve the Final Plat of Lot 9, Block 1, Joshua Station Addition being a 1.1529-acre tract of land situated in the George Casseland Survey, Abstract No. 173, City of Joshua, Johnson County, Texas and located on the northwest corner of Plum St. and S. Broadway (SH 174). Commissioner Mauldin seconded the motion. The motion passed unanimously.

I. Adjourn.

Commissioner Gibson adjourned the meeting at 7:03 p.m.

Brent Gibson
Planning & Zoning Chairman

ATTEST:

Alice Holloway, City Secretary

Approved: June 07, 2021