



City of Azle
Regular Agenda
Planning and Zoning Commission

505 W. Main Street
Azle, Texas 76020

October 5, 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 commissioner 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. The Commission may not comment publicly on non-agenda items, but may direct the 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 on September 7, 2023.

ACTION ITEMS

2. Consider and take any appropriate action on a Preliminary Plat for Lots 1-4, Block 1, Kodiak Car Wash Addition, an addition in the City of Azle, Tarrant and Parker County, Texas. The property is generally located on the west side of FM 730 North, approximately one thousand feet (1,000') north of Commerce Street.

David Hawkins, Director of Planning and Development

3. Consider and take any appropriate action on a Vacation of Plat request to vacant Lots 1-3, Block 1, Scott Acres Addition, an addition in the City of Azle, Tarrant County, Texas. The property is generally located on the south side of the Park Street and Ash Avenue intersection.

David Hawkins, Director of Planning and Development

DISCUSSION ITEMS

4. Development Project Updates

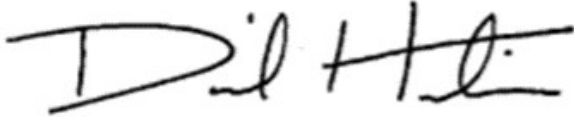
David Hawkins, Director of Planning and Development

EXECUTIVE SESSION

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.

ADJOURNMENT

I, the undersigned authority, do hereby certify the above Agenda was posted at City Hall on September 29, 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.

A handwritten signature in black ink, appearing to read 'D. Hawkins'.

David Hawkins, AICP
Director of Planning and Development

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

September 7, 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
Vice Chairman Jim Carlson
Commissioner Jared Arneson
Commissioner Cynthia Barrios
Commissioner Laurel Mosier
Commissioner Rick Simmons

Members Absent:

Commissioner Curt Lampkin

Staff Present:

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

INVOCATION

Vice Chairman Jim Carlson gave the invocation.

PLEDGE OF ALLEGIANCE

Chairman Leonard Wheeler led the pledge.

PUBLIC PARTICIPATION

None

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting held August 17, 2023.

Commissioner Rick Simmons moved to approve the minutes of the Regular Meeting held August 17, 2023 as presented. Commissioner Mosier seconded the motion. Motion carried.

Yes: (6) Leonard Wheeler, Jim Carlson, Jared Arneson, Cynthia Barrios, Laurel Mosier, Rick Simmons.

Absent: (1) Curt Lampkin

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.**

Director of Planning and Development David Hawkins presented this item. The applicant requested the rezoning of an approximately 3.78-acre tract of land from SF-4 to Heavy Commercial (HC). Twenty letters were sent to surrounding property owners. At the time of the meeting, four responses had been received, with two being opposed, one in favor, and one neutral.

Chairman Leonard Wheeler opened the public hearing at 6:12 p.m.

- Applicant Marsha Hardin, 112 E. Main Street, presented the request on behalf of the property owners.
- Raymond Jordan, owner of the unaddressed Lot 2, Block 1, Racetrac Addition, spoke in favor.
- Cathy Hunter, 831 Boyd Road, spoke in opposition, voicing concerns about property value, quality of life, the types of development allowed under HC zoning, and noise. Ms. Hunter stated that she has lived there since 1985 and did not know her property was already zoned HC.
- Ryon Morris, 801 Red Oak Court, spoke in opposition, voicing concerns about noise, pending the type of development that might occur.

As there were no other speakers, Chairman Wheeler closed the public hearing at 6:24 p.m.

Applicant Marsha Hardin addressed some of the concerns. Ms. Hardin stated that Ms. Hunter's property is already zoned HC; therefore, changing the zoning of this lot will increase the value of Ms. Hunter's property. Ms. Hardin stated that Ms. Hunter had previously expressed her willingness to sell for the right price. Ms. Hardin also stated that she believed there is no active water account at Ms. Hunter's property and questioned whether Ms. Hunter actually lives there.

Vice Chairman Jim Carlson moved to recommend approval to City Council the 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 as presented. Commissioner Laurel Mosier seconded the motion. Motion carried.

Yes: (4) Leonard Wheeler, Jim Carlson, Cynthia Barrios, Laurel Mosier

No: (1) Jared Arneson

Abstain: (1) Rick Simmons

Absent: (1) Curt Lampkin

DISCUSSION ITEMS

- 3. Development Project Updates**

Director of Planning and Development David Hawkins mentioned the Azle 2045 Comprehensive Plan and stated that a downtown tour of Grapevine, Roanoke, and Coppell has been scheduled for October 5th. This tour is for the City Council, the Vision Committee, and the Planning and Zoning Commission. The next public workshop meeting for the Comprehensive Plan is Thursday, October 12th and will focus on evaluating the preferred scenario, which Mr. Hawkins will email to commissioners.

ADJOURNMENT

As there was no other business, Chairman Wheeler adjourned the meeting at 6:41 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: Consider and take any appropriate action on a Preliminary Plat for Lots 1-4, Block 1, Kodiak Car Wash Addition, an addition in the City of Azle, Tarrant and Parker County, Texas. The property is generally located on the west side of FM 730 North, approximately one thousand feet (1,000') north of Commerce Street.

Background and Explanation:

The purpose of this Preliminary Plat is to plat two (2) non-residential lots and two (2) residential lots. Lots 1 & 2 are planned for a new car wash and self-storage warehouse facility. Lots 3 and 4 will be for future single-family residences.

Existing Condition of Property:

The property is heavily wooded and currently has an existing single-family residence that is planned to be removed.

Development Review Analysis:

Zoning

- The property is currently zoned as Heavy Commercial (HC) for Lots 1 and 2. Lots 3 and 4 located at the rear of the property are zoned as SF-4.

Streets

- The property fronts onto Boyd Road (FM 730 N) which is a State-operated street. Lot 2 will be served via an access easement through Lot 1. Lots 3 and 4 will be accessible from Robin Lane.

Public Infrastructure

- Water and sewer lines are available adjacent to the property.

Drainage

- The applicant will provide drainage plans for this property to meet the requirements of Section 14 – Integrated Stormwater Management of the City of Azle’s Subdivision Ordinance at time of site plan application.

Board/Commission/Committee Recommendation:

This Preliminary Plat meets all requirements of the Subdivision Ordinance with no variances being requested. The Planning and Zoning Commission has the following option when considering this application:

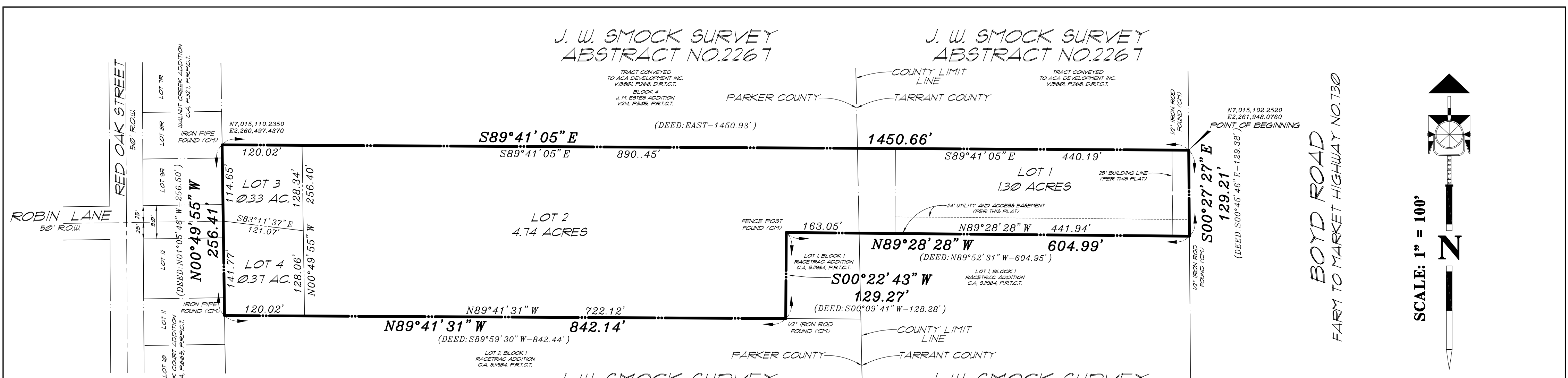
1. Approve the Preliminary Plat as presented.

Staff Recommendation:

Staff recommends approval of this Preliminary Plat as presented. No City Council action is needed on this Preliminary Plat application. The next step will be the Final Plat approval for this property prior to construction of the new commercial businesses.

Attachments:

1. Kodiak Car Wash Preliminary Plat



Owners Certificate

Whereas Patsy Magers is the owner of a lot, tract or parcel of land in the J. W. Smock Survey, Abstract No.2267, City of Azle, Parker County, and Tarrant County, Texas, being the same 6.74 acre tract conveyed to Patsy Magers by deed recorded under County Clerks File No.2013-1001, Deed Records, Parker County, Texas, being more particularly described as follows; Beginning at a 1/2" iron rod found for corner in the west line of Farm to Market Highway No.730 (variable width right-of-way) (Boyd Road), being the northeast corner of said 6.74 acre tract and the southeast corner of a tract conveyed to A.C.A. Development Inc., by deed recorded in Volume 15801, Page 268, Deed Records, Tarrant County, Texas; Thence South 00°27'27" East with the west line of said Farm to Market Highway No.730 and the east line of said 6.74 acre tract a distance of 129.21 feet to a 1/2" iron rod found for corner in the west line of said State Highway No.730, being the southeast corner of said 6.74 acre tract and the northeast corner of RACETRAC ADDITION an addition to the City of Azle, Tarrant and Parker County according to the plat recorded in Cabinet A, Slide11984, Plat Records, Tarraant County, Texas; Thence North 89°28'28" West with the common line between said 6.74 acre tract and said RACETRAC ADDITION a distance of 604.99 feet to a 1/2" iron rod found for corner, being a inside ell corner of said 6.74 acre tract and a corner of said RACETRAC ADDITION; Thence South 00°22'43" West with the common line between said 6.74 acre tract and said RACETRAC ADDITION a distance of 129.27 feet to a 1/2" iron rod found for corner, being a outside ell corner of said 6.74 acre tract and a corner of said RACETRAC ADDITION; Thence North 89°41'31" West with the common line between said 6.74 acre tract and said RACETRAC ADDITION a distance of 842.14 feet to a 1/2" iron rod found for corner in the east line of Oak Court Addition, an addition to the City of Azle, Parker County, Texas according to the plat recorded in Cabinet A, Slide 665, Plat Records, Parker County, Texas, being the southwest corner of said 6.74 acre tract and the northwest corner of said RACETRAC ADDITION; Thence North 00°49'55" West with the common line between said 6.74 acre tract and said Oak Court Addition a distance of 256.41 feet to a 1/2" iron rod found for corner in the east line of Walnut Creek Addition, an addition to the City of Azle, Parker County, Texas according to the plat recorded in Cabinet A, Slide 327, Plat Records, Parker County, Texas, being the northwest corner of said 6.74 acre tract and the southwest corner of said A.C.A. Development Inc., tract; Thence South 89°41'05" East with the common line between said A.C.A. Development Inc., tract and said 6.74 acre tract a distance of 1450.66 feet to the POINT OF BEGINNING and containing 6.74 acres of land, more or less as survey on the ground by Texas Surveyors, in August 2023.

NOW, THEREFORE, KNOWN ALL MEN BY THESE PRESENTS

That I Patsy Magers, do hereby adopt the plat as a Final Plat of 'Kodiak Car Wash Addition', an addition to the City of Azle, Tarrant and Parker County, Texas. Does hereby dedicate to the public's use forever the streets and or easements shown hereon.

WITNESS OUR HANDS AT TARRANT COUNTY, TEXAS, this the _____ day of _____ 2023.

Patsy Magers - Owner

State of Texas
County of Tarrant

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared and Patsy Magers, known to me to be the persons whose person whose name is subscribed to the foregoing instrument, and acknowledge to me that he executed the same purposes and consideration therein express and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____, day of _____ 2023.

Notary Public

SURVEYORS CERTIFICATE

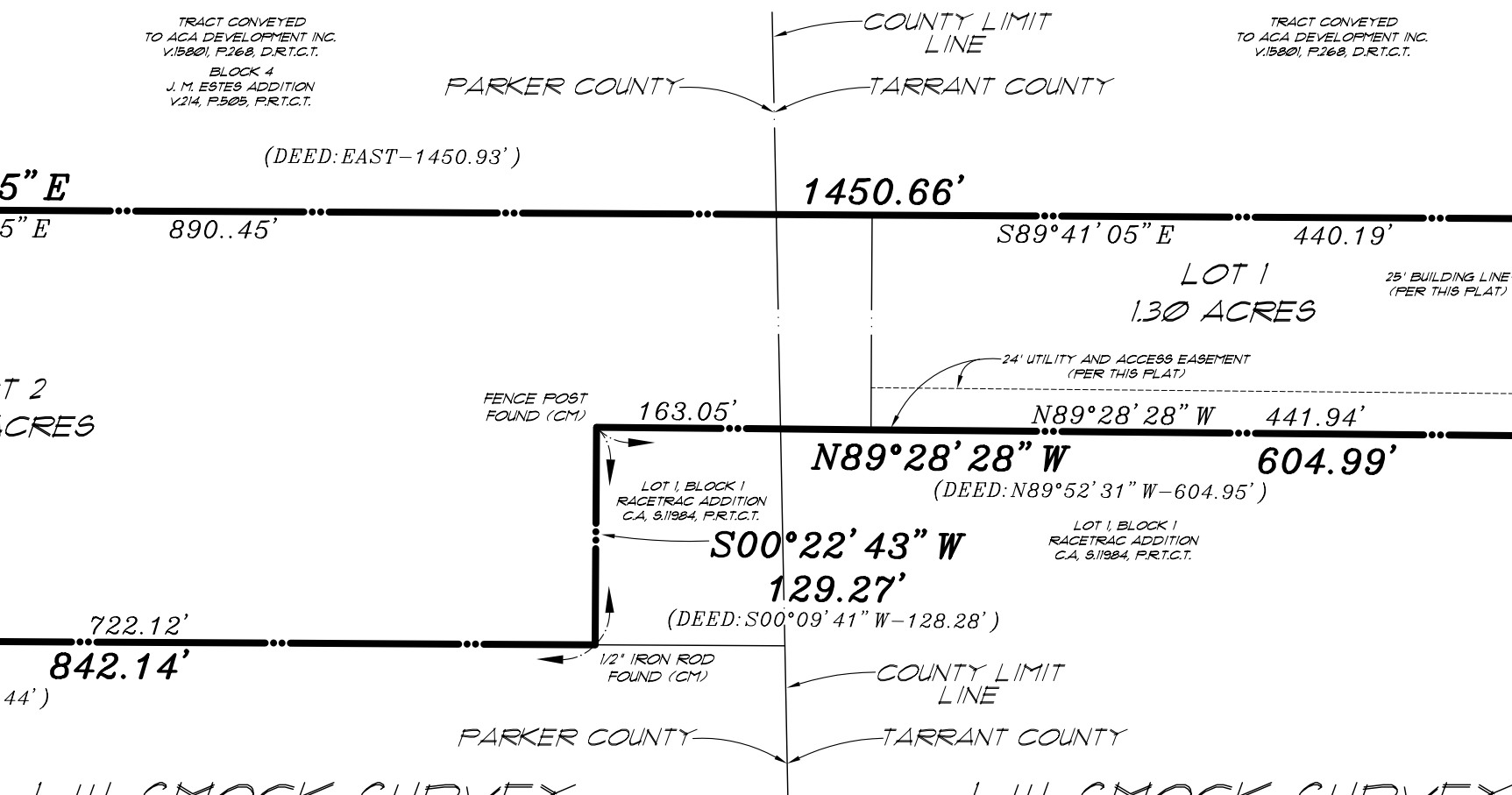
State of Texas
County of Johnson

THAT, I, Donnie L. Tucker, do hereby certify that I prepared this Final Plat from actual survey on the land and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the of the City of Azle, Tarrant County, Texas.

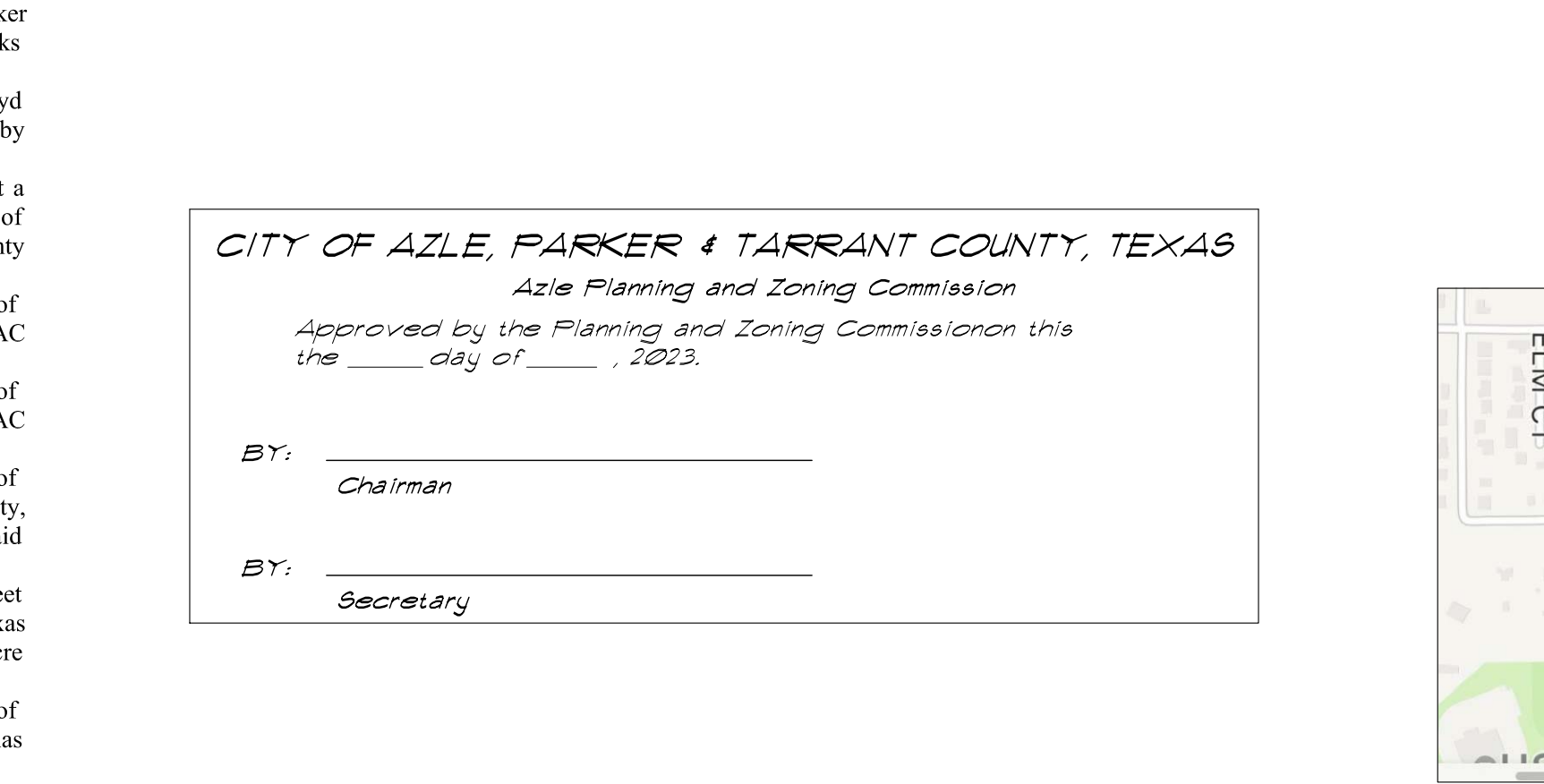
Donnie L. Tucker, RPLS #5144



J. W. SMOCK SURVEY
ABSTRACT NO.2267

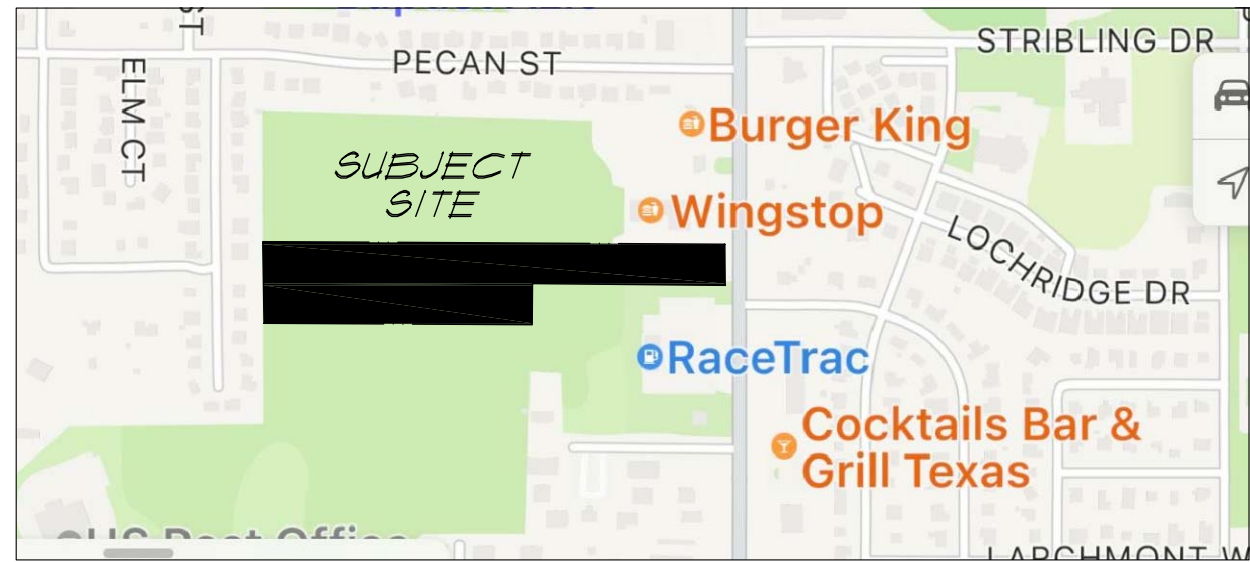
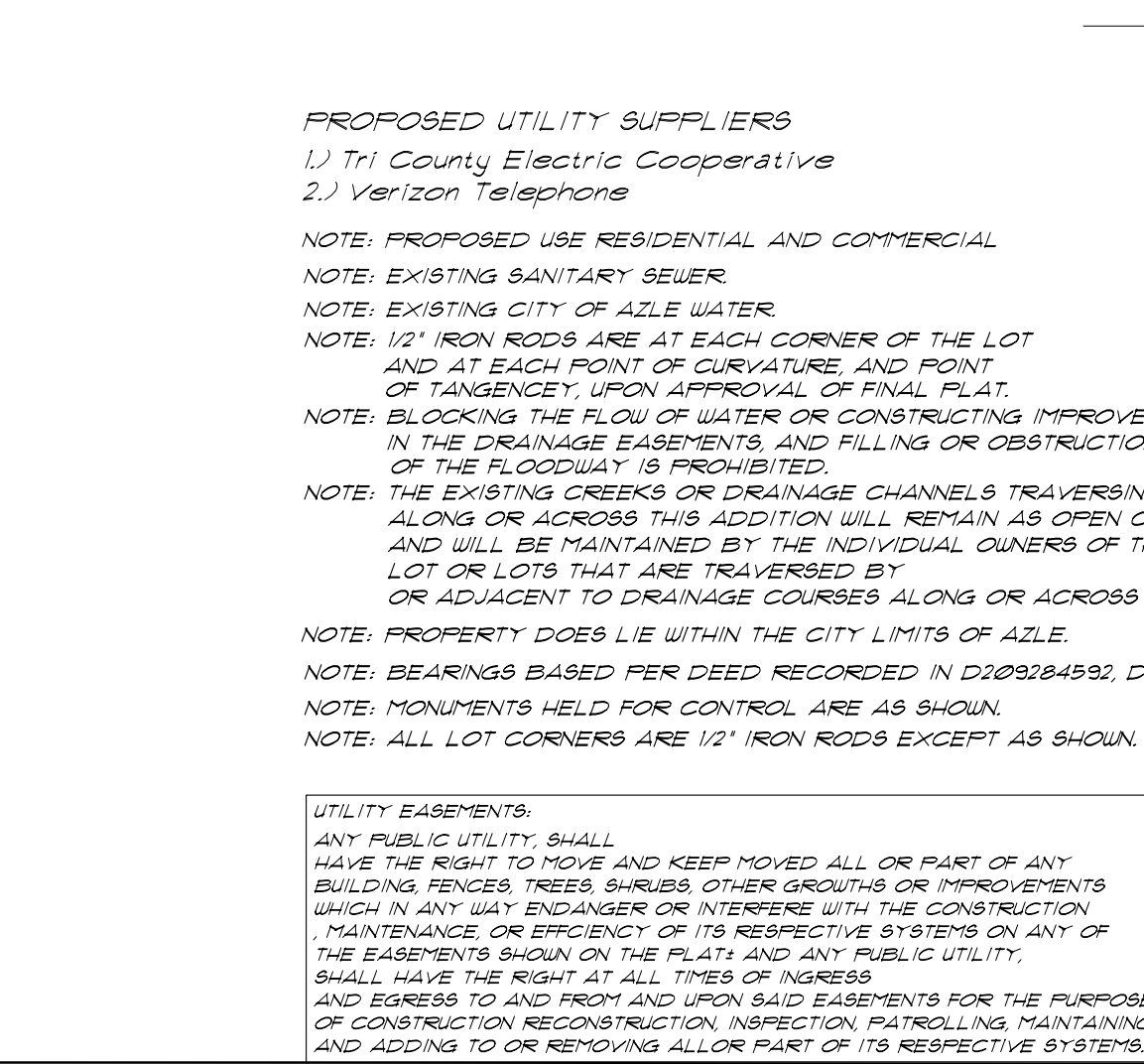


J. W. SMOCK SURVEY
ABSTRACT NO.2267



Flood Statement

According to the Flood Insurance Rate Map for Parker County, Texas and Incorporated Areas, Community Panel No.4836TC0200-E, effective date September 26, 2008, this property is located in Zone 'X', (Areas determined to be outside the 0.2% chance floodplain).



Vicinity Map

PRELIMINARY PLAT
OF
Kodiak Car Wash Addition
Lot 1, 2, 3, and 4, Block 1
BEING A PLAT OF A 6.74 ACRE TRACT CONVEYED TO PATSY MAGERS BY
DEED RECORDED UNDER COUNTY CLERKS FILE NO.2013-1001, DEED RECORDS, PARKER COUNTY, TEXAS
AND IN THE
J. W. Smock Survey, Abstract No.2267
An Addition to the City of Azle, Parker & Tarrant County, Texas
DATE PREPARED: August, 2023 SCALE: 1"= 100'

OWNER:
Patsy Magers
209 Hialeah Ct.
Saginaw, Texas 76179
Phone:817-817-682-6385

DEVELOPER/OWNER:
Petrie Properties
6100 Jacksboro Hwy
Fort Worth Texas 76114
Phone:817-401-1617

SURVEYOR:
DONNIE L. TUCKER
P.O. BOX 1855
BURLESON, TEXAS 76097
PHONE:(817) 295-2999





Presenter: David Hawkins, Director of Planning and Development

Agenda Item: Consider and take any appropriate action on a Vacation of Plat request to vacant Lots 1-3, Block 1, Scott Acres Addition, an addition in the City of Azle, Tarrant County, Texas. The property is generally located on the south side of the Park Street and Ash Avenue intersection.

Background and Explanation:

The purpose of this Vacation of Plat request is to vacate the existing plat called Lots 1-3, Block 1, Scott Acres Addition. The property was originally one tract of land and later platted into 3 lots, which was approved by the City Council on September 17, 2002. The property owner owns all three lots and approval of this request would revert it back to its original tract of land.

Existing Condition of Property:

The property has an existing single-family residence on Lot 1. The other 2 lots are vacant.

Development Review Analysis:

Zoning

- The property is currently zoned as SF-2.

Streets

- The property is located behind the Tarrant Regional Water District and AISD Horse arena properties. This is an existing access drive on Park Street that lies within an existing 30' ingress and egress easement that serves this property. If the plat is vacated, this 30' ingress and egress easement will remain in place.

Public Infrastructure

- Water and sewer lines are available adjacent to the property. The vacation of plat request will not affect utility services to this property.

Building Permits

- If there are any building permits applied for this property, it may trigger platting requirements in accordance with Section 3.6 of the Azle Subdivision Ordinance.

Board/Commission/Committee Recommendation:

This Vacation of Plat request meets the requirements of City ordinances and State Statutes. The Planning and Zoning Commission has the following option for this request:

1. Approval of Vacation of Plat

Staff Recommendation:

City staff forwards this vacation of plat request to the Planning and Zoning Commission for their

consideration. This vacation of plat will be forwarded to the City Council for consideration in accordance with Section 212.013 of the Texas Local Government Code.

Attachments:

1. Boling - Letter to Vacate Plat (9-28-23)
2. Scott Acres Block 1 Lots 1-3 Final Plat

Date:
September 28, 2023

To:
City of Azle, P&Z Commission
Attn: David Hawkins
505 W. Main Street
Azle, TX 76020

From:
David Rob Boling
1184 Park Street
Azle, TX 76020

RE: Vacate of Final Plat for Scott Acres Addition, approved by City of Azle on 9-17-2002, and recorded as Instrument #D202266621 in Tarrant County, TX

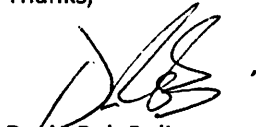
Dear Mr. Hawkins,

I have purchased all the above referenced land including the ingress/egress easements, and have submitted a permit with payment to vacate the said plat for a few reasons mentioned:

- 1) We have no intent on selling or developing Lots 2 & 3 separately from Lot 1.
- 2) The need for three addresses is not necessary with the city of Azle or Tarrant County. Upon approval - addresses 1288 and 1292 can be removed.
- 3) Maintaining three separate tax bills and protesting the taxes due on three separate parcels with Tarrant County is burdensome and inconsistent with the current use as one property.

Thank you for your consideration on this matter, and please let us know if you need further information.

Thanks,



David Rob Boling
bolingdr@gmail.com
817-201-7856



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

Background and Explanation:

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

None