



**MINUTES
PLANNING & ZONING COMMISSION
JOSHUA CITY HALL – COUNCIL CHAMBERS
101 SOUTH MAIN STREET, JOSHUA, TX 75058
April 05, 2021
6:30 PM**

The Planning & Zoning Commission will hold a special meeting on April 05, 2021 at 6:30 pm in the City Hall Council Chambers, 101 S. Main Street, Joshua, Texas. This meeting is closed to the public and subject to the Open Meeting Laws of the State of Texas.

City facilities are closed to the public in response to a health emergency specifically Coronavirus Disease (COVID-19). This meeting is available via live stream. Join Zoom Meeting:

<https://us02web.zoom.us/j/85942682489?pwd=Q0k4WmJXNWMyU2tsWE9VNU5md1htQT09>

Meeting ID: 859 4268 2489 Passcode: 078891 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 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 meeting minutes of March 09, 2021 meeting.

Commissioner Mauldin moved to approve the meeting minutes of March 09, 2021. Commissioner Jenkins seconded the motion. The motion passed unanimously.

D. 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.

- a. Staff Presentation
- b. Owner's Presentation
- c. Those in Favor
- d. Those Against
- e. Owner's Rebuttal

Commissioner Gibson opened the public hearing at 6:32 pm.

Staff Presentation:

Development Services Director Aaron Maldonado made 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

The proposed development of this property is to allow for a Planned Development of approximately 155 single-family lots and three open spaces to be served by 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 with the exception of the lot width as detailed in the “Zoning Requirement Comparison Table” shown in their proposal.

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 set forth in the Subdivision Ordinance and staff recommends approval of the Planned Development and Detailed Site Plan.

Owner Presentation:

Mr. Courtney Coates:

Mr. Coates stated that this is a straightforward development. He stated the lot width is the only thing that is different. In addition, there are a few lots that are less than 10,000 sq. ft.

Commissioner Jenkins questioned the lot sizes that do not meet the City ordinances. Mr. Coates stated that it makes the lots more usable and it is not markable for large lots. In addition, he stated that he is aware of the R1 requirements, but it is not feasible.

Commissioner Jenkins stated that he also had concerns with the traffic on CR 909.

Citizens Against:

Sandra Harris –4020 CR 911: Against the development. She stated that her property will touch the proposed development. She has concerns with trespassers, traffic on 909, cattle, and electricity.

Sharon Warren – 1312 CR 909: Against the development. She stated she has concerns regarding traffic on CR 909-it is not a safe road. In addition, she stated that she did not received notification on this development, she read about it on Facebook.

Rodney Warren – 1312 CR 909: Against the development. Mr. Warren passed out pictures to the commission to review. He expressed concerns regarding flooding.

Mary Steed – 1304 CR 909: Against the development. Ms. Steed stated that there are no pros to this development. She stated that she had several concerns: overcrowded neighborhood, noise, lights, traffic, crime, water, taxes, and loss of beauty of the area.

Alan Bird- 1236 CR 909: Against the development. He expressed concerns regarding traffic, road infrastructure, lot sizes, and flooding.

Gina Lewis- 1025 CR 909 – Against the development. She agrees with other citizens who are against the development. She has concerns with safety issues with CR 909. She stated that the road is already dangerous without the extra traffic. In addition, she stated that the current citizens moved there to get away from the city.

Citizens for the development:

Eric Dumas- He represents the development- 1400 Everman Parkway, Suite 146: He is in favor of the development. He stated that this project follows the future land use plan.

Owner Rebuttal:

Mr. Coates stated that the developer will pay for the new infrastructure; every house will have a 6 foot fence. The development follows the rules of the city regarding possible flooding issues. There are areas with standing water; this project may actually help with current issues. The traffic issues on CR 909 are not part of the development.

After no more comments, Commissioner Gibson closed the public hearing at 7:06 pm.

- E. Discuss, consider, and possible action regarding 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 questioned why we have a plan in place if we are not going to following it. He stated that the Planning & Zoning Commission worked very hard to put guidelines in place. Commissioner Jenkins and Connally agreed.

Commissioner Mauldin stated that CR 909 is a safety traffic concern.

Courtney Coates stated that the homes prices will start at \$350,000 and up.

Commissioner Jenkins moved to deny the 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. Commissioner Sears seconded the motion. The motion passed. Commissioner Gibson voted against.

- F. Conduct a public hearing regarding a 1.858 acre tract of land located at the northwest corner of Jones Street and Highway 174 locally known as 952 South Broadway Street, George Casseland

Survey, Abstract No. 173 to change from (C-1) Restricted Commercial District to the (PD) Planned Development District and associated Detailed Site Plan for a restaurant with a drive thru.

Commissioner Gibson opened the public hearing at 7:30 pm.

- a. Staff Presentation
- b. Owner's Presentation
- c. Those in Favor
- d. Those Against
- e. Owner's Rebuttal

Staff Presentation:

Development Services Director Aaron Maldonado stated the following:

A preliminary plat of Joshua Station Addition was approved in 2008. The subject property is referred to as Lot 4, as per the approved preliminary plat and will be platted as such. This property is located within the Joshua Station Overlay District and as properties develop, they need to have a Planned Development designation and Detailed Site Plan approved prior to construction.

This property is zoned C-1, Restricted Commercial

The proposed development of this property is to allow for a fast-food restaurant with drive-thru service for McDonalds. The proposed building will be 4,500 square feet.

The requirements of a Detailed Site Plan include specific information related to engineering such as drainage and other transportation related issues. Per Sect. 10.7.10 of the subdivision ordinance, a Traffic Impact Analysis (TIA) is required when the number of average daily trips exceeds 1,000. Because the number of average daily trips for this project exceeds 1,000, a TIA is required. The TIA may be submitted with the Final Plat and plans; however, the applicant will be responsible for making any changes to the site plan recommended by the traffic analysis. Because this property requires to be final platted, the City has agreed that these matters may be part of the final platting review process.

It appears the minimum requirements have been addressed of the Detailed Site Plan and the following exhibits associated with it:

- 1. Building elevations
- 2. Landscape Plan
- 3. Photometric Plan
- 4. Development Standards
- 5. Detailed Site Plan

Owner's Presentation:

Mr. Billy Tolson stated his family has owned this property since 2007. In addition, he stated that he has complied with all requirements and the site plan will be the last step and will be presented at a later time.

No other comments made. Commissioner Gibson closed the public hearing at 7:23 pm.

- G. Discuss, consider, and possible action on a 1.858 acre tract of land located at the northwest corner of Jones Street and Highway 174 locally known as 952 South Broadway Street, George Casseland Survey, Abstract No. 173 to change from (C-1) Restricted Commercial District to the

(PD) Planned Development District and associated Detailed Site Plan for a restaurant with a drive thru.

Commissioner Sears moved to approve the zoning request on a 1.858 acre tract of land located at the northwest corner of Jones Street and Highway 174 locally known as 952 South Broadway Street, George Casseland Survey, Abstract No. 173. Commissioner Mauldin seconded the motion. The motion passed unanimously.

- H. Public Hearing regarding an amendment to the Thoroughfare Master Plan, contained in the 2016 Comprehensive Plan, by removing the existing 2-Lane Collector Roadway from SH 174 to CR 1023 and designating CR 904 west of SH 174 as 2-Lane Collector Roadway.

Commissioner Gibson opened the public hearing at 7:28 pm.

Staff Presentation:

Development Services Director Aaron Maldonado stated the following:

The Thoroughfare plan was last updated in 2016 and it is obvious that provision must be made for changing the regulations as conditions change or new conditions arise. Otherwise zoning would be confined and a detriment to a community instead of an asset. Periodic revision is essential if the ordinance is to establish and maintain a rational land use pattern. In this case the 2- lane collector road is causing difficulty developing the area as the proposed road crosses multiple tracts of land. The City is proposing to realign the 2-lane collector road downward to CR 904.

After no other comments, Commissioner Gibson closed the public hearing at 7:29.

- I. Discuss, consider, and possible action an amendment to the Thoroughfare Master Plan, contained in the 2016 Comprehensive Plan, by removing the existing 2-Lane Collector Roadway from SH 174 to CR 1023 and designating CR 904 west of SH 174 as 2-Lane Collector Roadway.

Commissioner Connally moved to approve the amendment to the Thoroughfare Master Plan, contained in the 2016 Comprehensive Plan, by removing the existing 2-Lane Collector Roadway from SH 174 to CR 1023 and designating CR 904 west of SH 174 as 2-Lane Collector Roadway. Commissioner Mauldin seconded the motion. The motion passed unanimously.

- J. Adjourn.

Commissioner Gibson adjourned the meeting at 7:33 p.m.

Brent Gibson
Planning & Zoning Chairman

ATTEST:

Alice Holloway, City Secretary

Approved: May 03, 2021