



City of Azle
Regular Agenda
Planning and Zoning Commission

505 W. Main Street
Azle, Texas 76020

August 17, 2023

6:00 PM

Council Chambers

Pursuant to Section 551.071 of the Texas Government Code, the Commission may convene into Executive Session(s) from time to time as deemed necessary during the meeting for any posted agenda item and may receive advice from its attorney as permitted by law.

REGULAR SESSION

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC PARTICIPATION

This is an opportunity for the public to address the Planning and Zoning Commission on posted agenda items or non-agenda items. In order to address the Commission, please complete a Speaker's Request Form and submit to the City Secretary prior to the start of the Commission meeting. All comments must be directed to the Presiding Officer, rather than an individual Commission member or city staff. All speakers must refrain from personal attacks toward any individual. Comments are limited to three (3) minutes and must pertain to the subject matter listed on the Speaker's Request Form. Speakers requiring the assistance of a translator shall be provided four (4) minutes. Commission may not comment publicly on non-agenda items, but may direct the City Manager to resolve the matter or request the matter be placed on a future agenda. Public comments regarding non-agenda items shall not include any "deliberation" as defined by Chapter 551 of the Government Code, as now or hereafter amended. If you have a subject that may require Commission action, you may obtain a form from the City Secretary and request the item be placed on a future agenda.

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting held on July 6, 2023.
David Hawkins, Director of Planning and Development

PUBLIC HEARING

2. Conduct a public hearing and consider a recommendation to the City Council regarding a Specific Use Permit request to operate a home daycare for property located at 117 Huling Drive and also known as Lot 18, Block 1, M. G. Huling Addition. The property is located on the east side of Huling Drive approximately four hundred fifty feet (450') south of S. Stewart Street. The applicant is requesting a Specific Use Permit to allow the daycare facility with a maximum of 12 children.
David Hawkins, Director of Planning and Development

DISCUSSION ITEMS

3. Development Project Updates
David Hawkins, Director of Planning and Development

EXECUTIVE SESSION

This statement is added to the Agenda at the top (same as the Planning and Zoning Commission Agenda): Pursuant to Section 551.071 of the Texas Government Code, the Board may convene into Executive Session(s) from time to time as deemed necessary during the meeting for any posted

agenda item, and may receive advice from its attorney as permitted by law.

ADJOURNMENT

I, the undersigned authority, do hereby certify the above Agenda was posted at City Hall on August 11, 2023, at the City's official bulletin board and is readily accessible to the public at all times in accordance with V.T.C.A. Chapter 551, Texas Government Code.



This facility is wheelchair accessible and handicapped parking spaces are available. Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in city functions and activities. Auxiliary aids and services or accommodations should be requested forty-eight hours prior to the scheduled starting time by calling the City Secretary's Office at 817-444-7101. Complete Planning and Zoning Commission agenda packet is available for review at the City Secretary's Office and on our website www.cityofazle.org.



MINUTES
Regular
Azle Planning and Zoning
Commission

505 W. Main Street
Azle, Texas 76020

July 6, 2023

6:00 PM

Council Chambers

CALL TO ORDER

Chairman Wheeler called the meeting to order at 6:04 p.m.

Members Present:

Chairman Leonard Wheeler
Vice Chairman Jim Carlson
Commissioner Cynthia Barrios
Commissioner Curt Lampkin
Commissioner Laurel Mosier
Commissioner Rick Simmons (joined the meeting at 6:30 p.m.)

Members Absent:

Commissioner Jared Arneson

Staff Present:

David Hawkins	Director of Planning and Development
Malinda Nowell	Administrative Assistant

INVOCATION

Commissioner Jim Carlson gave the invocation.

PLEDGE OF ALLEGIANCE

Chairman Leonard Wheeler led the Pledge of Allegiance.

PUBLIC PARTICIPATION

None

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting held on June 1, 2023.

Commissioner Mosier moved to approve the minutes of the Regular Meeting held on June 1, 2023 as presented. Commissioner Lampkin seconded the motion.

Yes:	(5)	Laurel Mosier, Leonard Wheeler, Cynthia Barrios, Jim Carlson, Curt Lampkin
Absent:	(2)	Jared Arneson, Rick Simmons

ACTION ITEMS

- 2. Consider and take appropriate action on a Preliminary Plat for Lot 1, Merge Community Church Addition, an addition in the Extra Territorial Jurisdiction of the City of Azle, Parker County, Texas. The property is generally located on the west side of FM 730 South, approximately three hundred sixty feet (360') south of Forsyth Road.**

Director of Planning and Development David Hawkins presented this item.

Vice Chairman Jim Carlson moved to approve the Preliminary Plat for Lot 1, Merge Community Church Addition, an addition in the ETJ of the City of Azle, Parker County, Texas. Commissioner Cynthia Barrios seconded the motion.

Yes: (5) Laurel Mosier, Leonard Wheeler, Cynthia Barrios, Jim Carlson, Curt Lampkin

No: (0) None

Absent: (2) Jared Arneson, Rick Simmons

PUBLIC HEARING

- 3. Conduct a public hearing and make a recommendation to City Council regarding a proposed zoning change request from Agriculture (A) District to Industrial (IND) District for approximately 28.64 acres of land, being described as a tract of land in the G.W. Robbins Survey, Abstract No. 1155, City of Azle, Parker County, Texas. The property is generally located on the east side of Ashwood Street approximately six hundred seventy feet (670') north of Northwest Parkway (Hwy. 199).**

Director of Planning and Development David Hawkins presented this item.

Chairman Wheeler opened the public hearing at 6:15 p.m.

- Casey Davis was present and spoke on behalf of IMS, property owner and applicant.
- Lisa Lindsey, 1641 Tangelwood Drive, adjacent property owner to the north, in the ETJ, spoke in opposition of this zone change due to noise and drainage. Ms. Lindsey stated that she had not been notified about the zone change; she asked to see in writing where law states that the city does not have to notify property owners outside the city limits.
- Kathy Cobb, 317 Cedarwood Street, spoke in opposition due to noise concerns and drainage. Ms. Cobb stated she also did not receive a notice but she saw the sign and looked up the information.

Commissioner Rick Simmons joined the meeting at 6:30 p.m.

Chairman Wheeler closed the public hearing at 6:33 p.m.

Discussion was held on land use, location of buildings and building setbacks, noise, and screening walls adjacent to the residential subdivision to the north.

Commissioner Curt Lampkin moved to recommend approval of the proposed zoning change request from Agriculture (A) District to Industrial (IND) District for approximately 28.64 acres of land, being described as a tract of land in the G.W. Robbins Survey, Abstract No. 1155, City of Azle, Parker County, Texas. The property is generally located on the east side of Ashwood Street approximately six hundred seventy feet (670') north of Northwest Parkway (Hwy. 199).

Commissioner Laurel Mosier seconded the motion.

Yes: (4) Laurel Mosier, Leonard Wheeler, Jim Carlson, Curt Lampkin

No: (1) Cynthia Barrios

Abstained: (1) Rick Simmons
Absent: (1) Jared Arneson

DISCUSSION ITEMS

4. Development Project Updates

Director of Planning and Development David Hawkins gave an update regarding the Comprehensive Plan and the associated survey. Mr. Hawkins mentioned the Dutch Bros. Coffee site plan and building permit applications for the former Dairy Queen location have been received. Also mentioned the masonry screening wall for the commercial development across from Wal-Mart. Mr. Hawkins stated there is a deadline of July 31 regarding project completion as part of the 380 Agreement with the City.

5. APA Texas Chapter Midwest Section's Annual Elected and Appointed Officials Workshop

Director of Planning and Development David Hawkins mentioned this workshop Commissioners are to email David if they are interested in attending so that Mr. Hawkins can register them. Lunch will be provided and the city will pay the registration fee. Chairman Wheeler recommended the workshop.

ADJOURNMENT

Chairman Wheeler adjourned the meeting at 6:53 p.m.

Presented and approved on _____

Leonard Wheeler, Chairman

Attest:

David Hawkins, AICP
Director of Planning and Development



Presenter: David Hawkins, Director of Planning and Development

Agenda Item: Conduct a public hearing and consider a recommendation to the City Council regarding a Specific Use Permit request to operate a home daycare for property located at 117 Huling Drive and also known as Lot 18, Block 1, M. G. Huling Addition. The property is located on the east side of Huling Drive approximately four hundred fifty feet (450') south of S. Stewart Street. The applicant is requesting a Specific Use Permit to allow the daycare facility with a maximum of 12 children.

Background and Explanation:

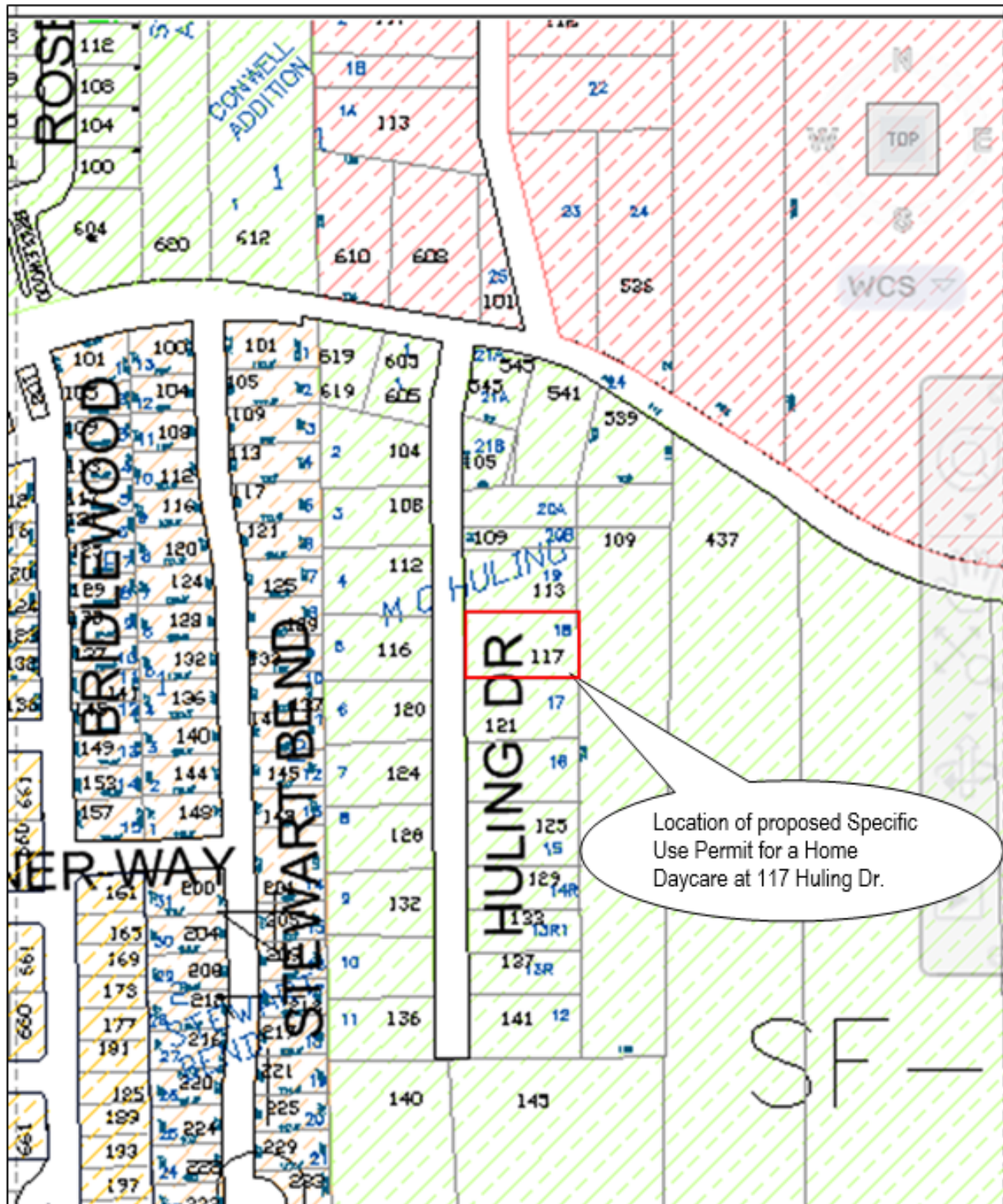
The property owner and applicant is requesting a Specific Use Permit (SUP) for a home daycare facility up to twelve (12) children at the residence of 117 Huling Drive. A SUP is required to operate a home daycare facility in all single-family zoning districts in Azle. This daycare facility has been in operation as Happy Hands Preschool at this address since 2018 without a SUP by the City. Approval of this SUP request will bring this property into compliance with Azle zoning ordinances and allow it to continue its operation at this location.

Existing Condition of Property:

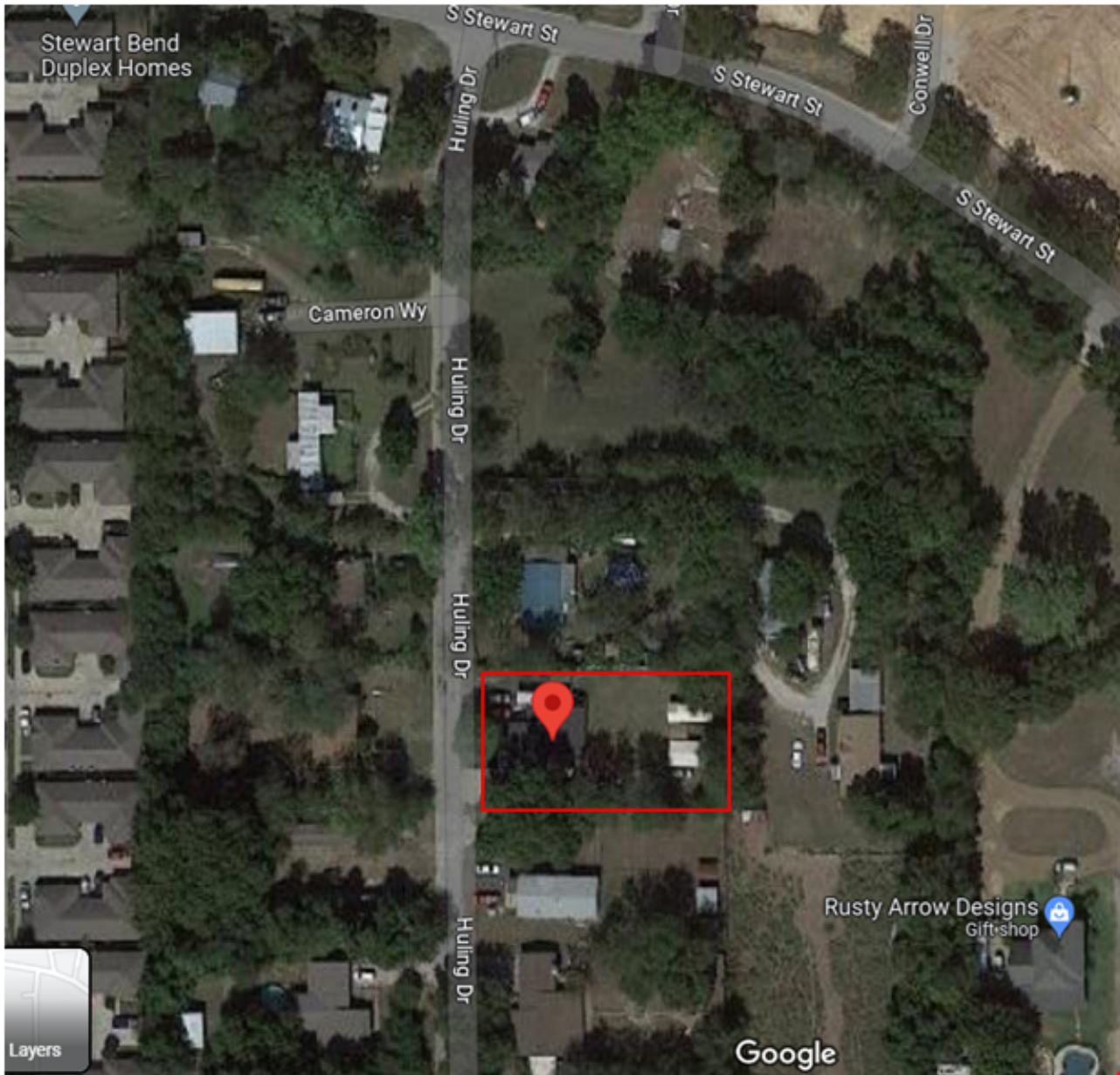
The property is approximately 0.40 acres and was platted as part of the M. G. Huling Addition back in 1952. According to Parker County Appraisal District records, a single-family residence was constructed in 1988.

Adjacent Zoning:

North: Residential property zoned SF-3
South: Residential property zoned SF-3
East: Residential property zoned SF-3
West: Residential property zoned SF-3



Property Location Exhibit:



Utilities:

Water is available to serve this property. Sewer is not available to serve this property, so an on-site septic system is currently provided.

Certificate of Occupancy/Licensing:

Prior to issuance of a Certificate of Occupancy, a copy of the licensing from the State of Texas and passed inspections by the Fire Department will be required.

Specific Use Permit Notification Process:

Fifteen (15) letters were sent to surrounding property owners within 200'. As of August 11, 2023, staff has received no formal responses from the public on this request.

Board/Commission/Committee Recommendation:

Section 32.7 of the Zoning Ordinance states that granting or denying an application for a specific use permit, the City Council shall take into consideration the following factors:

- A. Safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.
- B. Safety from fire hazard and measures of fire control.
- C. Protection of adjacent property from flood or water damage.
- D. Noise producing elements and glare of vehicular and stationary lights and effects of such lights on established character of the neighborhood.
- E. Location, lighting, type of signs, and relation of signs to traffic control and adverse effect on adjacent properties.
- F. Street size and adequacy of pavement width for traffic reasonably expected to be generated by the proposed use around the site in the immediate neighborhood.
- G. Adequacy of parking, as determined by requirements of this Section, for off-street parking facilities for similar uses, location of ingress and egress points for parking and off-street loading spaces, and protection of the public health by all weather surfacing on all parking areas to control dust.
- H. Compatibility of the proposed use with surrounding and adjacent properties and whether such use will adversely affect the use and enjoyment of the surrounding and adjacent properties.
- I. Such other measures as will secure and protect the public health, safety, morals, and general welfare.

Options for the Planning & Zoning Commission:

- 1. Recommend approval as submitted
- 2. Recommend denial as submitted
- 3. Table the case to a future meeting

Staff Recommendation:

Staff forwards this Specific Use Permit request to the Commission for their consideration.

Attachments:

- 1. Letter from Applicant - 117 Huling SUP Home Daycare
- 2. SUP Exhibits - 117 Huling Dr. Home Daycare

August 7, 2023

Ladies and Gentlemen:

Happy Hands Childcare requests a permit to continue providing service to the citizens of Azle. I actually began babysitting in 2018 when I retired from 27 years of teaching (21 of those years in Azle). I was not aware at the time that I needed to be certified by the state, so there was unfortunately no previous SUP. I am now in the process of becoming licensed through the state. My operation number is 1785032. In the interim, I have provided childcare to children 6 months to 8 years of age. I have had no complaints filed and no one has left my services due to any negative problems with my service. I have a room in my home that is a room solely dedicated to childcare. I reside and operate my childcare at 117 Huling Drive (subdivision: Huling M.G, Lot 18, BLK:1). Pictures I have sent show that I have driveways/parking on both sides of my home which keeps my clients from parking on the street. There is no signage except a sign requesting residents to slow down. Parents arrive in a staggered time frame which also cuts down on any extra traffic they may cause.

I will only be serving 12 children or less between the hours of 7:00 AM to 5:00 PM. The house diagram shows how many students could fit in each available room, but the maximum I will have is 12 students. This will also mean hardly any extra traffic on our street. Having my center here in the middle of the neighborhood has also helped cut back on speeding down the road by other residents. My front yard is fenced for the children to play safely away from the road.

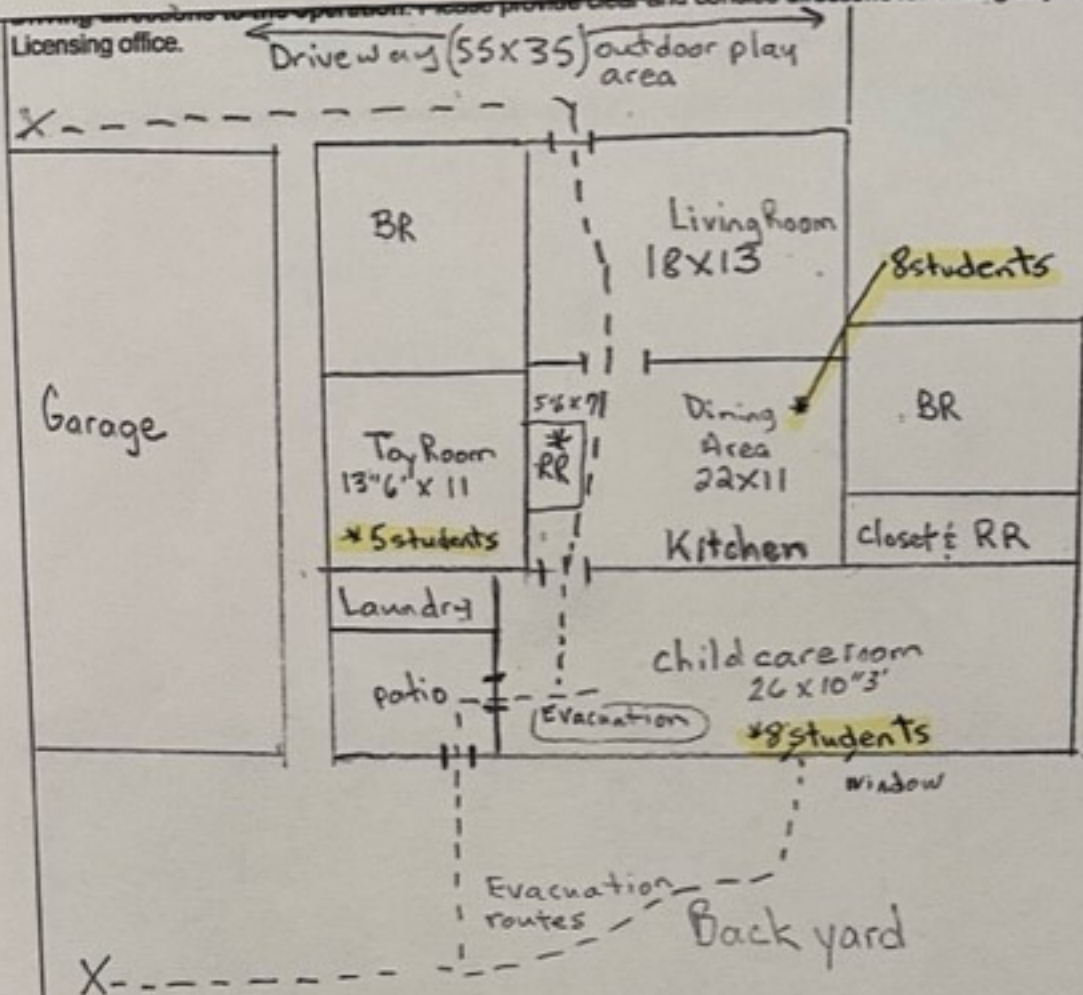
I am a retired teacher who taught 27 years. I use this income as a vital part of our livelihood. It is very important to me that you respond yes to my petition for permission to continue my daycare.

Thank you,

Gaynelle Swearingen

Happy Hands Childcare

Driving directions to the operation. Please provide clear and concise directions for driving to your operation from the nearest Licensing office.



RR* = Shelter and bad weather room

Privacy Statement

HHSC values your privacy. For more information, read the privacy policy online at: <https://hhs.texas.gov/policies-practices-privacy-security>

Fire evacuation - follow map and meet at backyard side gate.
Once attendance checked proceed to 121 Huling for shelter.







Presenter: David Hawkins, Director of Planning and Development
Agenda Item: Development Project Updates

Background and Explanation:

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

None