



AGENDA
PLANNING & ZONING COMMISSION
JOSHUA CITY HALL – COUNCIL CHAMBERS
101 SOUTH MAIN STREET, JOSHUA, TX 75058
FEBRUARY 19, 2020
6:30 PM

The Planning & Zoning Commission will hold a special meeting on February 19, 2020 at 6:30 pm in the City Hall Council Chambers, 101 S. Main Street, Joshua, Texas. This meeting is open to the public and subject to the Open Meeting Laws of the State of Texas.

- 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 a replat of approximately .293 acres of land out of Original Town of Joshua Addition being Lots 4-6 and a portion of Lot 7, Block 11 in the City of Joshua, Johnson County, Texas. (Staff Resource: A. Maldonado)
- D. 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.)
- E. Adjourn

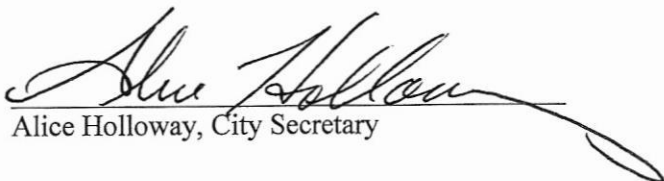
The Planning & Zoning Commission reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including 551.071 (private consultation 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 14th day of February 2020 by 5:00 p.m. on the official bulletin board at the Joshua City Hall, 101 S. Main, Joshua, Texas.


Alice Holloway, City Secretary

This notice was removed on the _____ day of _____, 2019.

- STAFF REPORT		
AGENDA DATE: February 19, 2020	ITEM: C	SUBJECT: Replat
STAFF RESOURCE:	A. Maldonado	
PREVIOUS COUNCIL ACTION (if any):	N/A	
ACTION PROPOSED:	Replat Approval	

<u>BACKGROUND</u> Property owner is requesting a replat to convert two properties into one.. <u>Staff Recommendation:</u> N/A <u>ATTACHMENTS:</u> N/A
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Prepared by: A. Maldonado	Disposition by Council:
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200, 002119

City of Joshua Re-Plat Application

APPLICANT NAME: ~~Kristoffer Maddox~~ JEREMY DEAL DATE: 08/21/2017
SUB-DIVISION NAME: Original Town of Joshua
PROPOSED LEGAL DESCRIPTION: Lot 4R, Block 11 ACRES: 0.293
CURRENT ZONING: _____ PROPOSED ZONING: _____
BEING PLATTED AS: LOTS: 4R BLOCKS: 11 PHASES: _____
CURRENT LEGAL DESCRIPTION: Lots 4-6 and a portion of Lot 7, Block 11, Original Town of Joshua

OWNER OF RECORD: Maddox Group, LLC
ADDRESS: 6961 County Road 1017 PHONE: 817-648-6168
CITY: Joshua STATE: Texas ZIP: 76058

SURVEYOR: Realsearch of Texas, LLC
ADDRESS: 7936 County Road 1005 PHONE: 682-200-6050
CITY: Godley STATE: Texas ZIP: 76044

ENGINEER: _____
ADDRESS: _____ PHONE: _____
CITY: _____ STATE: _____ ZIP: _____

DEVELOPER: _____
ADDRESS: _____ PHONE: _____
CITY: _____ STATE: _____ ZIP: _____

APPLICANT SIGNATURE: [Signature] DATE: 08/21/2017
OWNER SIGNATURE: [Signature] DATE: 8/29/2017
SURVEYOR SIGNATURE: [Signature] DATE: 08/21/2017
ENGINEER SIGNATURE: _____ DATE: _____
DEVELOPER SIGNATURE: _____ DATE: _____

To: Planning & Development Department
City of Joshua, Texas

From: Applicant: Jeremi Deal
Address: 7936 CR 1005
GODDARD, TX 76044

Chapter 212, Section 212.009(a) of the Texas Local Government Code states, "The municipal authority responsible for approving plats shall act on a plat within 30 days after the date the plat is filed."

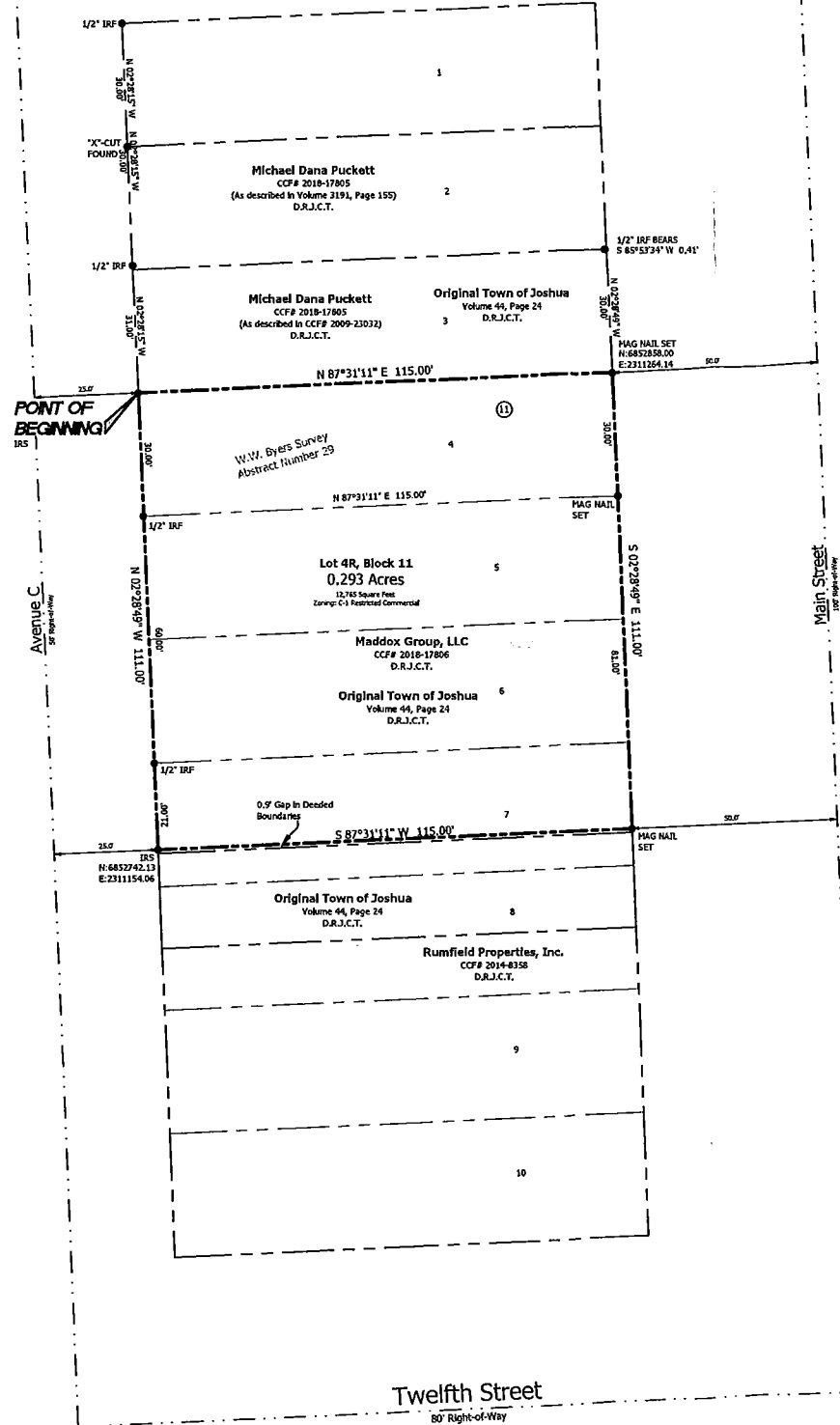
Please accept this letter as a waiver of our rights under Chapter 212, Section 212.009 of the Texas Local Government Code regarding approval of a plat within thirty (30) days of the plat filing.


Signature

Jeremi Deal
Printed Name

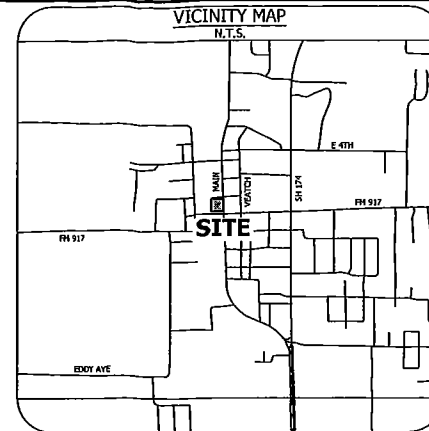
08/21/2019
Date

Burlington Northern Santa Fe Railroad
300' Right-of-Way



Twelfth Street
80' Right-of-Way

F.M. Highway No. 917
(Twelfth Street)
80' Right-of-Way



Flood Statement

According to Community Panel Number 48251C0160, dated December 4th, 2012 of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property lies within Zone "X" which is not a Special Flood Hazard Area. If this site is not within a Special Flood Hazard Area, this statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man made or natural causes. This statement shall not create liability on the part of the Surveyor.

LEGAL DESCRIPTION

BEING a 0.293 acre tract of land situated in the W.W. Byers Survey, Abstract Number 29, City of Joshua, Johnson County, Texas, and being all of Lots 4 thru 6 and a portion of Lot 7, Block 11, Original Town of Joshua, an addition to the City of Joshua, according to the plat recorded in Volume 44, Page 24, Deed Records, Johnson County, Texas, and being all of that certain tract of land described by deed to Maddox Group, LLC, recorded in County Clerk's File Number 2018-17806, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" capped iron rod set stamped "Realsearch" at the northwest corner of said Lot 4, same being the southwest corner of Lot 3, said Block 11, and being on the East right-of-way line of Avenue C, a 50' public right-of-way, from which a 1/2" iron rod found at the northwest corner of said Lot 3 bears North 02 Degrees 28 Minutes 15 Seconds West, a distance of 31.00 feet;

THENCE North 87 Degrees 31 Minutes 11 Seconds East, along the North line of said Lot 4, being common with the South line of said Lot 3, a distance of 115.00 feet, to a MAG NAIL set at the northeast corner of said Lot 4, same being the southeast corner of said Lot 3, and being on the West right-of-way line of Main Street, a 100' public right-of-way, from which a 1/2" iron rod found bears North 02 Degrees 28 Minutes 49 Seconds West, a distance of 30.00 feet;

THENCE South 02 Degrees 28 Minutes 49 Seconds East, departing said common line and along said West right-of-way line, at a distance of 30.00 feet, passing a MAG NAIL set and the northeast corner of Lot 5, and continuing in all 111.00 feet, to a MAG NAIL set, being on the East line of said Lot 7;

THENCE South 87 Degrees 31 Minutes 11 Seconds West, departing said West right-of-way line and over and across said Lot 7, a distance of 115.00 feet, to a 5/8" capped iron rod set stamped "Realsearch" on the West line of said Lot 7, being on the East right-of-way line of said Avenue C;

THENCE North 02 Degrees 28 Minutes 49 Seconds West, along said East right-of-way line, at a distance of 21.00 feet, passing a 1/2" iron rod found at the northwest corner of said Lot 7, at a distance of 81.00 feet, passing a 1/2" iron rod found at the northwest corner of said Lot 5, and continuing in all 111.00 feet, to the POINT OF BEGINNING, and containing 0.293 acres or 12,765 square feet of land, more or less.

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

That, Maddox Group, LLC, by and through the undersigned, its duly authorized agent, does hereby adopt this plat designating the hereinabove described property as LOT 4R, BLOCK 11, ORIGINAL TOWN OF JOSHUA, an addition to the City of Joshua, Johnson County, Texas, and I (we) do hereby dedicate the rights of way, (alleys, parks) and easements shown thereon to the public's use unless otherwise noted.

WITNESS my (our) hand(s) at Joshua, Johnson County, Texas this _____ day of _____, 2019.

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____

known to me to be the person(s) whose name(s) subscribed to the above and foregoing instrument, and acknowledged to me that he/she/they executed the same for the purpose and consideration expressed and in the capacity therein stated and as the act and deed of said corporation (partnership, JV).

Given upon my hand and seal of office this _____ day of _____, 2019.

Notary Public In and for the State of Texas

My Commission Expires: _____

Notes

1. The Basis of Bearing is the Texas Coordinate System, North American Datum of 1983, North Central Zone, 4202.
2. The sole purpose of this plat is to combine Lots 4 thru 6 and a portion of Lot 7 into a single lot.
3. 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.
4. This plat does not remove or alter any deed restrictions, if any, that may affect the subject property.
5. 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.
6. No structure, object or plant of any type may obstruct vision from a height of thirty inches (30) to a height of ten feet (10) above the top of the curb, including, but not limited to buildings, fences, walls, signs, trees, shrubs, cars, trucks, etc., in the public open space easement as shown on the plat.
7. City of Joshua is not responsible for any claim for damages against the City occasioned by the establishment of grades or the alteration of the surface of any portion of existing streets and alleys to conform to the grades established in the subdivision.

Surveyor's Certification

KNOW ALL MEN BY THESE PRESENTS:

That I, Jeremy Luke Deal, Registered Professional Land Surveyor Number 5696, State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Joshua, Texas.

Executed this the _____ day of August, in the year of our Lord 2019.

Jeremy Luke Deal
Registered Professional Land Surveyor
Texas Registration No. 5696

REPLAT OF
LOT 4R, BLOCK 11
ORIGINAL TOWN OF JOSHUA
BEING a replat of Lots 4 thru 6 and a portion
of Lot 7, Block 11, Original Town of Joshua,
and being 0.293 acres of land situated in the
W.W. Byers Survey, Abstract Number 29, City of
Joshua, Johnson County, Texas.

CITY CASE NO. PZ 2019-25



REALSEARCH OF TEXAS, LLC
P.O. Box 1006, Godfrey, Texas 76044
Ph: 817-937-2655, jdeal@realsearch.org, www.realsearch.org
"Thou shalt not remove thy neighbor's landmark" Deut. 19:14
TBP's Firm Registration # 1012020 TBP's Firm Registration # 1798

OWNER
Maddox Group, LLC
6961 CR 1017
Joshua, TX 76058
817-648-6168
themaddoxgroup@live.com

LEGEND
D.R.J.C.T. = Deed Records, Johnson County, Texas
P.R.J.C.T. = Plat Records, Johnson County, Texas
C.C.F. = County Clerk's File Number
1/2" = 1/2" Iron Rod Found
1/8" = 1/8" Capped Iron Rod Set Stamped "Realsearch"

SCALE : 1" = 20'
0' 20' 40'

Recommended for final approval:

Chairman, Planning & Zoning Commission Date
Attest: _____

City Secretary Date
Approved: _____

Mayor, City of Joshua, Texas Date
Attest: _____

City Secretary Date

Plat Filed _____, 2019

Volume _____, Page _____, Drawer _____

Johnson County Plat Records

By: _____
Deputy County Clerk

By: _____
County Clerk

I hereby certify that the above and foregoing plat of Lot 4R, Block 11, Original Town of Joshua, Addition to the City of Joshua, Texas, was approved by the City Council of the City of Joshua on the _____ day of _____, 2019. This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Johnson County, Texas, within two (2) years from said date of final approval. Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Joshua.

WITNESS OUR HAND, this _____ day of _____, 2019.

City Secretary

Project Number: 180289 Date: August 28, 2019

Revised Date: September 23, 2019

Revision Notes: Addressed Comments

Sheet 1 of 1

STAFF REPORT

To: Members of the Planning and Zoning Commission
From: Karen K. Mitchell, Planning Consultant
Date of Meeting: February 19, 2020 (Special Called)

RE: Consider a recommendation to the City Council for the Replat of Lot 4R, Block 11, Original Town of Joshua Addition, being a replat of Lots 4-6 and a portion of Lot 7, Block 11, Original Town of Joshua, being a 0.293 acre tract of land out of the W.W. Byers Survey, Abstract No. 29, City of Joshua, Johnson County, Texas.

Property Location: East of Ave. C; West of Main Street; approximately 150 feet north of 12th Street, locally known as 107 N. Main Street.

Property Owner: Maddox Group, LLC (Kris Maddox)

Applicant: Jeremy Dial

Zoning: C-1 Restricted Commercial and Heritage Overlay District

HISTORY: This is an existing structure that has been vacant for a number of years and is in the process of being redeveloped. In June, 2019, a site plan was approved by the City Council, after recommendation by the Planning and Zoning Commission and Heritage Preservation Committee.

ANALYSIS: This property has an existing structure which is located across several existing lot lines. Because of the redevelopment of this property, the replat was warranted which removes the lot lines between lots 4-6 and a portion of lot 7 and creates one (1) lot.

The City Planner and City Engineer have reviewed this plat in accordance with the provisions set forth in the City's Subdivision Ordinance. We have received the required notice from Johnson County Special Utility District stating that they will provide the water and wastewater to this site.

No additional public improvements are warranted with this replat application.

RECOMMENDATION: It appears this replat application meets the minimum requirements as set forth in the Subdivision Ordinance and therefore, it is recommended for approval.