



City of Azle
Regular Agenda
Planning and Zoning Commission

505 W. Main Street
Azle, Texas 76020

September 7, 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 Secretary prior to the start of the 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. Commissioners may not comment publicly on non-agenda items, but may direct staff 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 Secretary and request the item be placed on a future agenda.

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting held August 17, 2023.
David Hawkins, Director of Planning and Development

PUBLIC HEARING

2. Conduct a public hearing and make a recommendation to City Council regarding a proposed zoning change request from Single-Family Four (SF-4) District (Legacy District) to Heavy Commercial (HC) District for approximately 3.78 acres of land, being described as Lot 3, Hunters Addition, an addition to the City of Azle, Parker County, Texas. The property is generally located on the west side of FM 730 N approximately five hundred feet (500') north of Commerce Street.
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 City Council 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 September 1, 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

August 17, 2023

6:00 PM

Council Chambers

REGULAR SESSION

CALL TO ORDER

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

Members Present:

Chairman Leonard Wheeler
Commissioner Laurel Mosier
Commissioner Curt Lampkin
Commissioner Jared Arneson
Commissioner Rick Simmons
Commissioner Cynthia Barrios

Members Absent:

Vice Chairman Jim Carlson

Staff Present:

David Hawkins	Director of Planning and Development
Malinda Nowell	Sr. Administrative Assistant

INVOCATION

Commissioner Jared Arneson gave the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Cynthia Barrios led the Pledge of Allegiance.

PUBLIC PARTICIPATION

None

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting held on July 6, 2023.

Commissioner Rick Simmons moved to approve the minutes of the Regular Meeting held on July 6, 2023 as presented. Commissioner Lampkin seconded the motion.

Yes: (6) Laurel Mosier, Leonard Wheeler, Curt Lampkin, Rick Simmons, Cynthia Barrios, Jared Arneson

Absent: (1) Jim Carlson

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.**

Director of Planning and Development David Hawkins presented this item. Mr. Hawkins stated that this is a request for a specific use permit for an in-home daycare for up to 12 children. Mr. Hawkins stated that staff received two letters in favor, one neutral, and one opposed.

Chairman Wheeler opened the public hearing at 6:11 p.m.

- Applicant Gaynelle Swearingen, 117 Huling Drive, spoke about her in-home daycare request and was available to answer questions.

As there were no other speakers, Charman Wheeler closed the hearing at 6:13 p.m.

Commissioner Rick Simmons made a motion to deny. Commissioner Cynthia Barrios seconded the motion. Motion failed.

Yes: (1) Rick Simmons

No: (5) Laurel Mosier, Leonard Wheeler, Curt Lampkin, Cynthia Barrios, Jared Arneson

Absent: (1) Jim Carlson

Commissioner Curt Lampkin made a motion to recommend approval to the City Council for 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. Commissioner Laurel Mosier seconded the motion. Motion carried.

Yes: (5) Laurel Mosier, Leonard Wheeler, Curt Lampkin, Cynthia Barrios, Jared Arneson

No: (1) Rick Simmons

Absent: (1) Jim Carlson

Mr. Hawkins noted that this item would be presented to the City Council on September 19, 2023.

DISCUSSION ITEMS

- 3. Development Project Updates**

Director of Planning and Development David Hawkins gave a brief update on the progress of the "Azle 2045" Comprehensive Plan.

ADJOURNMENT

Chairman Wheeler adjourned the meeting at 6:34 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

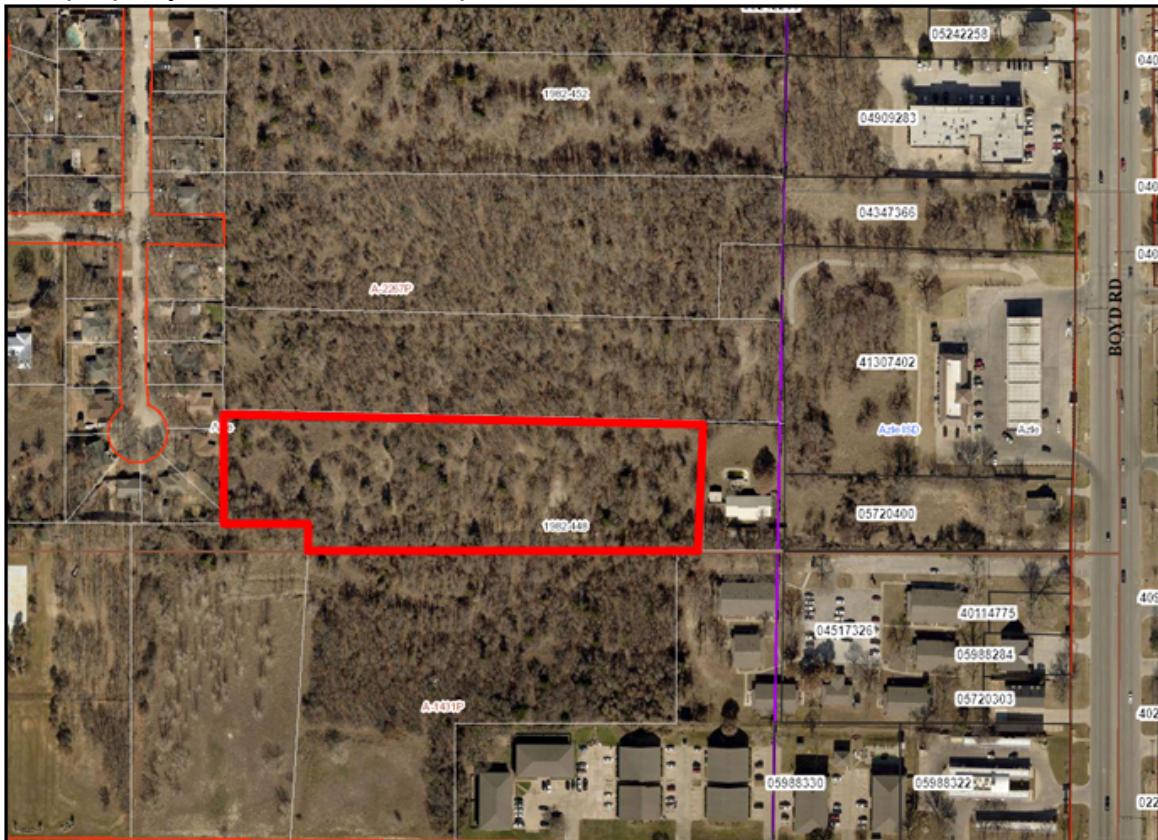
Agenda Item: Conduct a public hearing and make a recommendation to City Council regarding a proposed zoning change request from Single-Family Four (SF-4) District (Legacy District) to Heavy Commercial (HC) District for approximately 3.78 acres of land, being described as Lot 3, Hunters Addition, an addition to the City of Azle, Parker County, Texas. The property is generally located on the west side of FM 730 N approximately five hundred feet (500') north of Commerce Street.

Background and Explanation:

The applicant is requesting to rezone an approximately 3.78-acre tract of land from the Single-Family Four (SF-4) District (Legacy District) to Heavy Commercial (HC) District. The property is generally located on the west side of FM 730 N approximately five hundred feet (500') north of Commerce Street.

Existing Condition of Property:

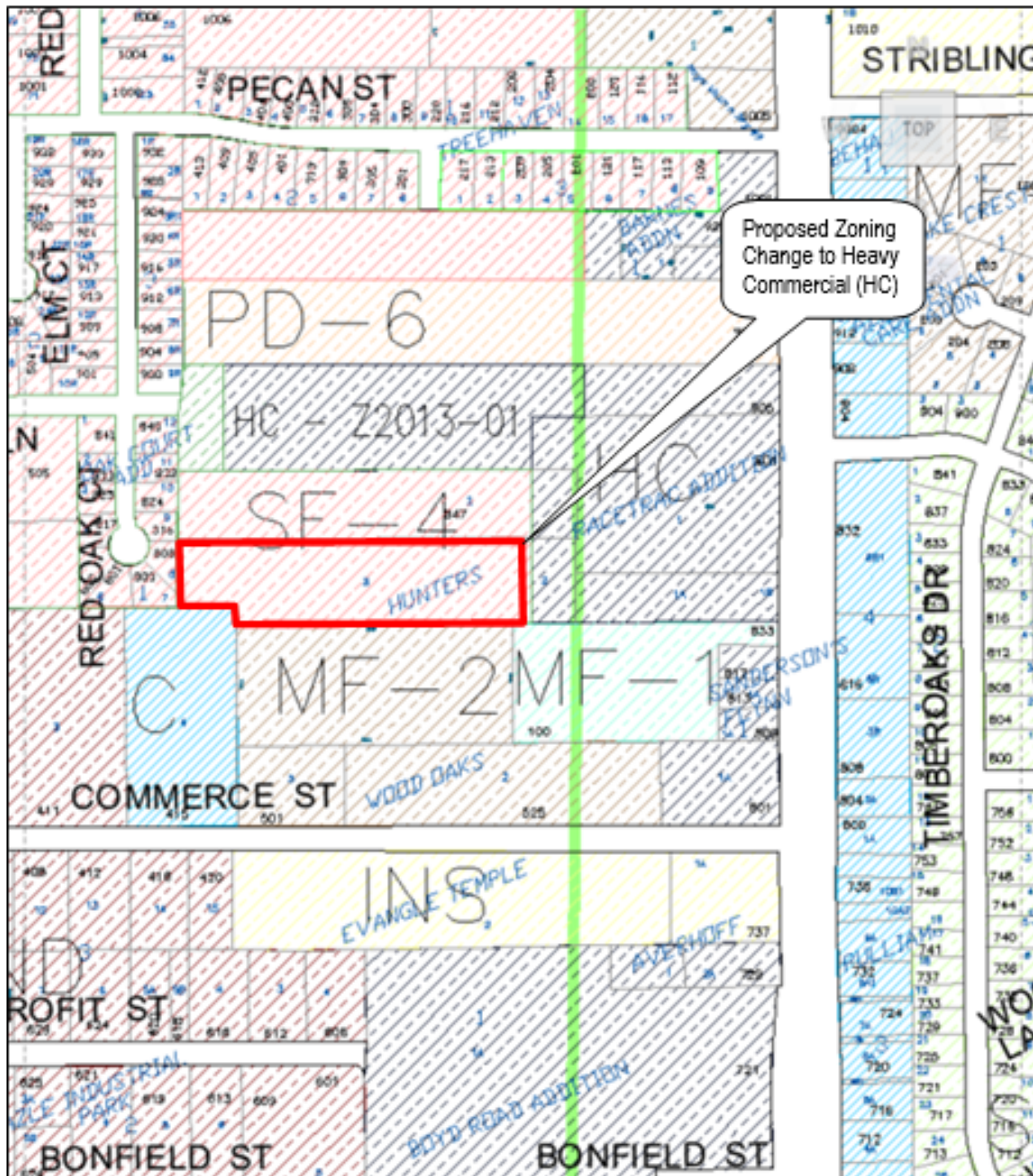
The property is platted as Lot 3, Hunters Addition and is currently undeveloped and heavily wooded. The property is accessible via a platted 20' Access Easement that extends from FM 730 N.



Current Zoning:

This zoning change request is a straight zoning change from one district to another. There is no Planned Development or Concept Plan associated with this request. A change to the Heavy Commercial (HC) zoning district would permit any business or land use listed in the Permitted Use Chart in Section 4.10 of the Azle Zoning Ordinance (see attached Permitted Use Schedule in packets).

Zoning Change Location Exhibit:



Adjacent Zoning:

North: Single-Family Four (SF-4) District (Legacy District)

South: Commercial (C), Multifamily Two (MF-2), and Multifamily One (MF-1)
East: Single-Family Four (SF-4) District (Legacy District) and Commercial (C)
West: Single-Family Four (SF-4) District (Legacy District)

Comprehensive Plan Analysis:

The City of Azle's Comprehensive Master Plan designates this area as Regional Mixed Use Activity Center. This classification is defined within the Comprehensive Master Plan where the *"focus area contains the shopping, services, recreation, employment, and institutional facilities supported by and serving an entire region. A regional activity center could include a regional shopping mall, a number of major employers, restaurant and entertainment facilities, and high density housing. A regional activity center is considerably larger and more diverse in its land uses than any other activity center. It includes vertically integrated uses where different uses may occur on each floor of the building."*

The proposed zoning change meets the intent of the goals, objectives and land use designation of the Comprehensive Plan.



Police Impact:

No impact on services

Fire Impact:

No impact on services

Utilities:

Water - Water is available to serve this property.

Sewer - Sewer is available to serve this property.

Storm Water – Storm water and drainage plans will be reviewed at the permitting phase should the zoning change be approved.

Zoning Change Notification Process:

Twenty (20) letters were sent to surrounding property owners. As of September 1, 2023, staff has received two (2) formal responses from the public to this request.

Board/Commission/Committee Recommendation:

The proposed zoning change meets the intent of the City of Azle's Comprehensive Master Plan.

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 zoning change request to the Commission for their consideration.

Attachments:

1. 833 Boyd Rd. Zoning Change - Letter & Property Survey
2. Public Response Letters
3. Section 4.10 - Permitted Use Schedule

August 23, 2023

To: City of Azle

Re: 833 Boyd Road rezoning request

We are the owners of 833 Boyd Road, which consists of two tracts, Lot 1, Hunters Addition, City of Azle, Tarrant County, Texas and Lot 3, Hunters Addition, City of Azle, Parker County, Texas.

Lot 1 is currently zoned Heavy Commercial. All but a sliver of Lot 2 is zoned Heavy Commercial. The only access to Lot 3 is via a twenty foot easement across Lot 1 and 2.

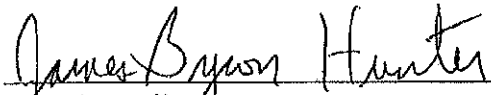
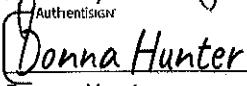
We are currently marketing our property for sale but the different zoning of the two tracts is hampering the sale of the property. A commercial buyer for Lot 1 is not going to want to have residential traffic crossing his property to get to Lots 2 and 3. By the same token, it is hard to imagine that potential home buyers would want to build a home on Lot 3 which could only be accessed across a parking lot of a commercial entity.

Lot 1 has a width of 120.96 feet. With the access easement and requirements for a fire lane for a commercial entity along with set back requirements, the type of commercial development that can utilize Lot 1 is very limited because of how narrow the lot is. The total acreage of Hunters Addition is 5.69 acres. If all of the addition is zoned heavy commercial, it opens up a far greater number of possible uses for the property. In terms of future commercial development along Boyd Road, it would be beneficial to the City of Azle to have Hunters Addition consistently zoned Heavy Commercial.

Hunters Addition is bordered on the north by Racetrac Addition. The property to the south is multi-family.

Sincerely,

The Hunter Family Trust


James Byron Hunter
 08/23/23
Donna Hunter

 08/23/23
David Hunter

William Paul Hunter

NOTICE OF PUBLIC HEARING

Z2023-03

The Planning and Zoning Commission of the City of Azle will hold a public hearing on **Thursday, September 7, 2023** to consider making a recommendation to the City Council regarding a zoning change request from Single-Family Four (SF-4) District (Legacy District) to Heavy Commercial (HC) District for approximately 3.78 acres of land, being described as Lot 3, Hunters Addition, an addition to the City of Azle, Parker County, Texas. The property is generally located on the west side of FM 730 N approximately five hundred feet (500') north of Commerce Street.

The public hearing will start at 6:00 p.m. in the City Council Chambers located at 505 W. Main, Azle, Texas. *Because you own property within two hundred feet (200') 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
PO Box 1378
Azle, Texas 76098
Attn: David Hawkins, AICP

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. Should the Commission recommend denial, or 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: _____

Printed Name: _____

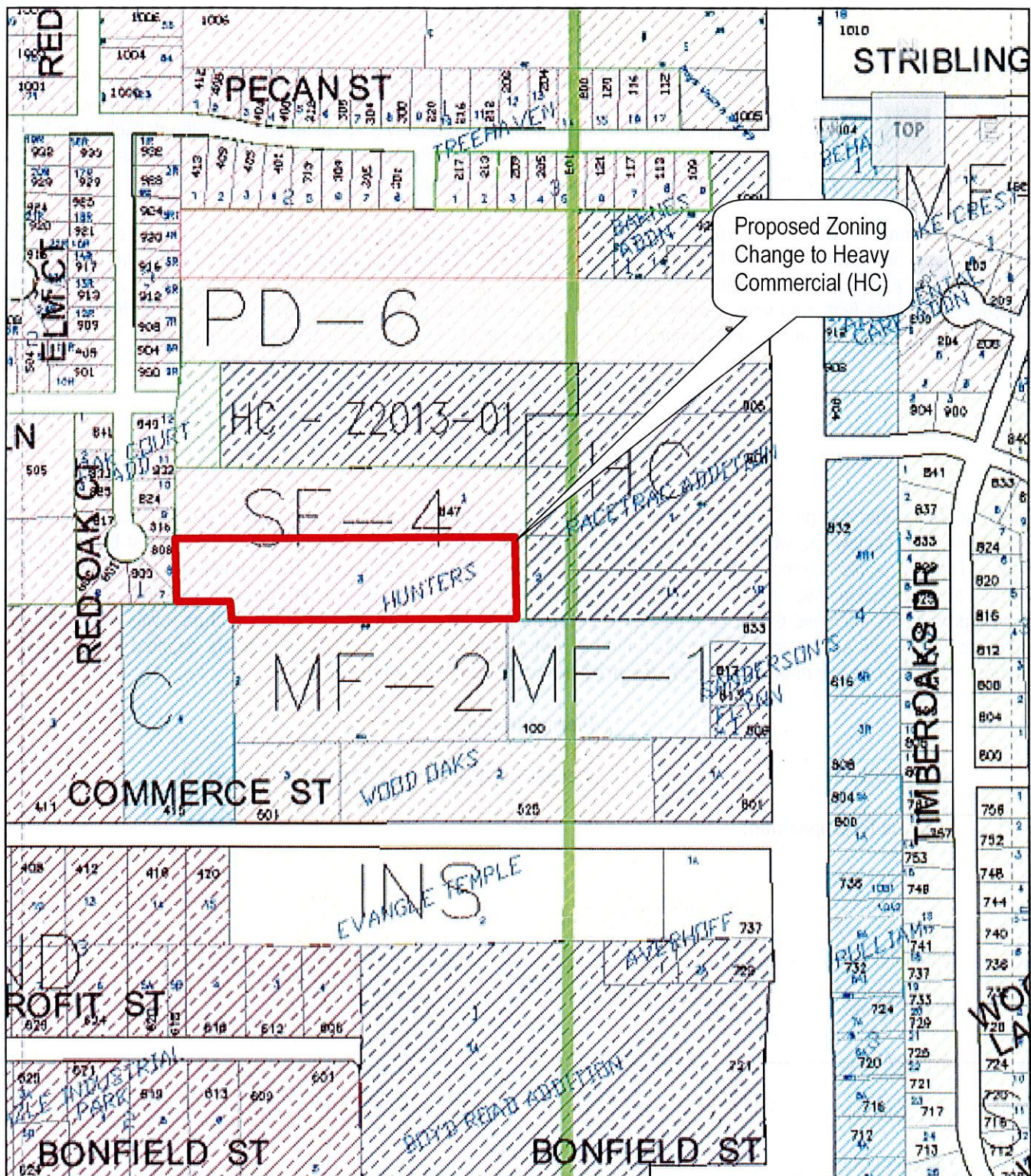
Mailing Address: _____

City, State Zip: _____

Telephone Number: _____

Physical Address of Property within 200 feet: _____

Zoning Change Location Exhibit



NOTICE OF PUBLIC HEARING

Z2023-03

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☐ Neutral to request

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Reasons for Opposition:

Signature: _____

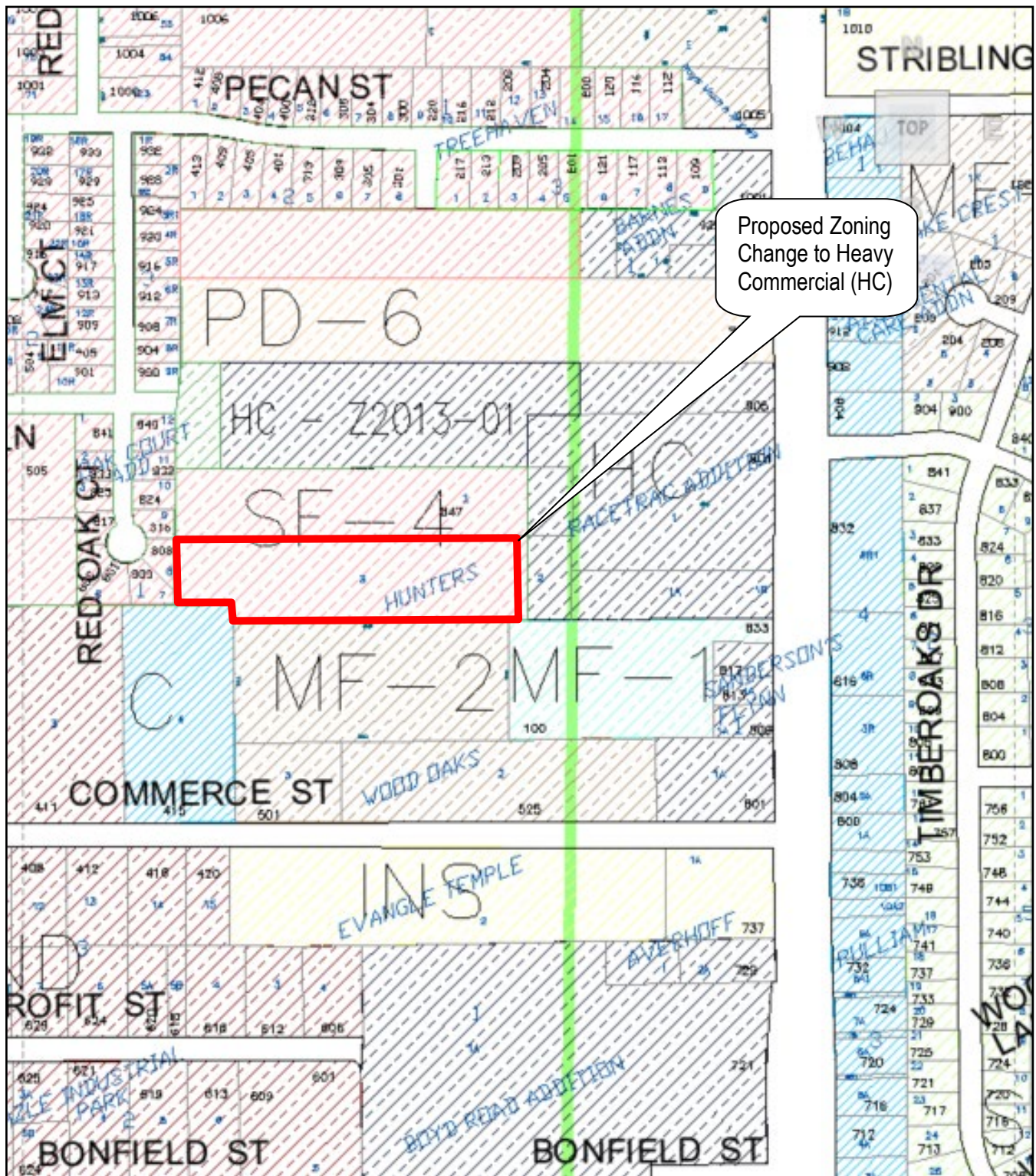
Printed Name: Raymond W. Jordan

Mailing Address: PO Box 281

City, State Zip: Huist, TX 76053

Telephone Number: 817-3600523

Physical Address of Property within 200 feet: Lot 2, Block 1 Racetrac Addtn.
(no address)



SECTION 4 - ZONING DISTRICTS REGULATIONS

4.10 PERMITTED USE SCHEDULE:

PERMITTED USES	AG	LFO	E-1	E-2	E-3	SF-1	SF-2	SF-3	SF-3.5	SF-4	SF-5	SF-MHP	MD-1	MD-2	MF-1	MF-2	O	CBD	INS	C	HC	IND
Residential Uses																						
Agriculture activity	P																					
Livestock	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1						
Single-family detached	P	P	P	P	P	P	P	P	P	P												
Two family/duplex													P	P	P	P						
Accessory dwellings																		L4				
HUD-code manufactured homes										L2	P	P										
Community homes for the disabled	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						
Multifamily 3 or more units													S	S	P	P						
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						
Group homes/halfway house	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S						
Accessory buildings	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3						
Educational Uses																						
Public schools	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P
College or university																	P	P	P	P	P	P
Private school														S	S	S	S	S	P	S	S	S
Trade school																	S	S	P	S	P	P

Adult or child day-care																	S	P	P	P	P	P
Child day-care 12 children or less	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S							
Institutional Uses																						
Basic utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Churches	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Community service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Conference/convention centers																	S	S	P	S	P	P
Cemeteries																			P			
Elderly housing															P	P			P			
Hospital																			P	P	P	
Medical centers																	P	P	P	P	P	P
Parks and recreation (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wind generator (building mounted)																	L5	L5	L5	L5	L5	L5
Wind generator (free standing monopole)	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6
Commercial Uses																						
Auto and RV sales																				P	P	
Bar																	S		S	S	S	
Bed and breakfast	S	S	S	S	S												S					
Broadcasting or production studio																				P	P	P

Car wash																			S	P	P	
Commercial parking lots																P	P	P	P	P	P	
Equestrian facilities	P																					
Equipment rental																				P	P	
Free standing emergency medical care facility/urgent care																L12	L12	L12	L12	L12	L12	
Hotel /motel																S	S	S	P	P	P	
Indoor recreation																	P	P	P	P	P	
Laundry facilities																			S	P	P	
Major event entertainment	S																		P	P	P	
Medical laboratories																P	P	P	P	P	P	
Movie theaters																			P	P	P	
Outdoor recreation	P																		P	P	P	
Private club																	S		S	S	S	
Professional services and offices																P	P	P	P	P	P	
Quick vehicle servicing																	P		P	P	P	
Restaurant																P	P	P	P	P	P	
Retail sales and service																S	P	P	P	P	P	

RV camp ground/park																				S	S	
Scientific research																	P	P		P	P	P
Sexually oriented business																						S
Temporary construction office	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8
Vehicle repair																					P	P
Industrial Uses																						
Bakeries																		P		P	P	P
Construction material sales																					P	P
Construction equipment sales/storage																						P
Distribution center																				P	P	P
Feed lots	S																					
Food processing	S																					S
Gas wells/oil wells	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Junk yards and auto wrecking																						S
Kennels	S																			L11	L11	L11
Manufacturing, light																		L7		L7	L7	P
Manufacturing, heavy																					L7	P
Manufacturing of nonodoriferous foods																						P

Motor freight terminal																							P
Printing/publishing																		P			P		P
Radio, tv or cellular towers																	S	S	S	S	S	S	S
Recycling business																					S		P
Sanitary landfills, commercial incinerators, transfer stations	S																						S
Self-service storage																					P		P
Temporary concrete batch plant	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Veterinary clinics	P																			P	P		P
Wholesale sales																				S	P		P
Wholesale nurseries	P																						
Wholesale storage and distribution																					P		P
Wrecker services and impound lots																	L9	L9	L9	L9	L9		L10
Service Uses																							
Barber, beauty & nail salon																	P	P		P	P		P
Dance studio																	P	P		P	P		P
Fitness facility																	P	P	P	P	P		P
Health studio																	P	P	P	P	P		P
Tattoo parlor																				P	P		P

Tanning Salon																		P		P	P	P
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P - Permitted Use

S - Specific Use Permit Required

L - Permitted Use with designated limitations

L1 - Live stock are permitted in accordance with [Chapter 2](#) of the City of Azle Code of Ordinances

L2 - HUD-Code manufactured homes are allowed in the SF-4 district only when replacing an existing non-HUD Code trailer house.

L3 - Accessory structures directly related to an agriculture function are allowed without a primary structure on platted land greater than 5 acres.

L4 - Accessory Dwelling shall not exceed the total square footage of the primary use, including all ancillary uses. Accessory Dwelling are only allowed on properties with frontage on and addressed from Main Street. Accessory Dwellings must be attached to the structure housing the primary use. Only 1 Accessory Dwelling is allowed per platted lot[.]

L5 - Building mounted wind generators may not extend higher than ten (10) feet above where the wind generator is mounted on the building. The height shall be measured from the base of the wind generator where it is mounted on the building to the highest point of the arc of the blades' elevation. If the wind generator does not use blades, then height is measured from the base of the wind generator where it is mounted on the building to the highest point of the wind generator.

L6 - Lots where the proposed wind generators will be located shall have a minimum lot area of two (2) acres. A maximum of one (1) wind generators is permitted by right. Wind generators shall be located a minimum of 150 feet from the property lines. Multiple wind generators are permitted only with approval of a SUP. The maximum height of a wind generators shall not exceed the maximum height of a structure per the zoning district without an SUP[.]

L7 - No outside storage of materials is allowed. No measurable increase in ambient sound shall be detectable at the property line.

L8 - Temporary Construction Office may be erected 30 days prior to construction activities and shall be removed within 10 days of completion of construction activity[.]

L9 - No vehicle storage allowed[.]

L10 - A maximum of 30 vehicles may be stored[.]

L11 - A minimum separation of 500' from any outdoor kennel or run shall be maintained to any adjacent residential use.

L12 - A minimum separation of 300' shall be maintained to any adjacent residential use[.]



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

Background and Explanation:

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

None