



**AGENDA
PLANNING & ZONING COMMISSION
JOSHUA CITY HALL – COUNCIL CHAMBERS
101 SOUTH MAIN STREET, JOSHUA, TX 75058
SEPTEMBER 08, 2020
6:30 PM**

The Planning & Zoning Commission will hold a regular meeting on September 8, 2020 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/87226890369?pwd=dUt6KzRzZ2tibE1ySk5qaWMrOUtxdz09>

Meeting ID: 872 2689 0369 Passcode: 349042 or dial 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 and provide your name, address, and question. Your question will be read by the City Secretary 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 July 20, 2020.

D. Public hearing on the request for zoning change from the Restricted Commercial District (C-1) to the Residential Single Family District (R-1) a 0.321 acre tract of land located in the College Addition, Lot 1 Block 3 locally known as 101 E. Twentieth (20th) St. Joshua, Johnson County, Texas 76058. The purpose of this request is to allow usage of the property as a Single Family Residential home.

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

- E.** Discuss, consider, and take action on the request for zoning change from the Restricted Commercial District (C-1) to the Residential Single Family District (R-1) a 0.321 acre tract of land located in the College Addition, Lot 1 Block 3 locally known as 101 E. Twentieth (20th) St. Joshua, Johnson County, Texas 76058.
- F.** **FUTURE AGENDA ITEMS/REQUESTS BY COMMISSIONERS TO BE ON NEXT AGENDA**
(Commissioners shall not comment upon, deliberate, or discuss any item that is not on the agenda. Councilmembers shall not make routine inquiries about operations or project status on an item that is not posted. Any Commissioners may, however, state an issue and a request that this issue be placed on a future agenda.)
- G.** 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 4th day of September 2020 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
July 20, 2020
6:30 PM**

The Planning & Zoning Commission will hold a special meeting on July 20, 2020 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/88027590332?pwd=aFdhVUp2WGhHWVhUYzBHRS9SdXdUZz09>

Meeting ID: 880 2759 0332 Password: 806809

Planning & Zoning Commission Members Present: Robert Fleming, Chairman; Angela Kidd, Place 2; Michael Frazier, Place 3; Richard Connally, Place 4; Brent Gibson, Place 5; and Bryan Sears, Place 6;

Planning & Zoning Commission Members Absent: John Mauldin, Place 1; and Merle Breitenstein, Alternate.

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

A. Call to Order and announce a quorum present.

The meeting was called to order at 6:34 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 take action on approval of meeting minutes from July 6, 2020.

Commissioner Gibson moved to approve the meeting minutes of July 6, 2020. Commissioner Sears seconded the motion. The motion passed unanimously.

D. Public hearing on the request for zoning change on a 5.99 acre tract of land located in the G Casseland Survey, Abstract 173, generally located on the west side of State Highway 174 and east of Wagon Wheel, approximately 820 feet north of FM 904, locally known as 1524 South Broadway, Joshua, TX. from the C-2 Commercial and I

Industrial Districts to the PD Planned Development District to allow for a multipurpose events center. The property is located within the Joshua Station Overlay District.

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

Commissioner Fleming opened the public hearing at 6:36 pm.

Development Services Director Maldonado made the following statement:

The property is currently zoned C-2, Commercial and I, Industrial with the Commercial portion being adjacent to Broadway. There is an existing structure on the property that used to be a church.

The applicant has been remodeling the interior of the structure for a rental facility for a wedding venue as well as other types of events. The plans call for adding two (2) porte cocheres, additional parking, and a courtyard area.

The applicant is also in the process of platting the property and understands that no building permits for additional work will be approved until a plat has been recorded with Johnson County. The area regulations are -Total Lot Size: 5.99 Acres-Required Parking: 1/130sf= 51 spaces.

There is an existing 30 foot wide TxDOT drainage easement that is the collection point for the entire drainage area and conveys the drainage away from State Highway 174. The applicant is working with the City's Engineer in designing the proper pipe size to accommodate the City's drainage requirements. The drainage plan, as submitted, has been reviewed and approved by the City's Engineer.

This development is in conformance with the provisions as set forth in the City's Adopted Comprehensive Plan.

Owner: Mr. Keith Miller stated that he is looking forward to working with the City of Joshua

After no more comments made, Commissioner Fleming closed the public hearing at 6:41 pm.

- E. Discuss, consider, and take action on the request for zoning change from C-2 Commercial and I Industrial District to the PD Planned Development District on a 5.99 acre tract of land generally located on the west side of State Highway 174 and east of Wagon Wheel, approximately 820 feet north of FM 904, locally known as 1524 South Broadway, Joshua, TX.

Commissioner Gibbs moved to approve the request for zoning change from C-2 Commercial and I Industrial District to the PD Planned Development District on a 5.99 acre tract of land generally located on the west side of State Highway 174 and east of Wagon Wheel, approximately 820 feet north of FM 904, locally known as 1524 South Broadway, Joshua, TX. Commissioner Frazier seconded the motion. The motion passed unanimously.

- F. Public hearing on the request zoning change application filed by Peter E. D'amico regarding the rezoning of 2 tracts of land approximately 7.5 acres combined located in the Wagon Wheel Est., Lot 6A and lot 7 Abstract 173, located on the west side of State Highway 174, approximately 732 feet west of Wagon Wheel Rd. and north of County Rd. 904, locally known as 312 and 316 County Rd. 904 Joshua, Texas from the Agricultural District (A) to the Industrial District (I) to allow for light fabrication and assembly of processed materials.

- a. Staff Presentation

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

Commissioner Fleming opened the public hearing at 6:44 pm.

Development Services Director Maldonado made the following statement:

This property is 2 tracts of land 7.5 acres (lot 6A being 2.5 acres and lot 7 being 5.00 acres). This property was annexed into the city in December of 2016 with the zoning of Agricultural.

This property has a building that was once used as a decorative metal fabrication facility. The new property owner plans to use the building as a similar use of light fabrication and assembly of processed materials. A plot plan was required because of a proposed 30,000 gal. propane tank and meets the International Fire Code distance of 50ft. from the building. A building permit will also be required for the placement of the propane tank on a concrete slab.

The Future Land Use Plan as shown in the adopted Comprehensive Plan of the City designates this area as Industrial. The proposed rezoning request complies with the Future Land Use Plan.

Owner: Mr. Jonathan Warner stated that he appreciates the opportunity and hopes to bring good jobs to area.

After no more comments, Commissioner Fleming closed the public hearing at 6:47 pm.

- G.** Discuss, consider, and take action on a zoning change application filed by Peter E. D'Amico regarding the rezoning of 2 tracts of land approximately 7.5 acres combined located in the Wagon Wheel Est., Lot 6A and lot 7 Abstract 173, located on the west side of State Highway 174, approximately 732 feet west of Wagon Wheel Rd. and north of County Rd. 904, locally known as 312 and 316 County Rd. 904 Joshua, Texas from the Agricultural District (A) to the Industrial District (I) to allow for light fabrication and assembly of processed materials.

Commissioner Connelly moved to approve a zoning change application filed by Peter E. D'Amico regarding the rezoning of 2 tracts of land approximately 7.5 acres combined located in the Wagon Wheel Est., Lot 6A and lot 7 Abstract 173, located on the west side of State Highway 174, approximately 732 feet west of Wagon Wheel Rd. and north of County Rd. 904, locally known as 312 and 316 County Rd. 904 Joshua, Texas from the Agricultural District (A) to the Industrial District (I). Commissioner Kidd seconded the motion. The motion passed unanimously.

- H.** FUTURE AGENDA ITEMS/REQUESTS BY COMMISSIONERS TO BE ON NEXT AGENDA
(Commissioners shall not comment upon, deliberate, or discuss any item that is not on the agenda. Councilmembers shall not make routine inquiries about operations or project status on an item that is not posted. Any Commissioners may, however, state an issue and a request that this issue be placed on a future agenda.)

NA

- I.** Adjourn.

Commissioner Fleming adjourned the meeting at 6:49 p.m.

Robert Fleming
Planning & Zoning Chairman

ATTEST:

Alice Holloway, City Secretary

Approved: September 8, 2020



**Planning & Zoning Commission
September 8, 2020**

Agenda Item: D and E Ordinance (Action Item)

Agenda Description:

Discuss, consider, and take action on the request for zoning change from the Restricted Commercial District (C-1) to the Residential Single Family District (R-1) a 0.321 acre tract of land located in the College Addition, Lot 1 Block 3 locally known as 101 E. Twentieth (20th) St. Joshua, Johnson County, Texas 76058.

Background Information:

This property was zoned Commercial (C1) back in 2008 and at one time was in the Heritage Overlay District. In June of 2020 Chapter 14 of the Zoning Code of Ordinance was changed and the property was taken out of the Heritage Overlay District. The use of the building on the property has always been as a Residential home and should continue as such.

The Future Land Use Plan as shown in the adopted Comprehensive Plan of the City designates this area as Residential Single Family (R1). The proposed rezoning 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.

City Contact and Recommendations:

Aaron Maldonado, Director of Development Services

Staff recommends approval

Attachments:

1. Zoning Change Application
2. Explanation Letter
3. Maps

PZ 2020.05

City of Joshua Development Services Universal Application

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: 101 E 20th St

Project Address (Location): 101 E 20th St. Joshua, TX 76058 LOT 1, BLK 3, COLLEGE ADDITION

Existing Zoning: C1 Proposed Zoning: ~~A1~~ R1 - Residential, Single Family

Existing Use: Single Family Residential Home Proposed Use: Single Family Residential Home

Existing Comprehensive Plan Designation: N/A R1 Gross Acres: 0.321

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: Wildcat Lending Fund One LP Company: Wildcat Lending Fund One LP

Address: 4800 Dexter Dr. Tel: 972.525.4777 Fax: _____

City: Plano State: TX ZIP: 75093 Email: _____

Property Owner: Wildcat Lending Fund One LP Company: Wildcat Lending Fund One LP

Address: 4800 Dexter Dr. Tel: 972.525.4777 Fax: _____

City: Plano State: TX ZIP: 75093 Email: _____

Key Contact: Kevin Shipman Company: Wildcat Lending Fond One LP

Address: 4800 Dexter Dr. Tel: 817.832.3451 Fax: _____

City: Plano State: TX ZIP: 75093 Email: Kevin@wildcatlending.com

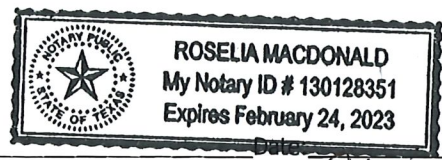
SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

SIGNATURE: [Signature]
(Letter of Authorization required if signature is other than property owner)

Print or Type Name: Kevin Shipman
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 6 day of August 2020

[Signature]
Notary Public

Signature [Signature]



For Departmental Use Only

Case No.: _____

Project Manager: _____

Total Fee(s): \$500 -

Check No: 1876

Date Submitted: 8-10-2020

Accepted By: [Signature]

Date of Complete Application: _____

**101 E. 20th St.
Joshua, TX 76058**

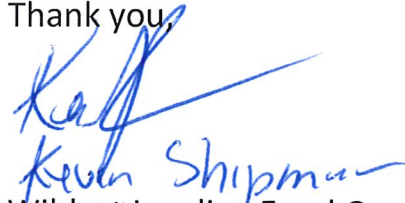
To whom it may concern,

Wildcat Lending Fund One LP is requesting that the zoning for the Single-Family Residential home located at 101 E. 20th St. Joshua, TX 76058 be changed back to ~~A1~~^{R1} - Real, Residential, Single Family.

From our understanding the property was zoned commercial in 2008 and since the property was uninhabited for more than 6 months at some point since that time it has lost all residential status.

We are requesting this change so that the property can continue to be used as a Single-Family Residential Home. We have spoken with Mike Peacock on the issue and this is how he recommended we proceed

Thank you,



Wildcat Lending Fund One LP
4800 Dexter Dr.
Plano, TX 75093
972.525.4777

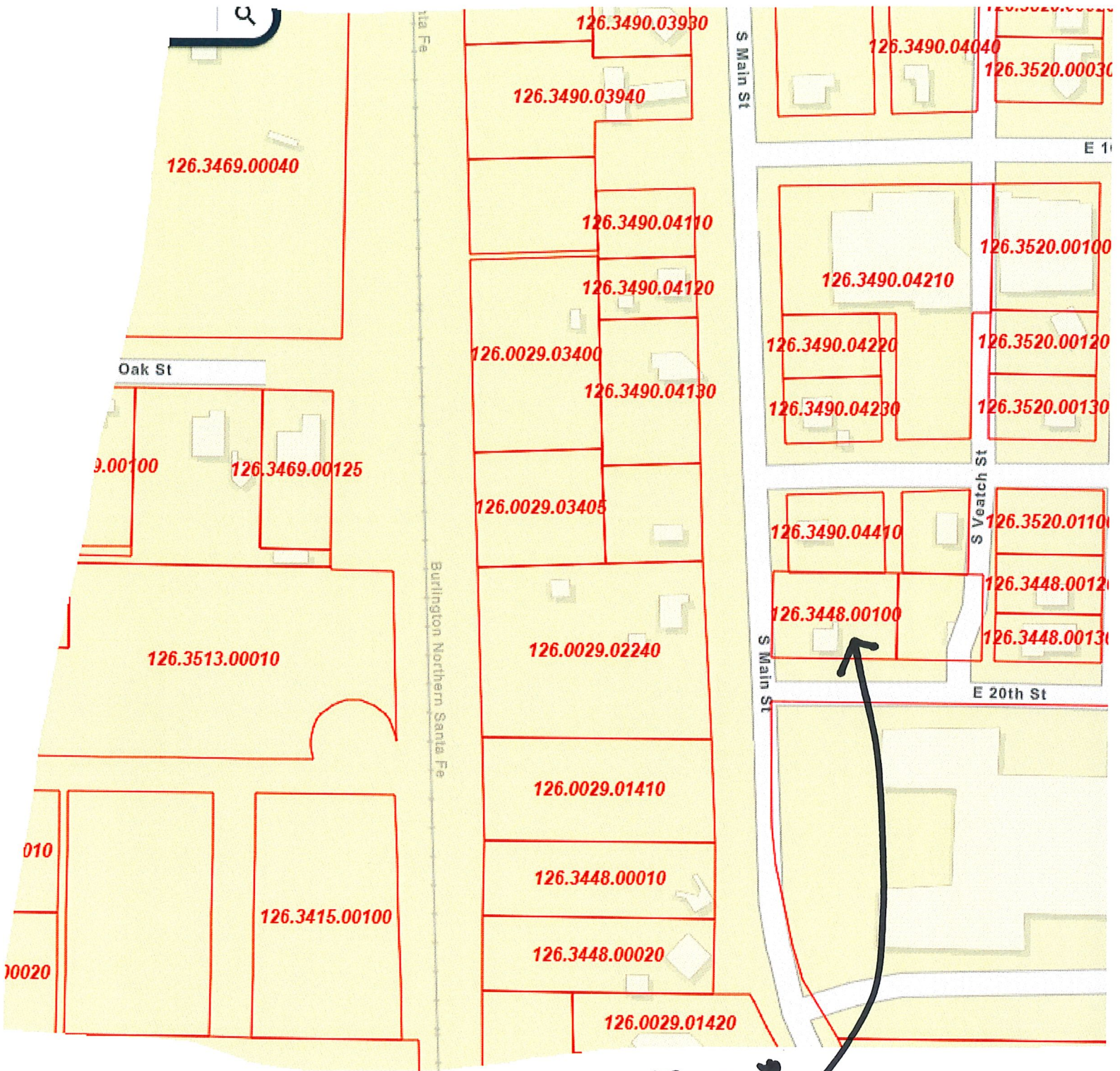
**101 E. 20th St.
Joshua, TX 76058**

Exhibit "A"

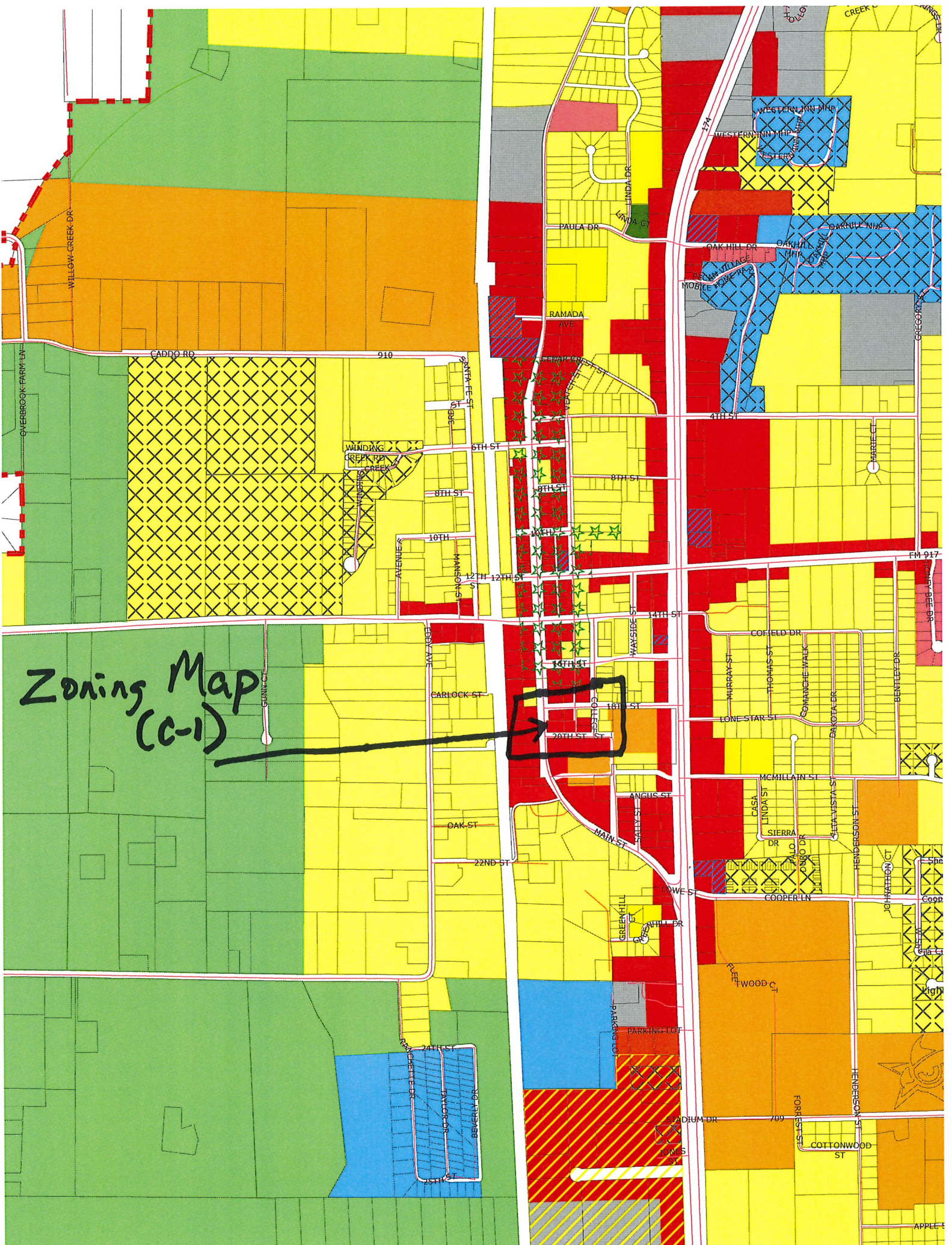
Legal Description for *101 E. 20th St. Joshua, TX 76058*

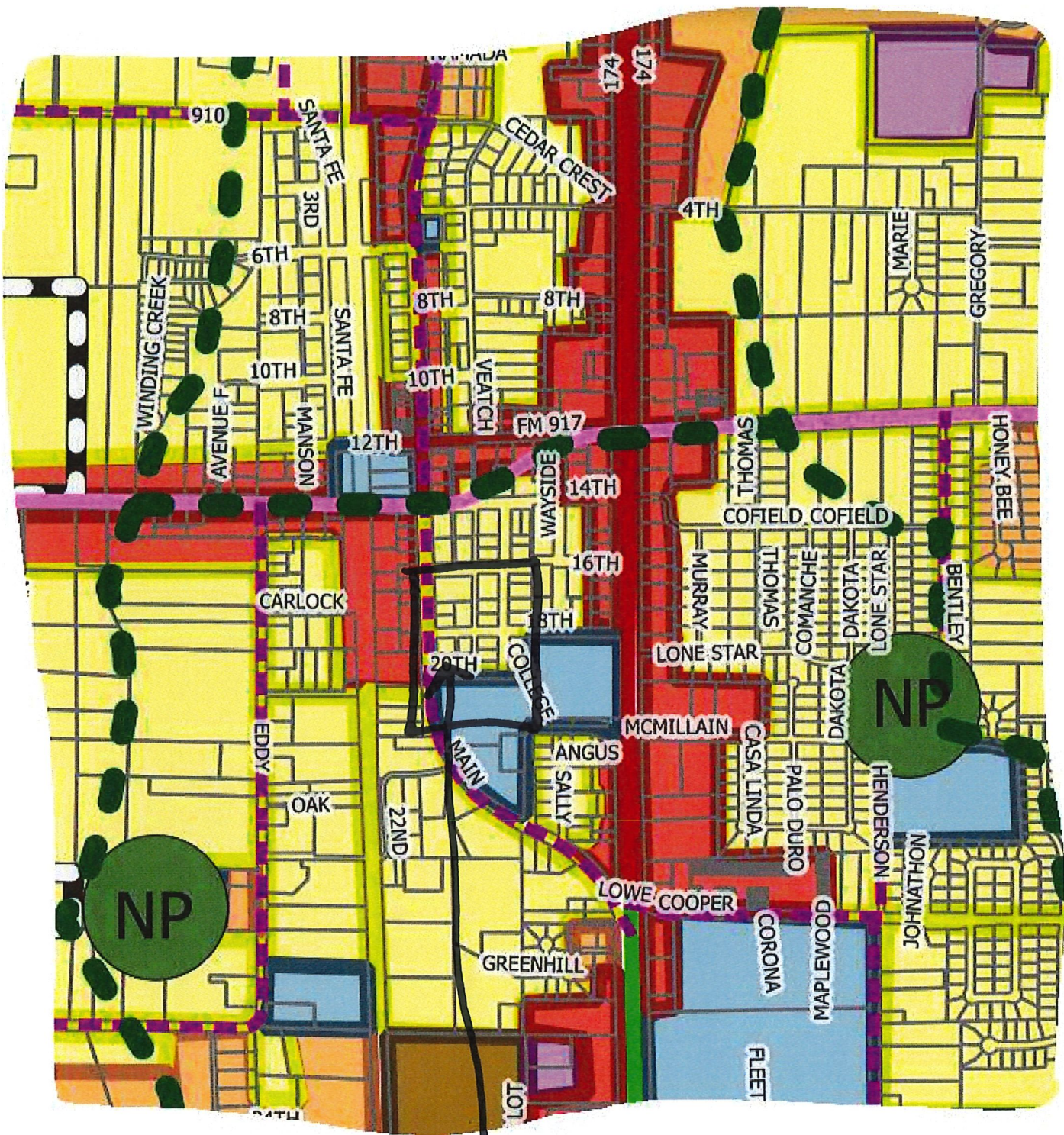
Lot 1, Block 3, College Addition, an addition to the City of Joshua, Johnson County, Texas, according to the Map or Plat Recorded in Volume 80, Page 184, Map Records of Johnson County, Texas

Geo Num: 126.3448.00100



101 E. 20th





101 E. 20th
Future Land Use Map (2018)

Alice Holloway

From: Aaron Maldonado
Sent: Wednesday, August 12, 2020 3:26 PM
To: Alice Holloway
Subject: FW: 101 E. 20th Street

From: Ashley Palmer [mailto:apalmer@johnsoncountytexas.org]
Sent: Tuesday, August 11, 2020 3:29 PM
To: Aaron Maldonado <amaldonado@cityofjoshuatexas.us>
Subject: RE: 101 E. 20th Street

Hi Aaron,

Here is the list of properties that intersect the 200' buffer around 101 E 20th St, along with a snapshot from the map. Let me know if there's anything else that I can help with. Thanks, and have a great day!

GIS	LOT	TR	NAME	SITUS	CITY_JURIS
126.0029.02240		1,2	MC PHERSON HOUSE	402 S MAIN ST	CITY OF JOSHUA
126.0029.03405			CERMAK CATHERINE	S MAIN ST	CITY OF JOSHUA
126.0029.01410		49	BROWN JOSEPH	504 S MAIN ST	CITY OF JOSHUA
126.3520.00130	2		HALBERT MORGAN & LINDSEY	206 S COLLEGE ST	CITY OF JOSHUA
126.3490.04130	2		FINCH DANYEL & ADELE	310 S MAIN ST	CITY OF JOSHUA
126.3448.00120	3		ODOM ROBERT E	308 S COLLEGE ST	CITY OF JOSHUA
126.3448.00130	3		KISTLER RANDALL	105 E TWENTIETH ST	CITY OF JOSHUA
126.3448.00110	2		SCHOLER MELISSA KRISTINE	103 E TWENTIETH ST	CITY OF JOSHUA
126.3448.00100	1		WILDCAT LENDING FUND ONE LP	101 E TWENTIETH ST	CITY OF JOSHUA
126.3490.04230	2		JOHNSON SARAH M ET VIR LUCAS III	309 S MAIN ST	CITY OF JOSHUA
126.3490.04300	ALL		CERMAK CATHERINE	400 S MAIN ST	CITY OF JOSHUA
126.3490.04410	1		KAHRS JAMES ET UX SHERRY	401 S MAIN ST	CITY OF JOSHUA
126.3490.04420	2		DAVIS FRANKLIN ET AL CAROLYN DAVIS	108 E EIGHTEENTH ST	CITY OF JOSHUA
126.3520.01100	1R		PRESCHER CUSTOM HOMES	300 S COLLEGE ST	CITY OF JOSHUA
126.0029.01680		67	JOSHUA ISD	310 E EIGHTEENTH ST	CITY OF JOSHUA
126.3490.04210	1,3,4		TLC MINISTRIES INC	301 S MAIN ST	CITY OF JOSHUA

Total = 15