



AGENDA
PLANNING & ZONING COMMISSION
JOSHUA CITY HALL – COUNCIL CHAMBERS
101 SOUTH MAIN STREET, JOSHUA, TX 75058
NOVEMBER 1, 2021
6:30 PM

The Planning & Zoning Commission will hold a meeting on November 01, 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/85452368387?pwd=cFZGWGZPTThuY05ZMVN0d1RodERxUT09>

Meeting ID: 854 5236 8387 Passcode: 325611 or dial 1-346-248-7799

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. Discuss, consider, and take action on approval of meeting minutes from October 4, 2021.

D. Conduct a public hearing on a request to rezone 144.24 acre of land known as Tract 9 and 10, in the George Casseland Survey, Abstract No. 173, County of Johnson, Texas located on the east side of CR 1023 to change from (A) Agricultural District to the (R1L) Single Family Residential Large Lot District to allow for the construction of a residential subdivision.

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

E. Discuss, consider, and possible action on approval to rezone 144.24 acre of land known as Tract 9 and 10, in the George Casseland Survey, Abstract No. 173, County of Johnson, Texas located on the east side of CR 1023 to change from (A) Agricultural District to the (R1L) Single Family Residential Large Lot District to allow for the construction of a residential subdivision.

F. 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, including 551.071 (private consultation with the attorney for the City); 551.072 (discussing purchase, exchange, lease or value of real property); 551.074 (discussing personnel or to hear complaints against personnel); and 551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

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 October 2021, by 12:00 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
101 SOUTH MAIN STREET, JOSHUA, TX 75058
OCTOBER 04, 2021
6:30 PM**

The Planning & Zoning Commission will hold a regular meeting on October 4, 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/86224762442?pwd=UW5Ycm4wM0hZODRHNUFwekFWZ3hiUT09>
Meeting ID: 862 2476 2442 Passcode: 314217 or dial 1-346-248-7799.

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Planning & Zoning Commission Members Present: Brent Gibson, Chairman; Brandon Gage, Place 2; Richard Connally, Place 4; Bryan Sears, Place 6, Julian Torrez, Alternate 2.

Planning & Zoning Commission Members Absent: John Mauldin, Place 1; Jerry Moore, Place 3, Billy Jenkins, Place 7

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

- A. Call to Order and announce a quorum present.

Commissioner Gibson called to order at 6:32 p.m. and a quorum was announced.

- B. Citizens Forum

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NA

- C. City Secretary to administer Oath of Office to newly appointed/re-appointed commissioner(s).

City Secretary Holloway administered the Oath of Office to the following commissioners:

- Brent Gibson
- Julian Torrez
- Richard Connally

- D. Discuss, consider, and possible action on appointment of the following positions for a one year term:

- Chairperson
- Vice-Chairperson

Commissioner Sears moved to appoint Brent Gibson as Chair. Commissioner Torrez seconded the motion. The motion passed unanimously.

Commissioner Gibson moved to appoint Bryan Sears as Vice-Chair. Commissioner Connally seconded the motion. The motion passed unanimously.

- E. Discuss, consider, and take action on approval of meeting minutes from September 7, 2021.

Commissioner Connally moved to approve the meeting minutes of September 7, 2021. Commissioner Sears seconded the motion. The motion passed unanimously.

- F. Discuss, consider, and possible action on approving a final plat regarding 29.713 acres of land known as Lots 1-12, Block 1, Lots 1-10, 11X, 12-23, Block 2, and Lots 1-7, 8X, 9-14, Block 3, Highland Meadows Addition, in the Dyer Nuner Survey, Abstract No. 643 and the George Casseland Survey, Abstract No. 173, County of Johnson, Texas located at on CR 1023 for the construction of a residential subdivision.

Commissioner Connally moved to approve a final plat regarding 29.713 acres of land known as Lots 1-12, Block 1, Lots 1-10, 11X, 12-23, Block 2, and Lots 1-7, 8X, 9-14, Block 3, Highland Meadows Addition, in the Dyer Nuner Survey, Abstract No. 643 and the George Casseland Survey, Abstract No. 173, County of Johnson, Texas located at on CR 1023 for the construction of a residential subdivision. Commissioner Torrez seconded the motion. The motion passed unanimously.

- G. Adjourn.

Commissioner Gibson adjourned the meeting at 6:41 pm.

Brent Gibson
Planning & Zoning

ATTEST:

Alice Holloway, City Secretary
Approved: November 1, 2021



Planning & Zoning Commission Agenda November 1, 2021

Agenda Item: **Rezone** **(Action Item)**

Agenda Description:

Conduct a public hearing and consider approval for a rezone regarding a 144.24 acre of land known as Tract 9 and 10, in the George Casseland Survey, Abstract No. 173, County of Johnson, Texas located on the east side of CR 1023 to change from (A) Agricultural District to the (R1L) Single Family Residential Large Lot District to allow for the construction of a residential subdivision.

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

Background Information:

HISTORY: The vacant property has never been platted and was originally zoned as Agricultural District.

ZONING: This property is zoned (A) Agricultural District

ANALYSIS: The proposed development of this property is to allow for the property to be subdivided for the construction of a residential subdivision containing a minimum of 1 acre size lots and follow all of the R1L District regulations.

ENGINEERING RELATED ISSUES: This development will be required to submit engineered construction plans and will also be required to preliminary plat and final plat, the City has agreed that these matters may be part of the construction and platting review process.

RECOMMENDATION: The proposed request complies with the Future Land Use Plan.

Financial Information:

Only 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:

Aaron Maldonado, Development Services Director

Attachments:

- 1) Rezone Application
- 2) Legal Description
- 3) Vicinity Map
- 4) Aerial Map
- 5) Public Notice Responses

Please check the appropriate box below to indicate the type of application you are requesting and provide all information required to process your request.

- | | | |
|--|---|--|
| ☐ Pre-Application Meeting | ☐ Comprehensive Plan Amendment | ☒ Zoning Change |
| ☐ Conditional Use Permit | ☐ Zoning Variance (ZBA) | ☐ Subdivision Variance |
| ☐ Preliminary Plat | ☐ Final Plat | ☐ Amending Plat |
| ☐ Replat | ☐ Planned Development Concept Plan | ☐ Planned Development Detailed Plan |
| ☐ Minor Plat | ☐ Other _____ | |

PROJECT INFORMATION

Project Name: Shady Valley

Project Address (Location): East side of CR 1023, North of Indian Hills Road

Existing Zoning: Agricultural Proposed Zoning: R-1L

Existing Use: Agricultural Proposed Use: Single Family Residential

Existing Comprehensive Plan Designation: Low Density Residential Gross Acres: 144

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.

APPLICANT INFORMATION

Applicant: Samuel Knight Company: Teague Nail & Perkins

Address: 5237 N. Riverside Drive Tel: 817-665-7148 Fax: _____

City: Fort Worth State: TX ZIP: 76137 Email: sknight@tnpinc.com

Property Owner: The Burkett Family Trust Company: _____

Address: 8613 Crosswind Dr Tel: 817-938-7575 Fax: _____

City: Fort Worth State: TX ZIP: 76179 Email: joesr55@yahoo.com

Key Contact: Applicant Company: _____

Address: _____ Tel: _____ Fax: _____

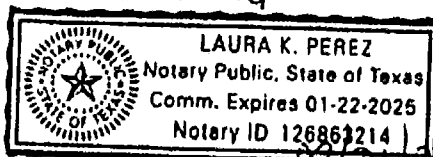
City: _____ State: _____ ZIP: _____ Email: _____

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

SIGNATURE: Burkett Family Trust (Joe C. Burkett Jr.)
(Letter of authorization required if signature is other than property owner)

Print or Type Name: Joe C. Burkett Jr.
Known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration expressed and in the capacity therein stated.
Given under my hand and seal of office on this 21 day of September 2021

Laurak Perez
Notary Public



Signature Laurak Perez Date: 9/24/21

For Departmental Use Only

Case No.: PZ 2021-08

Project Manager: _____

Total Fee(s): 500-

Check No.: 12078

Date Submitted: 9.24.21

Accepted By: JM

Date of Complete Application: _____

PROPERTY DESCRIPTION

BEING 144.244 acres of land situated in George Casseland Survey, Abstract No. 173, City of Joshua, Johnson County, Texas, and being all of that certain tract of land described in deed to Joe Carl Burkett, Jr., Trustee of The Burkett Family Trust, according to the deed filed in Volume 3447, Page 884, Deed Records of Johnson County, Texas (D.R.J.C.T.); and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found at the northeast corner of said Burkett Family Trust tract, also being the northwest corner of Lot 20, Wagon Wheel Estates, an addition to the City of Joshua, Johnson County, Texas, as filed in Volume 5, Page 21, Plat Records of Johnson County, Texas (P.R.J.C.T.), and also being in the south line of a tract of land described in deed to Rhonda Gail Taylor, as filed in Volume 4259, Page 929, D.R.J.C.T., from which a 1/2 inch iron rod found, bears S 20°24'36" W, a distance of 1.84 feet;

THENCE S 02°04'38" E, along the east line of Burkett Family Trust tract, passing along the west line of said Lot 20, the west end of a 60' wide Road Easement, as filed in said plat of Wagon Wheel Estates (Vol. 5, Pg. 21, P.R.J.C.T.), also being filed in Volume 839, Page 251, D.R.J.C.T., and also passing along the west line of Lot 19, of said Wagon Wheel Estates, a distance of 1968.44 feet to a 5/8 inch iron rod set with cap stamped "TNP" (hereinafter all 5/8 inch iron rods set are marked the same), at the southeast corner of said Burkett Family Trust tract, also being the southwest corner of said Lot 19, also being the northwest corner of Lot 1, of said Wagon Wheel Estates, and also being the northeast corner of a tract of land described in deed to Linda Susan Chester Smith & Frances Chester, as filed in Instrument No. 2015-21018, D.R.J.C.T., from which a 1/2 inch iron rod found in the west line of Lot 20, of said Wagon Wheel Estates, also being in the east line of said Linda Susan Chester Smith & Frances Chester tract, bears S 02°04'38" E, a distance of 1917.67 feet;

THENCE N 89°58'33" W, along the south line of said Burkett Family Trust tract, passing along the north line of said Linda Susan Chester Smith & Frances Chester, at a distance of 4.29 feet passing a rock found, at a total distance of 1893.03 feet passing at the northwest corner of said Linda Susan Chester Smith & Frances Chester, also being the northeast corner of a tract of land described in deed to Michael Martin, as filed in Instrument No. 2011-30616, D.R.J.C.T., from which a stone found at right angle to said property line, bears N 00°01'27" E, a distance of 1.37 feet, from which a 1/2 inch iron rod found, bears N 47°23'49" W, a distance of 1.52 feet; and continuing along the south line of said Burkett Family Trust tract, passing along the north line of said Martin tract, and the north line of a tract of land described in deed to Concrete Investments, LLC, as filed in Instrument No. 2016-18678, D.R.J.C.T., in all, a distance of 2797.71 feet to a 4.5 inch metal post found at the southwest corner of said Burkett Family Trust tract, also being the southeast corner of Lot 2, Westfall Addition, an addition to the City of Joshua, Johnson County, Texas, as filed in Volume 9, Page 805, Slide C406, P.R.J.C.T.;

THENCE N 00°55'26" W, along the most southerly west line of Burkett Family Trust tract, passing along the east line of said Lot 2, and the east line of the remainder of a tract of land described in deed to Gene Johnson et ux Glenda Ruth Johnson, as filed in Volume 1286, Page 346, D.R.J.C.T., a distance of 571.75 feet to a 1/2 inch iron rod found at the northeast corner of said Johnson tract, also being the southeast corner of a tract of land described in deed to Harold Douglas Taylor, Jr. et ux Sherrie Darlene Taylor, as filed in Instrument No. 2016-31486, D.R.J.C.T.;

THENCE N 01°01'16" W, continuing along the most southerly west line of Burkett Family Trust tract, passing along the east line of said Taylor tract, a distance of 484.29 feet to a stone found at a re-entrant corner of said Burkett Family Trust tract, also being the northeast corner of said Taylor tract, from which another stone found, bears N 24°18'16" W, a distance of 0.68 feet;

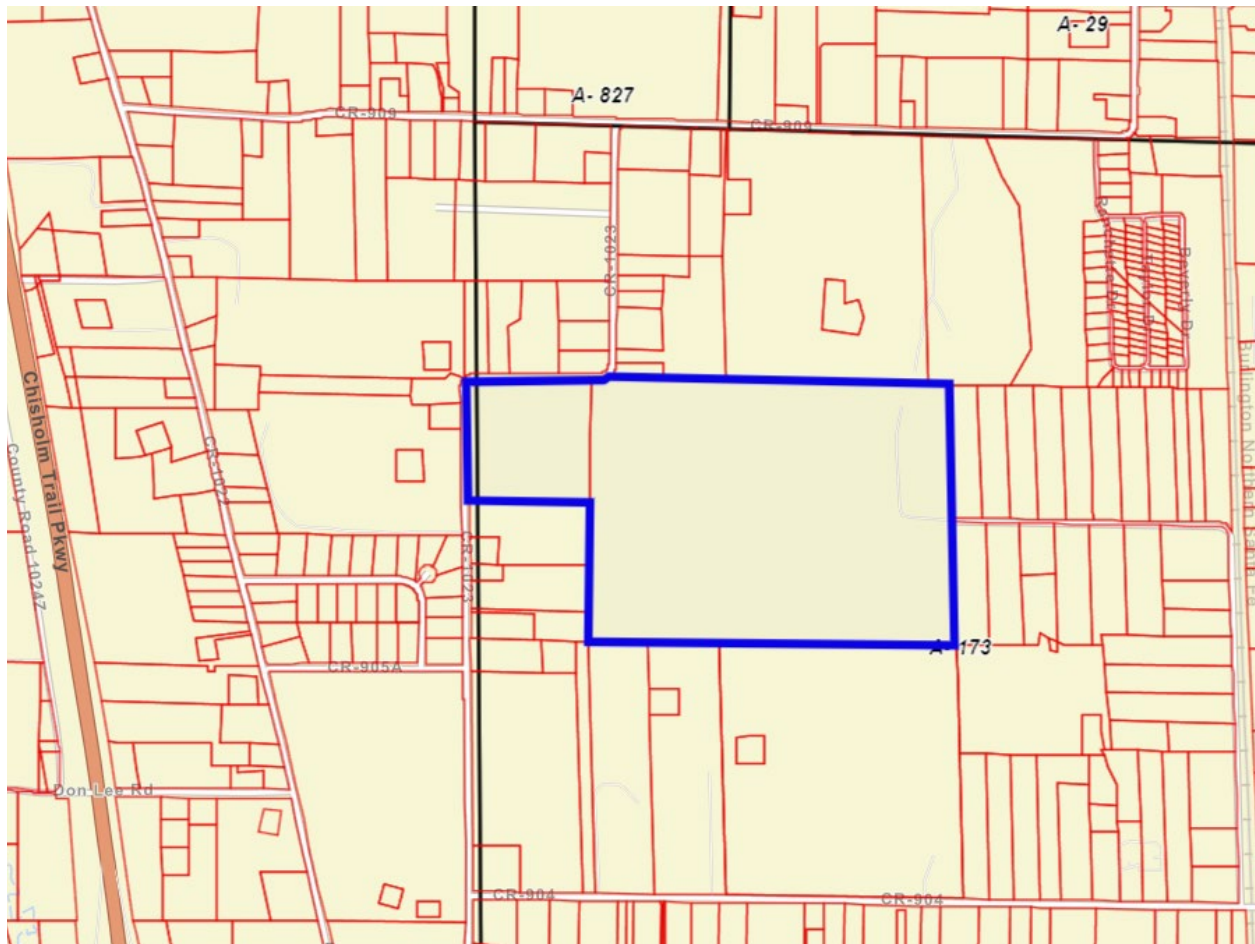
THENCE S 89°05'51" W, along the most westerly south line of Burkett Family Trust tract, passing along the north line of said Taylor tract, a distance of 902.29 feet to a 1/2 inch iron rod found at the northwest corner of said Taylor tract, also being the most westerly southwest corner of said Burkett Family Trust tract, and also being in the easterly R-O-W line of County Road 1023 (variable width);

THENCE N 01°14'36" W, along the most westerly line of Burkett Family Trust tract, and along the easterly R-O-W line of said County Road 1023, a distance of 918.74 feet to a mag nail with shiner stamped "TNP", set in edge of asphalt road at the northwest corner of said Burkett Family Trust tract;

THENCE N 89°54'36" E, along the north line of Burkett Family Trust tract, partially passing along the south R-O-W line of said County Road 1023, also passing along the south edge of a possible gap or gore, at a distance of 1936.23 feet passing at right angles to said property line, a 1/2 inch iron rod found at the southeast corner of a tract of land described in deed to Sharon L. Good and Ralph M. Good, Jr., as filed Instrument No. 2021-11287, D.R.J.C.T., also being the southwest corner of a tract of land described in deed to Tommie Irene Maines Cain, as filed Instrument No. 2015-14596, D.R.J.C.T., and bears N 00°05'24" W, a distance of 18.96 feet; and continuing along the north line of said Burkett Family Trust tract, along the south edge of said possible gap or gore, in all, a distance of 3666.33 feet to the **POINT OF BEGINNING** and containing 144.244 acres of land, more or less.

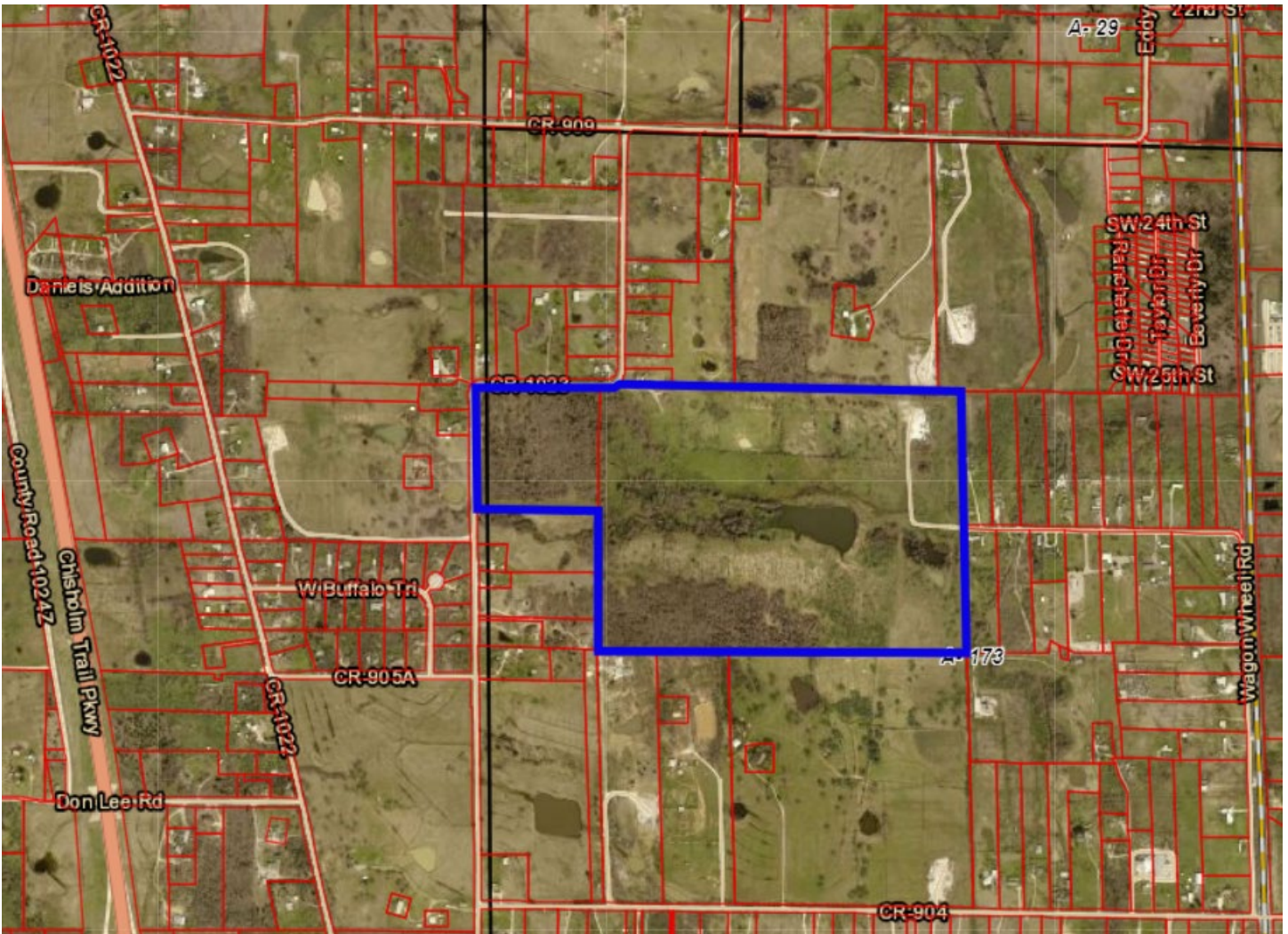


Vicinity Map





Aerial Map



NOTICE OF PUBLIC HEARING

Date mailed: 10/20/2021

The Planning and Zoning Commission of the City of Joshua will hold a public hearing on **November 1, 2021** to consider making a recommendation to the City Council regarding a request to rezone a tract of land in the George Casseland Survey, Abstract No. 173, County of Johnson, Texas known as Tract 9 & 10, Abst. 173 and being approximately 144.24 acres of land located on CR 1023, changing the zoning on the foregoing property from (A) Agricultural District to the (R1L) Single Family Residential Large Lot District to allow for the construction of a residential subdivision.

The public hearing will start at 6:30 p.m. in the City Council Chambers located at 101 S. Main, Joshua, Texas. *Because you own property within two hundred (200) feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing.* Please, in order for your opinion to be taken into account, return this form with your comments prior to the date of the public hearing. *(This in no way prohibits you from attending and participating in the public hearing.)* You may mail it to the address below or drop it off in person:

Planning Department
101 South Main Street
Joshua, Texas 76058
Attn: Aaron Maldonado

The process includes two public hearings designed to provide opportunities for citizen involvement and comment. Prior to the public hearings, landowners within two hundred (200) feet of the subject property are notified of the request by way of this notice. The first public hearing is held before the Planning and Zoning Commission. The Commission is informed of the percent of responses in support and in opposition. Second, the petition is forwarded to the City Council for final action. If the owners of more than twenty (20) percent of the land area within two hundred (200) feet of the site submit written opposition, then six out of seven votes of the City Council are required to approve the request. ***These forms are used to calculate the percentage of landowner opposition.***

Please circle one:

☒ In favor of request

☐ Neutral to request

☐ Opposed to request

Reasons for Opposition:

Signature: Linda Smith

Printed Name: Linda Smith

Mailing Address: 7000 Twin Hills Dr.

City, State Zip: Joshua, TX 76058

Telephone Number: 817-944-7905

Physical Address of Property within 200 feet: 800 CR 904, Joshua, TX

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Please circle one:

In favor of request

Neutral to request

Opposed to request

Reasons for Opposition:

Signature: _____

Printed Name: _____

Mailing Address: _____

City, State Zip: _____

Telephone Number: _____

Physical Address of Property within 200 feet: _____

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Please circle one:

In favor of request

Neutral to request

Opposed to request

Reasons for Opposition:

THE ROADS WILL NOT SUPPORT THE INCREASED TRAFFIC
Safety will be compromised.

Signature: Arnold L. Thormeyer

Printed Name: Arnold L. Thormeyer

Mailing Address: 6001 CR 1023 Joshua, TX

City, State Zip: Joshua, TX 76058

Telephone Number: 817 980 9777

Physical Address of Property within 200 feet: 6001 CR 1023 Joshua, TX

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Please circle one:

In favor of request

Neutral to request

Opposed to request

Reasons for Opposition:

Signature: _____

Printed Name: Shirley Wanner

Mailing Address: 5028 Wagon Wheel Rd

City, State Zip: Joshua, Texas 76058

Telephone Number: 817-240-6233

Physical Address of Property within 200 feet: 5028 Wagon Wheel Rd
Joshua, TX

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Please circle one:

In favor of request

Neutral to request

Opposed to request

Reasons for Opposition: IMPACT ON TRAFFIC ON CR 1023.
HAVE THE DEVELOPER UPGRADE THE ROAD.

Signature: *Lindsay Buckler*

Printed Name: LINDSAY BUCKLER

Mailing Address: 6029 CR 1023 JOSHUA TX 76058

City, State Zip: JOSHUA TX 76058

Telephone Number: 817-994-3955

Physical Address of Property within 200 feet: 6029 CR 1023

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



Planning & Zoning Commission Agenda November 1, 2021

Agenda Item: **Rezone** **(Action Item)**

Agenda Description:

Conduct a public hearing and consider approval for a rezone regarding a 144.24 acre of land known as Tract 9 and 10, in the George Casseland Survey, Abstract No. 173, County of Johnson, Texas located on the east side of CR 1023 to change from (A) Agricultural District to the (R1L) Single Family Residential Large Lot District to allow for the construction of a residential subdivision.

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

Background Information:

HISTORY: The vacant property has never been platted and was originally zoned as Agricultural District.

ZONING: This property is zoned (A) Agricultural District

ANALYSIS: The proposed development of this property is to allow for the property to be subdivided for the construction of a residential subdivision containing a minimum of 1 acre size lots and follow all of the R1L District regulations.

ENGINEERING RELATED ISSUES: This development will be required to submit engineered construction plans and will also be required to preliminary plat and final plat, the City has agreed that these matters may be part of the construction and platting review process.

RECOMMENDATION: The proposed request complies with the Future Land Use Plan.

Financial Information:

Only 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:

Aaron Maldonado, Development Services Director

Attachments:

- 1) Rezone Application
- 2) Legal Description
- 3) Vicinity Map
- 4) Aerial Map
- 5) Public Notice Responses