AGENDA
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
WEDNESDAY, SEPTEMBER 20, 2023
6:30 PM

CALL TO ORDER

ROLL CALL

ANNOUNCEMENTS

PRESENTATIONS

1. Planning and Zoning Commission Annual Orientation
   Jeannette Garcia, Planning and Zoning Coordinator
   Randy Richards, CFM, Assistant Director of Public Works

PUBLIC COMMENT If speaking for an organization or group, the speaker should identify the group represented. If speaking during Public Comment (for matters not posted on that particular meeting's agenda), members of the Planning and Zoning Commission and Staff may only provide a statement of factual information in response to the inquiry or recite existing policy in response (e.g., to correct a factual misstatement made by the citizen or provide factual information requested by the citizen). Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting. If necessary, the Chair will task the staff to respond to the citizen and report back to the Commission as soon as practicable. Such a report to the Commission shall not constitute a meeting called by the Commission nor shall it constitute deliberation or formal action. Individual citizens addressing the Planning and Zoning Commission during Public Comment shall not exceed three (3) minutes in their comments; however, the Chair may extend or reduce the speaker's allotted time in order to conduct an efficient and effective public meeting. The time allotted shall not be donated to others desiring to speak. Public Comment is not established to engage in a conversation with the Commission and no formal action will be taken.

PUBLIC TESTIMONY FOR ACTION ITEMS Only those persons who submit a completed Request to Speak form prior to the agenda item being introduced by the Chair will be allowed to speak on agenda items set for action (this doesn't include presentations or reports). The Chair shall ask each person requesting to speak to approach the podium when called to speak. Speakers' time shall generally not exceed three (3) minutes in their comments and all comments must be germane to the specific agenda item being discussed; however, the Chair may extend or reduce the speaker's allotted time. Speakers shall not be permitted to donate their time to other speakers. Members of the Planning and Zoning Commission may ask questions or discuss the item directly with the citizen during the citizen's testimony if necessary. Any discussion between a Commission member and the citizen will not count towards the time limit and Commission members are encouraged not to speak until the citizen has first utilized their allocated time.

REPORTS

CONSENT AGENDA All of the items on the consent agenda are considered to be self-explanatory by the Commission and will be enacted with one motion, one second, and one vote. There will be no separate discussion of these items.

1. Consider action to approve the meeting minutes of the August 16, 2023 Regular meeting of the Planning and Zoning Commission.

PUBLIC HEARING

ACTION ITEMS

1. Discussion and action on selection of Chairperson, Vice-Chairperson, and Secretary.
   Jeannette Garcia, Planning and Zoning Coordinator
   Randy Richards, CFM, Assistant Director of Public Works

ITEMS FOR FUTURE AGENDAS

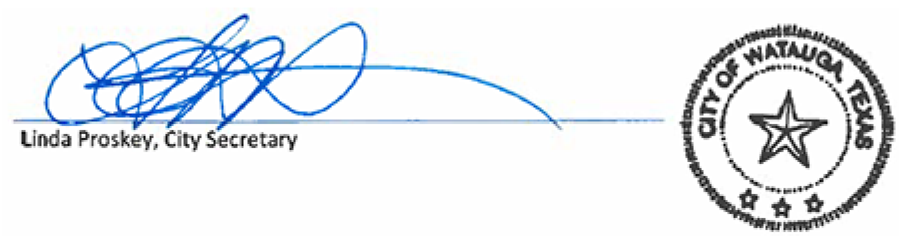
ADJOURNMENT

Meeting Notices and Reservation of Rights The City Council/Board/Commission/Committee may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code if the requisite information is otherwise posted; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code (as applicable) when determined necessary by the [City Council/Board/Commission/Committee] to address a subject matter on the agenda. Action, if any, will be taken in open session. Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city council, boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the city council, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city council, body, board, commission or committee subject to the Texas Open Meetings Act.

NOTICE

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 514-3625 FOR FURTHER INFORMATION.

I, Linda Proskey, City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on September 15, 2023, before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.



WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

DATE: September 8, 2023

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planning and Zoning Coordinator
Randy Richards, CFM, Assistant Director of Public Works

SUBJECT: Planning and Zoning Commission Annual Orientation

BACKGROUND/INFORMATION:

The Planning and Zoning Commission will participate in an orientation and training workshop to include introductions, procedural responsibilities, community planning, public participation, plan implementation, development review, referrals and advisory recommendations.

FINANCIAL IMPLICATIONS:
NA

RECOMMENDATION/ACTION DESIRED:
Staff recommends the Planning and Zoning Commission members make every effort to attend trainings when offered. We thank you for all that you do.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
None

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 9/12/2023
Paul Hackleman, Director of Public Works	Approved - 9/12/2023
Joshua Jones, City Manager	Approved - 9/13/2023
Linda Proskey, City Secretary	Final Approval - 9/13/2023

Approved as to form for inclusion on Agenda

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

DATE:	September 8, 2023
TO:	Planning and Zoning Commission Members
FROM:	Jeannette Garcia, Planning and Zoning Coordinator Randy Richards, CFM, Assistant Director of Public Works
SUBJECT:	Consider action to approve the meeting minutes of the August 16, 2023 Regular meeting of the Planning and Zoning Commission.

BACKGROUND/INFORMATION:
This item contains draft meeting minutes from August 16, 2023 for Planning and Zoning review and approval.

FINANCIAL IMPLICATIONS:
NA

RECOMMENDATION/ACTION DESIRED:
Staff recommend the Planning and Zoning Commission review and approve the meeting minutes as presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
1. Aug. 16, 2023 - Regular Meeting Minutes - DRAFT

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 9/12/2023
Paul Hackleman, Director of Public Works	Approved - 9/12/2023
Joshua Jones, City Manager	Approved - 9/13/2023
Linda Proskey, City Secretary	Final Approval - 9/13/2023

Approved as to form for inclusion on Agenda

"A GREAT PLACE TO LIVE"

MINUTES
PLANNING AND ZONING COMMISSION
WEDNESDAY, AUGUST 16, 2023
CITY HALL COUNCIL CHAMBER, 7105 WHITLEY ROAD
REGULAR MEETING
6:30 P.M.

CALL TO ORDER

Chairperson Karen Isbell called the meeting to order at 6:30 p.m.

ROLL CALL

Mike Arend	Place 1, Member
Quincy Adams	Place 2, Member
Jillian Giles	Place 3, Member
David Bry	Place 4, Member
Cristy McCauley-Blackburn	Place 5, Secretary
Karen Isbell	Place 6, Chairperson
Sharon Gehle	Place 7, Vice-Chairperson – Absent w/notice

And

Jan Hill	City Council Liaison
Randy Richards	Assistant Public Works Director
Jeannette Garcia	Planning and Zoning Coordinator

Other Council Members present:

Andrew Neal	Council Member, Place 4
Art Miner	Mayor

PUBLIC COMMENT

Chairperson Isbell called for Public Comment. Request to Speak forms were not received and there were no participants present requesting to speak.

PUBLIC TESTIMONY FOR ACTION ITEMS

Chairperson Isbell called for Public Comment. Request to Speak forms were not received and there were no participants present requesting to speak.

ANNOUNCEMENTS

REPORTS

CONSENT AGENDA

1. Consider action to approve the meeting minutes of the April 19, 2023, Regular meeting of the Planning and Zoning Commission

   Member Adams made a motion to approve the April minutes as presented and Member McCauley-Blackburn seconded the motion. Chairperson Isbell called for discussion.

   With there being no discussion, Chairperson Isbell called for a vote, with members present voting as follows:

AYES:	Arend, Adams, Giles, Bry, McCauley-Blackburn,
NAYS:	None
ABSENT:	Gehle
ABSTAIN:	None

   The motion carried 5-0-1-0.

PUBLIC HEARINGS/ACTION ITEMS

1. **Z.23-03**: Public hearing to receive comments for or against a request for a zoning change from Local Business (LB) to Commercial (C), for property commonly known as 6900 Denton Highway, being Lot A2 Block 6, of the Bunker Hill Addition; and consider action on a preliminary report to allow for the zoning change for future commercial development in the Sanko Plaza. The subject property is located north of Bunker Blvd. and east of Denton Highway. Owner: Cider Property, Inc. Applicant/Agent: Crest Commercial Real Estate, Cody Johnson.

   Chairperson Isbell introduced Jeannette Garcia to introduce Case No. **Z.23-03.**

   Ms. Garcia introduced the item as a request for a zoning change from Local Business (LB) to Commercial (C), as Crest Commercial Real Estate has received several inquires from tenants for various uses such as retail, thrift store, and massage. The referenced uses also require application for a Specific Use Permit. This being the case, Cider Property Inc. has submitted a request for the zoning change.

   She noted a public hearing notice was published and posted by the City Secretary's Office, and all required notices were mailed to property owners located within 200 ft. of the subject property. A public hearing will also be held before the City Council on September 11, 2023.

   Lastly, she introduced the owner, Mr. Kevin Ly of Cider Property Inc., as present to answer any questions the commission had.

Chairperson Isbell asked if any of the members had any questions, and with there being none she opened the public hearing at 6:35 p.m. and with no one wishing to speak she closed the public hearing at 6:35 p.m. and asked if the members had any other questions. With there being none, she called for a motion.

Member Arend made a motion to approve as written. Member Adams seconded the motion. Chairperson Isbell called for a vote, with members present voting as follows:

AYES:	Arend, Adams, Giles, Bry, McCauley-Blackburn,
NAYS:	None
ABSENT:	Gehle
ABSTAIN:	None

The motion carried 5-0-1-0.

2. **SUP.23-03:** Public hearing to receive comments for or against a request for a specific use permit for property commonly known as 6900 Denton Highway, Lot A2, Block 6, of the Bunker Hill Addition; and consider action on a preliminary report to allow for an ice and water kiosk in a Commercial (C) zoning district. The subject property is located north of Bunker Blvd. and east of Denton Highway. Owner: Cider Property, Inc. Applicant/Agent: Frontier States Development Services, Mark Sellers.

   Chairperson Isbell introduced Jeannette Garcia to introduce Case No. **SUP.23-03.** Jeannette began by thanking the members for being in attendance. As a reminder, she advised the item is a request for specific use permit to allow for an ice and water kiosk in a Commercial (C) zoning district. This property is located at 6900 Denton Highway.

   To share a bit of historical facts, the applicant, Frontier States Development Services, submitted an application before the Council at a meeting held September 14, 2020, to allow for a zoning change from General Business (GB) to Commercial (C) with a specific use permit at the property known as 6531 Watauga Road, Regency Square shopping center to allow a use for the storage of ice and water for retail sale, described in Planning & Zoning case Z.20-02 w/SUP.

   They now have made an application for the Denton Highway location and the Development Review Team (DRT) also supports this development at this location and recommends approval.

   Again, all notices were published and posted by the City Secretary's Office.

   The applicant, Mr. Mark Sellers, is available to answer any questions.

Chairperson Isbell asked if any of the members had any questions, and with there being none she opened the public hearing at 6:39 p.m. and with no one wishing to speak she closed the public hearing at 6:39 p.m. and asked if the members had any other questions or comments. With there being none, she called for a motion.

Member Adams made a motion to approve as written. Member Arend seconded the motion. Chairperson Isbell called for a vote, with members present voting as follows:

AYES:	Arend, Adams, Giles, Bry, McCauley-Blackburn,
NAYS:	None
ABSENT:	Gehle
ABSTAIN:	None

The motion carried 5-0-1-0.

ACTION ITEMS

ITEMS FOR FUTURE AGENDAS

Mike Arend	Place 1 - None
Quincy Adams	Place 2 – None
Jillian Giles	Place 3 – None
David Bry	Place 4 - None
Cristy McCauley-Blackburn	Place 5 - New Board Member training & review of the Comprehensive Plan
Karen Isbell	Place 6 - None
Sharon Gehle	Place 7 – Absent

ADJOURNMENT

With there being no further items to discuss, Chairperson Isbell adjourned the meeting at 6:42 p.m.

APPROVED: this the _________ day of ____________________, 2023.

SIGNED: this the _________ day of _________________, 2023.

APPROVED:_________________________________
Karen Isbell, Chairperson

ATTEST: _________________________________
Cristy McCauley-Blackburn, Secretary

NOTE: Original Audio Recording of this meeting is preserved and maintained by the City Secretary's Office.

AGENDA MEMORANDUM

DATE: September 8, 2023

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planning and Zoning Coordinator
Randy Richards, CFM, Assistant Director of Public Works

SUBJECT: Discussion and action on selection of Chairperson, Vice-Chairperson, and Secretary.

BACKGROUND/INFORMATION:
Article II.-Planning and Zoning Commission - Section 101-23 (e) Officers (1) Composition. The officers of the commission shall be a chairperson, vice-chairperson and secretary. (2) Membership; term. At its first meeting in September of each year, the membership of the commission shall determine by majority vote the chairperson, vice-chairperson and secretary. Those positions shall be for a period of one year, or until the first meeting after September 1 of the following year.

FINANCIAL IMPLICATIONS:
NA

RECOMMENDATION/ACTION DESIRED:
Respectfully recommend selection of officers.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
1. Article II. Planning and Zoning Commission - Supp. 15

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 9/12/2023
Paul Hackleman, Director of Public Works	Approved - 9/12/2023
Joshua Jones, City Manager	Approved - 9/13/2023
Linda Proskey, City Secretary	Final Approval - 9/13/2023

Approved as to form for inclusion on Agenda

ARTICLE II. PLANNING AND ZONING COMMISSION

Sec. 101-23. Commission established.

(a) *Authority.* The planning and zoning commission shall have no authority in the hiring or assignment of employees or volunteers for the city. The commission shall not have any authority in the activities or the establishment of salary ranges for such employees. Further, the commission and its members shall direct all communications concerning city officers and employees through the office of the city manager, and neither the commission nor its members shall instruct or direct any such officer or employee, either publicly or privately.

(b) *Residency requirement.* Each member of the commission shall be a resident of the city, own real property in the city, and shall be a qualified registered voter for the city on the date of appointment to the commission, and shall continue to own real property and remain a resident and a qualified registered voter so long as they continue to serve on the commission.

(c) *Members.*

(1) The planning and zoning commission shall consist of seven regular members. Places on the commission shall be numbered one through seven, with all members appointed for two-year terms to expire August 31. Members serving in odd-numbered places shall have their terms expire on each odd-numbered year, and members serving in even-numbered places shall have their terms expire on even-numbered years. The commission may submit to the city council the names of those current members who are recommended for reappointment. The city council in an open meeting shall appoint members to the commission.

(2) The commission shall recommend to the mayor and city council removal of any member who is absent from two consecutive meetings without first notifying the chair or the city secretary's office by 12:00 noon of the meeting date and/or fails to exhibit a general interest in the endeavors of the commission. Two consecutive absences by a member, whether or not the member first notifies the chair or the city secretary's office by 12:00 noon of the meeting date, shall require a specific agenda item at the next regularly scheduled meeting to determine if the reasons for the absences are sufficient to be excused or constitute a failure to exhibit a general interest in the endeavors of the commission. Members serve at the pleasure of the city council and may be removed at the sole discretion of the council.

(3) The city council may, with or without cause, remove any member appointed to the commission. All vacancies in the membership that may occur on the commission may have a replacement recommended by the commission to the mayor, who may appoint the recommended individual or another individual, subject to the approval of the city council for the length of the unexpired term. If the mayor fails to make a recommended appointment to fill any vacancy within 60 days from the date of the vacancy or expiration, the city council may, by majority vote, make an appointment without the mayor's recommendation.

(d) *Liaisons.* In addition to regular commission members, the commission shall have two members of the city council appointed by the mayor subject to the approval and consent of the city council to serve as liaisons to the commission. The purpose of the liaisons is to provide guidance to the commission in matters pertaining to city administration and home rule charter affairs, and to provide interface with city staff, the city attorney, and the full city council in any matters that may arise. City council liaisons shall not have the right to vote in any matter before the commission, but shall have the right to fully participate in all discussion of matters that come before the commission. The appointment of liaisons by the mayor shall be at the second meeting in June of each year.

(e) *Officers.*

(1) *Composition.* The officers of the commission shall be a chairperson or chair, a vice-chairperson and a secretary.

(2) *Membership; term.* At its first meeting in September of each year, the membership of the commission shall determine by majority vote the chairperson, vice-chairperson and secretary. Those positions shall be for a period of one year, or until the first meeting after September 1 of the following year.

(3) *Vacancies.* Vacancies that occur in office are to be filled as follows:

a. In the event of a vacancy or incapacity of the chairperson, the vice-chairperson shall become the chair for the unexpired portion of the term.

b. Vacancies that occur in the other offices shall be filled by special election for the unexpired term.

c. Vacancies occurring in any office shall be filled at the next meeting of the commission.

(4) *Duties.* Duties of the officers shall be as follows:

a. *Chairperson.* The chairperson shall:

1. Preside at all meetings.

2. Represent the commission at public functions.

3. Appoint special committees.

4. Provide an agenda for each meeting, including any item requested by any other commission member, or by the director of the department with whom this commission directly interfaces. The agenda shall be provided to the city secretary no less than five working days prior to any meeting to provide proper posting notice in accordance with Texas Open Meeting Act, V.T.C.A., Government Code ch. 551.

5. Schedule meetings of the commission, if other than the pre-established time, day, and/or week of the month.

6. Vote only in case of a tie vote by the commission.

b. *Vice-chairperson.* The vice-chairperson shall assist the chairperson in directing the affairs of the commission and act in the chair's absence.

c. *Secretary.* The secretary shall:

1. Be responsible for the accuracy of the minutes of the commission's meetings. A draft copy of those minutes will be provided to the city secretary within three working days following any meeting.

2. Sign the approved minutes.

(f) *Service without compensation; donations and solicitation.*

(1) All members of the commission shall serve without compensation.

(2) The commission shall obtain authorization from the city council through its liaison prior to seeking any donations, engaging in any solicitations, or other fundraising activity. All other revenues derived from fundraising activities shall be deposited into the city's general fund and utilized to support related activities as determined by the city council during budgeting process or review for all city departments.

No debts of any kind or character shall be made or incurred by the commission or anyone acting on its behalf without the express authority of the city council.

(g) *Meetings.* The commission shall hold meetings whenever necessary to effectively address matters brought before the commission. The meetings shall be determined and scheduled by the chairperson. A quorum shall consist of a majority of the regularly appointed members serving on the commission at that time. Council liaisons shall not be counted to constitute a quorum. The meetings shall be conducted under the requirements of Robert's Rules of Order as adopted by the city council with the chairperson presiding at each meeting or the vice-chairperson in the chairperson's absence. The secretary of the commission shall record the minutes of the proceedings of the meetings and shall submit the same to the city manager through the city secretary as previously described for inclusion in the monthly report from the city manager to the city council. All meetings shall be open to the public and shall be conducted in accordance with the Texas Open Meetings Act, V.T.C.A., Government Code ch. 551.

(h) *Reports.*

(1) City departments are to furnish the commission with reports and services at the direction of the city manager or city council.

(2) The commission may receive reports, advice, and available services from the various city departments as required and directed by the city manager or his designated representative. The city staff will be available for advice and consultation, and shall cooperate with and render such services for the commission as shall be reasonably necessary for the operations of the commission.

(Code 2001, § 14.603; Code 2010, § 14.06.003; Ord. No. 1439, § III, 2-22-2010; Ord. No. 1542, § I, 1-27-2014; Ord. No. 1674 , § I, 10-22-2018; Ord. No. 2019-005 , § VIII, 7-8-2019)

Secs. 101-24—101-49. Reserved.