



AGENDA
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
WEDNESDAY, MARCH 20, 2024
6:30 PM

CALL TO ORDER

ROLL CALL

ANNOUNCEMENTS

PRESENTATIONS

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 Board 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 Board as soon as practicable. Such a report to the Board shall not constitute a meeting called by the Board nor shall it constitute deliberation or formal action. Individual citizens addressing the Board 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 Board 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 Board may ask questions or discuss the item directly with the citizen during the citizen's testimony if necessary. Any discussion between a Board member and the citizen will not count toward the time limit and 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 February 21, 2024 Regular meeting of the Planning and Zoning Commission.

PUBLIC HEARING

1. **SUP.24-02:** Public hearing to receive comments for or against a request for a specific use permit at the property commonly known as 5625 Watauga Road Suite #100, Lot 5, Block 5 of the I J Schellinger Subdivision, to allow for a pet grooming service in a Local Business (LB) zoning district. The subject property is located north of Watauga Road east of Denton Highway and west of Johnnie Street. Owner: Rafael Gregorio. Applicant/Agent: Luis Perez.

ACTION ITEMS

1. **SUP.24-02:** Consideration of a request for a specific use permit at the property commonly known as 5625 Watauga Road Suite #100, Lot 5, Block 5 of the I J Schellinger Subdivision, to allow for a pet grooming service in a Local Business (LB) zoning district. Owner: Rafael Gregorio. Applicant/Agent: Luis Perez.
Jeannette Garcia, Planner I

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 March 15, 2024, before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.

/S/ Linda Proskey
City Secretary





AGENDA MEMORANDUM

DATE: March 1, 2024

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planner I

SUBJECT: Consider action to approve the meeting minutes of the February 21, 2024 Regular meeting of the Planning and Zoning Commission.

BACKGROUND/INFORMATION:

This item contains draft meeting minutes from February 21, 2024 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. Feb. 21, 2024 - Regular Meeting Minutes - DRAFT

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 3/12/2024
Paul Hackleman, Director of Public Works	Approved - 3/14/2024
David Berman, City Attorney	Approved - 3/14/2024
Joshua Jones, City Manager	Approved - 3/14/2024
Linda Proskey, City Secretary	Final Approval - 3/15/2024

Approved as to form for inclusion on Agenda



“A GREAT PLACE TO LIVE”

**MINUTES
PLANNING AND ZONING COMMISSION
WEDNESDAY, FEBRUARY 21, 2024
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 6:32 p.m.

ROLL CALL

Vacant	Place 1, Member
Quincy Adams	Place 2, Secretary
Jillian Giles	Place 3, Member
David Bry	Place 4, Member
Cristy McCauley-Blackburn	Place 5, Member
Karen Isbell	Place 6, Chairperson
Sharon Gehle	Place 7, Vice-Chairperson

And

Jan Hill	City Council Liaison
Paul Hackleman	Director of Public Works
Jeannette Garcia	Planner I

PRESENTATIONS

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 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. Speaker's 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 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 toward the time limit and Commission Members are encouraged not to speak until the citizen has first utilized their allocated time.

Chairperson Isbell called Ms. Ivey to the podium as a Request to Speak form was received from Ms. Kay Ivey, 6135 Starnes Road, Watauga TX 76148, prior to the meeting. The concerns shared are the drainage and visibility from the fencing when attempting to back out of driveway.

With there being no other comments or questions from the commission, Chairperson Isbell thanked Ms. Ivey for sharing her comments and advised that the commission members will take the comments received into consideration.

ANNOUNCEMENTS

CONSENT AGENDA

1. Consider action to approve the meeting minutes of the November 15, 2023, Regular meeting of the Planning and Zoning Commission

Chairperson Isbell entertained a motion. Member McCauley-Blackburn made a motion to approve the November 15, 2023 minutes as presented and Member Adams seconded the motion.

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

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

The motion carried 5-0-0-0.

PUBLIC HEARING

1. **SUP.24-01:** Public hearing to receive comments for or against a request for a specific use permit for a massage establishment at the property commonly known as 8420 Denton Highway #110, Lot 3, of the Bursey & 377 Addition. The subject property known as Watauga Towne Center is located north of Bursey Road and east of Denton Highway. Owner: Brookwillow Watauga LLC. Applicant/Agent: Wen Jing Xu.

Chairperson Isbell introduced Jeannette Garcia to present Case No. SUP.24-01.

Ms. Garcia introduced the item as a request for a specific use permit for a massage establishment at the property commonly known as 8420 Denton Highway #110, Lot 3, of the Bursey & 377 Addition. The subject property known as Watauga Towne Center is located north of Bursey Road and east of Denton Highway.

The City of Watauga requires any person, firm, or corporation who wishes to operate a massage establishment to obtain approval under Chapter 115, Zoning of the Code of Ordinances. Once the zoning approval is properly secured, then application for a Massage Establishment Permit/License shall be acquired by application through the City Secretary's Office.

The applicant, Wen JingXu, has submitted proper application to allow for a specific use permit for an establishment to be known as The Golden Foot Spa. Wen Jing Xu is a licensed massage therapist in the state of Texas. She has been in the massage business for more than ten years and has also operated a massage establishment in the City of Keller for five years.

In accordance with One Watauga Development Strategy, a key objective for the future land use plan, which classifies the property as Regional Retail/Commercial, designating this area as suitable for large and small box retail, service uses and various activities that aim to meet the needs of residents in the vicinity.

Lastly, there are no other massage establishments in this shopping center.

The Development Review Team (DRT) supports this specific use request at this location and recommends approval. Also, I have received a response from the property owner of 8432 Denton Hwy., and they support this use. This response is included in your packet

The applicant is present, and available to answer any questions.

Chairperson Isbell asked the members if they had any questions. With the introduction of the case being completed, and there being no other questions, Chairperson Isbell opened the public hearing at 6:43 p.m.

With there being no one wishing to speak, Chairperson Isbell closed the public hearing at 6:43 p.m.

2. **P.24-02:** Public hearing for consideration of request for approval of a plat for Abstract 1621 Tract 1B02 of the Mansel W. Wilmeth Survey, known as 6201 Starnes Road, being located east of Whitley Road west of Indian Springs Road and north of Starnes Road. The proposed plat is to subdivide the lot into a residential subdivision to accommodate twelve (12) residential lots and two (2) HOA lots . Owner/applicant: Echo Court LLC, Kevin Wong.

Chairperson Isbell introduced Jeannette Garcia to present Case No. SUP.24-01.

Ms. Garcia introduced the item as a request for consideration of approval of a plat for Abstract 1621 Tract 1B02 of the Mansel W. Wilmeth Survey, known as 6201 Starnes Road. The proposed plat is to subdivide the 3.48 acre lot into a residential subdivision to accommodate twelve (12) residential lots, two (2) HOA lots and one (1) public street.

Texas Local Government Code 212.005 requires the municipal authority responsible for approving plats must approve a plat or replat that is required to be prepared under this subchapter and that satisfies all applicable regulations. The plat submitted meets these requirements.

The lot sizes on the plat range from 6881 square feet to 19,169 square feet. A fifty-foot easement is in the W.M. Wilmeth Survey A-1621 and a 16" pipeline is operated and maintained by Permian Express Partners LLC. Echo Court LLC has requested permissions from P.E.P. LLC and an Encroachment Agreement was granted.

The proposed development incorporates 1037 square feet of open space in 2 lots. The 10' screening wall/fence, landscaping, irrigation, and maintenance easement, R.O.W. dedication and improvements shall be maintained by the Homeowners Association of Echo Court Addition. HOA documents shall be submitted for review and approval by city staff prior to filing documents with the county. The development will have access from a new city street onto Starnes Road.

Construction plans for all utilities have been received and are pending review. The approval of the city shall be secured for the water, sewer, storm drain and paving of streets and sidewalks in this subdivision.

This area is designated on the Land Use Plan as Low Density Residential. Surrounding land uses include residential and Whitley Road Elementary School.

The property is zoned Single-family (SF6).

She advised receipt of responses from the following property owners:

7746 Clearbrook Ct., who expressed protest due to lack of space for 12 units. Also, property frequently floods and with construction will cause flooding to move to other properties. The electrical easement and new fences will cause distress to my property's trees.

6135 Starnes Rd. Does not express protest or support, but merely concerns and questions remain regarding adequate drainage, the fencing and being able to see to get out of my driveway onto Starnes Rd. Both responses are included in your packet for review.

Development Services fully supports this request for a final plat. The applicant, Mr. Kevin Wong, and staff are here to answer any questions you may have.

With the introduction of the case being completed, Chairperson Isbell opened the public hearing at 6:47 p.m.

Member Gehle inquired about the five foot (5') open space lot and whether the space was for sidewalks only or would it be landscaped. Her next question was regarding the storm sewer being constructed and the ability to provide adequate drainage for the new subdivision. Lastly, she inquired about the gas easement and encroachment easement and whether the lots would be adequately proportioned allowing for homes to be constructed, since they can't build on the easement.

Director of Public Works Paul Hackleman addressed the open space area acknowledging that the open space will be just that. He also addressed the sixty foot (60') right-of-way in front of the new subdivision and the forty-five foot (45') right-of-way in front of the Ivey residence. By default, the subdivision fence will sit twenty feet (20') further back from the Ivey front property line.

He also discussed the storm sewer and preliminary engineering plans submitted which reference to the flumes, and the review has not been completed as comments shall be returned to the developer. Currently, there are not adequate drainage facilities in the area to convey the water. This will be a challenge for the engineer to resolve. Further improvements will be necessary as the existing system is undersized with the inclusion of this development.

Member McCauley inquired if homes will be built on the easement, particularly the gas lines. Mr. Hackleman confirmed that no homes will be built in the easement.

Member Adams inquired about the elevations and overcoming the flooding. Mr. Hackleman shared that engineering will be challenging.

Member Gehle also shared concerns about the driveways and parking in the cul-de-sac. However, she is very excited about the larger lots.

Lastly, Member Gehle requested to view the site plan illustrating the homes in each lot. Mr. Wong provided the plans to Director Hackleman for viewing.

Chairperson Isbell asked if there were any further comments.

With there being no one wishing to speak, Chairperson Isbell closed the public hearing at 7:05 p.m.

ACTION ITEMS

1. **SUP.24-01:** Consideration of a request from Wen Jing Xu for a specific use permit to allow for a massage establishment in a property commonly known as

8420 Denton Highway, being a portion of Watauga Towne Center which is located north of Bursey Road and east of Denton Highway. Owner: Brookwillow Watauga LLC. Applicant/Agent: Wen Jing Xu.

Chairperson Isbell entertained a motion for recommendation regarding the specific use permit as requested. A motion was made to approve SUP.24-01 sending recommendation to Council by Member Giles, and a second by Member Gehle.

With there being no further discussion, Chairperson Isbell restated the motion for recommendation of approval of SUP.21-01 sending to council and then called for a vote, with members present voting as follows:

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

The motion carried 5-0-0-0.

2. **P.24-02:** Consideration of a request for a final plat out of Abstract 1621 Tract 1B02 of the Mansel W. Wilmeth Survey, known as 6201 Starnes Road, being located east of Whitley Road west of Indian Springs Road and north of Starnes Road. The proposed plat is to subdivide the lot into a residential subdivision to accommodate twelve (12) residential lots and two (2) HOA lots. Owner/applicant: Echo Court LLC, Kevin Wong.

Chairperson Isbell entertained a motion for recommendation regarding the preliminary plat as requested.

Member Gehle made a motion to approve the final plat subject to parking requirements being researched, gas line encroachments and drainage issues being adequately addressed. Member Adams seconded the motion for approval.

Director Hackleman reminded the commission that it be best to submit with a more specific motion and clear direction rather than vague. He also reminded the commission that the case will be presented before the council during the March 11, 2024 regular meeting.

For clarification for the commission and council, staff inquired of the Director if the public street to be built in the development will be maintained by the city or by the property owner. Director Hackleman confirmed that this street is a public street and will be maintained by the city.

Member Giles inquired if the final plat which was presented satisfies all applicable regulations. Mr. Hackleman confirmed that it is legal, and the City shall be required to approve the final plat.

Chairperson Isbell reminded the members of the motion, which was made by Member Gehle, who made a motion to approve the final plat subject to parking requirements being researched, gas line encroachments and drainage issues being adequately addressed. Member Adams seconded the motion for approval.

Chairperson Isbell called for a vote with members present voting as follows:

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

The motion failed 2-3-0-0.

Chairperson Isbell re-entertained a motion for recommendation regarding the final plat as presented. A motion was made to approve P.24-02 as presented, sending recommendation to Council by Member Giles, and a second by Member McCauley-Blackburn.

Chairperson Isbell called for a vote, with members present voting as follows:

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

The motion carried 4-1-0-0.

ITEMS FOR FUTURE AGENDAS

Vacant	Place 1
Quincy Adams	Place 2 – None
Jillian Giles	Place 3 – None
David Bry	Place 4 - None
Cristy McCauley-Blackburn	Place 5 – None
Karen Isbell	Place 6 - None
Sharon Gehle	Place 7 – Airbnb-Room Rentals policy

ADJOURNMENT

With there being no further items to discuss, Chairperson Isbell adjourned the meeting at 7:19 p.m.

APPROVED: this the _____ day of _____, 2024.

SIGNED: this the _____ day of _____, 2024.

APPROVED: _____
Karen Isbell, Chairperson

ATTEST: _____
Quincy Adams, Secretary

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



AGENDA MEMORANDUM

DATE: March 7, 2024

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planner I

SUBJECT: **SUP.24-02:** Public hearing to receive comments for or against a request for a specific use permit at the property commonly known as 5625 Watauga Road Suite #100, Lot 5, Block 5 of the I J Schellinger Subdivision, to allow for a pet grooming service in a Local Business (LB) zoning district. The subject property is located north of Watauga Road east of Denton Highway and west of Johnnie Street. Owner: Rafael Gregorio. Applicant/Agent: Luis Perez.

BACKGROUND/INFORMATION:

The applicant/agent, Luis Perez, has submitted a request for a specific use permit to allow for a pet grooming business in a Local Business (LB) zoning district. The subject property, known as 5625 Watauga Road Suite #100, is located north of Watauga Road, east of Denton Highway and west of Johnnie Street. The property and business owner is Rafael Gregorio.

The Public Hearing Notice was duly posted and published by the City Secretary's Office on Friday, March 1, 2024 in the Fort Worth Star Telegram. Written notice of the public hearing on the proposed request was sent to all owners of property, or to the person rendering the same for city taxes within two hundred (200) feet of the subject property.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

The Development Review Team respectfully recommend consideration of comments received during the public hearing of the preliminary report.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Publication Affidavit-526290 - PZ Mtg. 03202024
2. 5625 Watauga Rd - Mailed to property owners - 200 ft. notices

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 3/12/2024
Paul Hackleman, Director of Public Works	Approved - 3/14/2024
David Berman, City Attorney	Approved - 3/14/2024



AGENDA MEMORANDUM

Joshua Jones, City Manager
Linda Proskey, City Secretary
Approved as to form for inclusion on Agenda

Approved - 3/14/2024
Final Approval - 3/15/2024

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
18806	526290	Print Legal Ad-IPL01622160 - IPL0162216	Notice of Public Hearing	\$110.16	1	63 L

Attention: CSO
CITY OF WATAUGA
7105 WHITLEY RD
FORT WORTH, TX 761482024

CSO@wataugatx.org

CITY OF WATAUGA

NOTICE OF PUBLIC HEARINGS

Notice is hereby given that there will be public hearings before the City of Watauga Planning and Zoning Commission at its regularly scheduled meeting on March 20, 2024, beginning at 6:30 p.m. in the City Council Chambers at 7105 Whitley Road, Watauga, TX regarding the following items:

SUP24-02: Public hearing to receive comments for or against a request for a specific use permit at the property commonly known as 5625 Watauga Road Suite #100, Lot 5, Block 5 of the I J Schellinger Subdivision, to allow for a pet grooming service in a Local Business (LB) zoning district. The subject property is located north of Watauga Road east of Denton Highway and west of Johnnie Street. Owner: Rafael Gregorio. Applicant/Agent: Luis Perez.

Z24-01: Public hearing to receive comments for or against a request for a zoning change from Single-family (SF-6) to Planned Development (PD), for property commonly known as 6355 Starnes Road, being Lot 1 Block 1, of the Indian Springs Addition, to allow for subject property to be subdivided into two (2) lots. The subject property is located on the north of Starnes Road east of Whitley Road and west of Indian Springs Road. Owner/applclicant: Indian Springs Addition LLC, Kevin Wong.

P24-01: Public hearing for consideration of request for approval of a replat for Lot 1 Block 1 of the Indian Springs Addition, known as 6355 Starnes Road, being north of Starnes Road east of Whitley Road and west of Indian Springs Road. The proposed replat is to subdivide the lot into two (2) lots to accommodate for an additional single-family home. Owner/applclicant: Indian Springs Addition LLC, Kevin Wong.

Published on March 1, 2024, in the Star Telegram, Legal Notices Section. I, Linda Proskey, City Secretary for the City of Watauga, Texas, hereby certify that this notice was posted on the official bulletin board at City Hall, 7105 Whitley Road, Watauga, Texas, on March 1, 2024, before 6:30 p.m., in accordance with Chapter 551 of the Texas Government Code.

/s/Linda Proskey
Linda Proskey, City Secretary
IPL0162216
Mar 1 2024

THE STATE OF TEXAS COUNTY OF TARRANT

Before me, a Notary Public in and for said County and State, this day personally appeared Stefani Beard, Bid and Legal Coordinator for the Star-Telegram, published by the Star-Telegram, Inc. at Fort Worth, in Tarrant County, Texas; and who, after being duly sworn, did depose and say that the attached clipping of an advertisement was published in the above named paper on the listed dates:

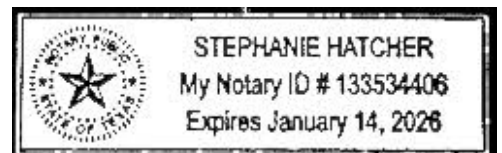
1 insertion(s) published on:
03/01/24

Stefani Beard

Sworn to and subscribed before me this 7th day of March in the year of 2024

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!



Public Hearing Notice – Specific Use Permit

March 7, 2024

Dear Property Owner:

The Planning and Zoning Commission will hold public hearings during their regular meeting on Wednesday, March 20, 2024 at 6:30 PM in the City Council Chamber at Watauga City Hall, 7105 Whitley Road. The purpose is to receive comments for or against the following item:

SUP.24-02: Public hearing to receive comments for or against a request for a specific use permit at the property commonly known as 5625 Watauga Road Suite #100, Lot 5, Block 5 of the I J Schellinger Subdivision, to allow for a pet grooming service in a Local Business (LB) zoning district. The subject property is located north of Watauga Road east of Denton Highway and west of Johnnie Street. Owner: Rafael Gregorio. Applicant/Agent: Luis Perez.

In accordance with State law, you are receiving this notice due to public records available through Tarrant Appraisal District which reflect you are the owner(s) of one or more parcels within two hundred (200) feet of the subject property. A site map is attached for your information. This notice will serve as public notice for all properties owned in the subject area.

If you are interested, you are invited to attend this meeting. If you cannot attend this meeting and wish to provide written comments or documentation to the Commission, please return your information on the attached response form or by email.

If you have any questions, please contact me at 817-514-5827 or e-mail jgarcia@wataugatx.org.

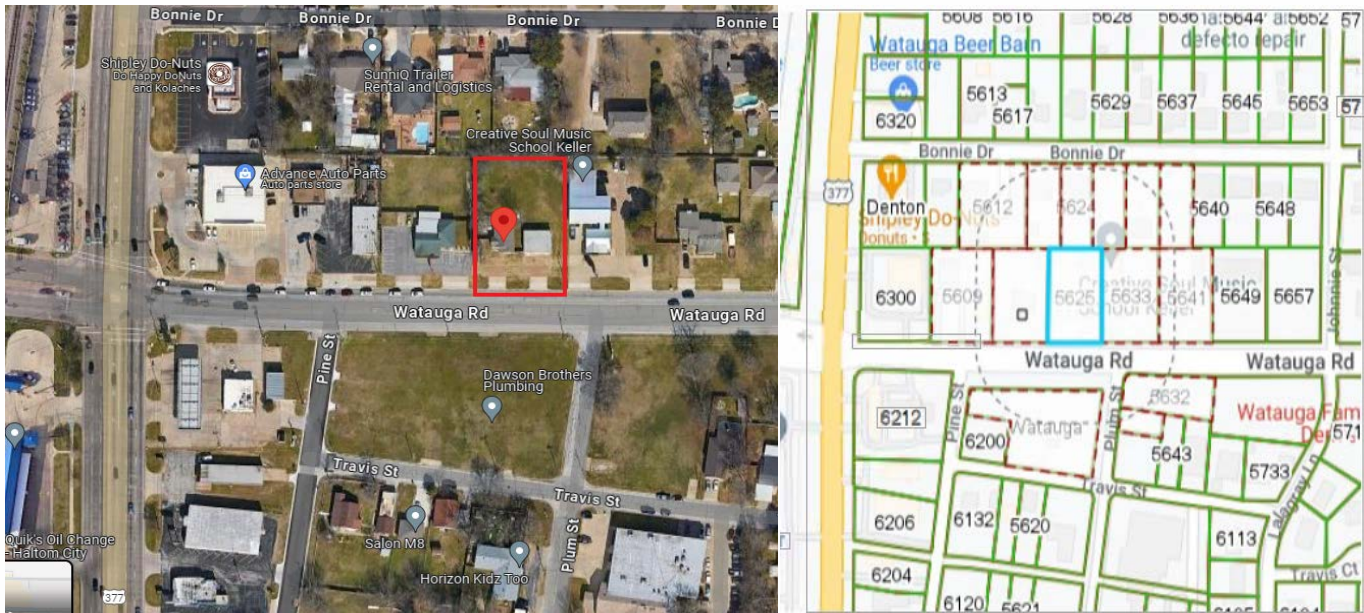
Sincerely,

A handwritten signature in blue ink that reads "Jeannette Garcia".

Jeannette Garcia
Planner I

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
<http://www.wataugatx.org>

Location Maps



Prepared by Development Services 03/07/2024

DISCLAIMER: *This product is for informational purposes only and represents the approximate relative location of property boundaries.



AGENDA MEMORANDUM

DATE: March 7, 2024

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planner I

SUBJECT: **SUP.24-02:** Consideration of a request for a specific use permit at the property commonly known as 5625 Watauga Road Suite #100, Lot 5, Block 5 of the I J Schellinger Subdivision, to allow for a pet grooming service in a Local Business (LB) zoning district. Owner: Rafael Gregorio. Applicant/Agent: Luis Perez.

BACKGROUND/INFORMATION:

Texas Local Government Code 211.007(b) requires the Planning & Zoning Commission to make a preliminary report prior to approving changes to the City's Zoning Ordinance. As such, this document now serves as the preliminary report.

Owner, RFB Capital LLC and applicant, Rafael Gregorio, has submitted a request for a specific use permit to allow for a pet grooming business in a Local Business (LB) zoning district. The subject property, known as 5625 Watauga Road Suite #100, will offer animal grooming services for domestic pets, excluding any boarding or medical care services, to ensure compliance with zoning regulations.

The property consists of two (2) suites and of the seven (7) parking spaces available, four (4) spaces will be dedicated to the pet grooming shop.

The Public Hearing Notice was duly posted and published by the City Secretary's Office on Friday, March 1, 2024 in the Fort Worth Star Telegram. Written notice of the public hearing on the proposed request was sent to all owners of property, or to the person rendering the same for city taxes within two hundred (200) feet of the subject property.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

The Development Review Team (DRT) respectfully recommend consideration of comments received during the public hearing of the preliminary report on the specific use permit for the final report to be presented during the April 8, 2024 City Council regular meeting.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:



AGENDA MEMORANDUM

1. Preliminary Report - SUP. 24-02 - 5625 Watauga Rd - Animal Grooming
2. Exhibit A - 5625 Watauga Rd - Site Plan
3. ORDINANCE - SUP.24-02 - 5625 Watauga Rd - Pet Grooming DRAFT

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 3/12/2024
Paul Hackleman, Director of Public Works	Approved - 3/14/2024
David Berman, City Attorney	Approved - 3/14/2024
Joshua Jones, City Manager	Approved - 3/14/2024
Linda Proskey, City Secretary	Final Approval - 3/15/2024

Approved as to form for inclusion on Agenda

PRELIMINARY REPORT

DATE: March 9, 2024

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planner I

SUBJECT: **SUP.24-02:** Consideration of a request for a specific use permit at the property commonly known as 5625 Watauga Road Suite #100, Lot 5, Block 5 of the I J Schellinger Subdivision, to allow for a pet grooming service in a Local Business (LB) zoning district.

BACKGROUND/INFORMATION:

Texas Local Government Code 211.007(b) requires the Planning & Zoning Commission make a preliminary report prior to approving changes to the City's Zoning Ordinance. As such, this document now serves as the preliminary report.

Owner, RFB Capital LLC and applicant, Rafael Gregorio has submitted this request for a specific use permit to allow for a pet grooming business in a Local Business (LB) zoning district. The subject property, known as 5625 Watauga Road Suite #100, will offer animal grooming services for domestic pets, excluding any boarding or medical care services, to ensure compliance with zoning regulations.

The property consists of two (2) suites and of the seven (7) parking spaces available, four (4) spaces will be dedicated to the pet grooming shop.

This area is designated on the Land Use Plan as Retail Transitional Mixed Use.

Surrounding land use includes:

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	SF-6	RTMU	Residential
SOUTH	GB	RTMU	Restaurant
EAST	C	RTMU	Studio - Music
WEST	LB	RTMU	Personal Service

PRELIMINARY REPORT

CURRENT ACTIVITY:

An official application was submitted to Development Services on February 15, 2024.

The City Secretary's Office gave notice of the application request to be published in the official newspaper of the city on March 1, 2024, giving notice in stating of the day, time, and place at which the Planning & Zoning Commission will meet to consider the preliminary report for the specific use permit and to hear comments at a public hearing. Additionally, required notices were mailed to all property owners of property located within 200 ft. of the property upon which the replat is requested.

Once the Preliminary Report is filed and the public hearing is conducted, a final report will be completed and submitted to the City Council by the Planning & Zoning Commission through the City Secretary's Office for action by the City Council during the meeting scheduled for April 8, 2024.

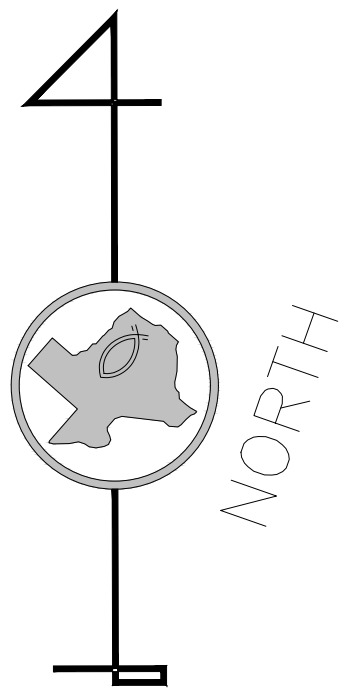
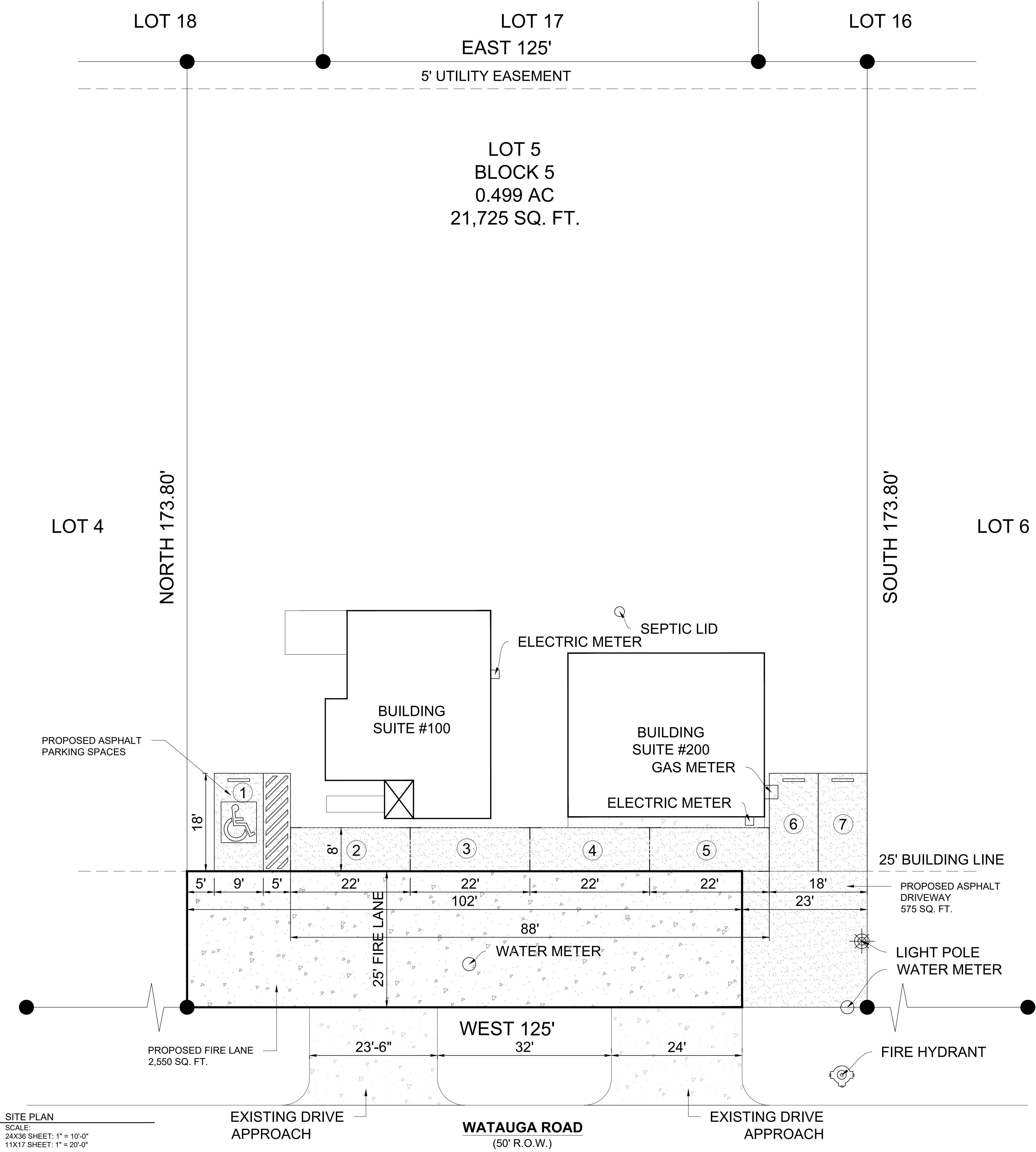
RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommend approval of this request and make final report on the request for the April 8, 2024, City Council Regular Meeting.

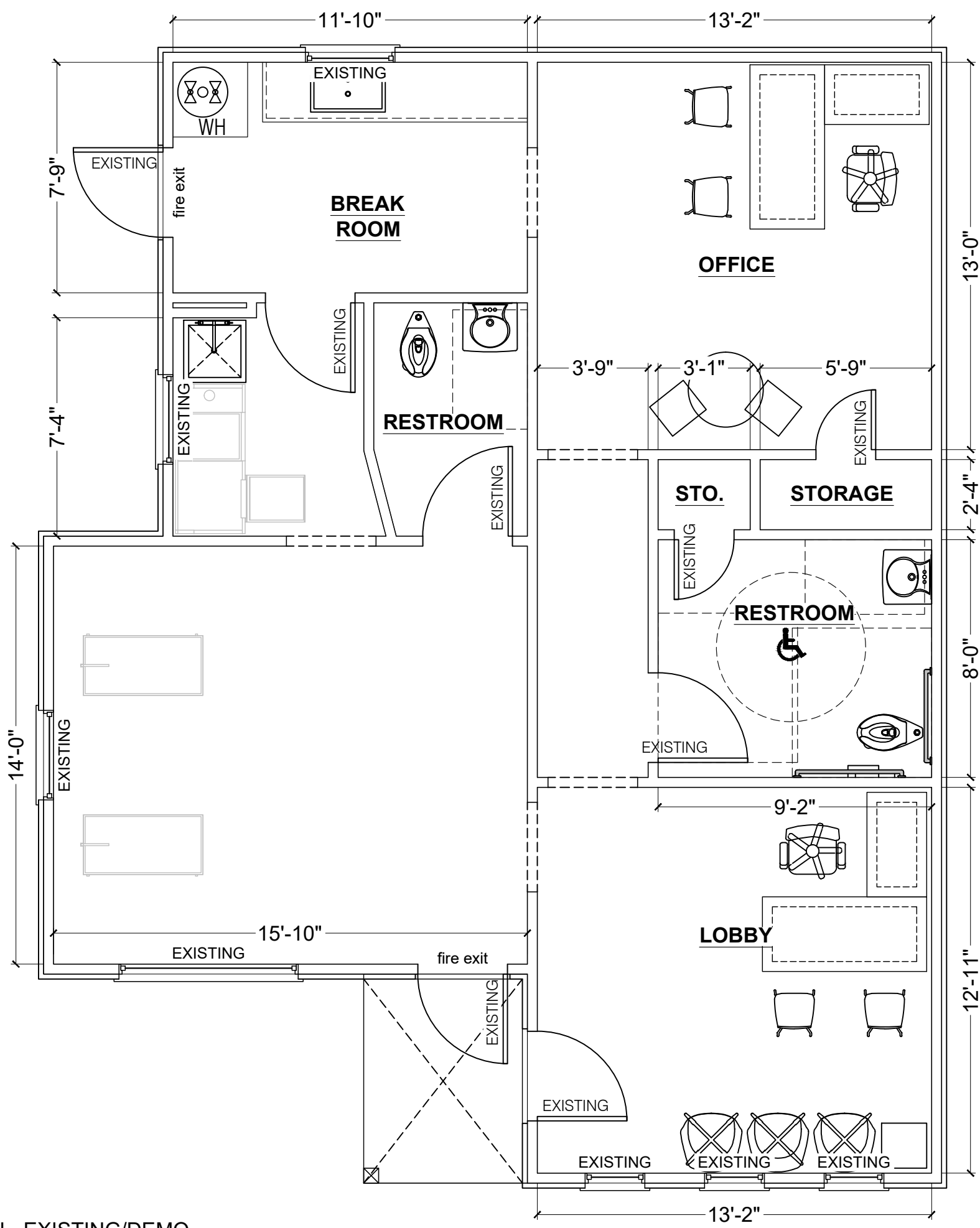
ATTACHMENTS/ SUPPORTING DOCUMENTATION:

Site plan

EXHIBIT "A"



PROJECT DATA:	ADDRESS:	5625 WATAUGA RD, SUITE #100 WATAUGA, TX 76148
	REVISIONS:	V0 - 10/02 V1 - 10/26
	CONSULTANT:	
	LEGAL DESCRIPTION:	SCHELLINGER, I J SUBDIVISION BLOCK 5 LOT 5
SHEET DATA:	SCALE:	AS NOTED
	DATE:	02/08/24
	SITE PLAN	
A1-0		
THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS STRUCTURE. THESE PLANS MUST BE VERIFIED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HVAC, AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. NOTE: ALL FEDERAL, STATE, AND LOCAL CODES AND RESTRICTIONS TAKE PRECEDENCE OVER ANY PART OF THESE PLANS. GREAT CARE AND EFFORT HAVE GONE INTO THE CREATION OF THESE BLUEPRINTS. HOWEVER, BECAUSE OF THE VARIANCE IN GEOGRAPHIC LOCATIONS, THE CREATOR OF THESE PLANS WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE PURCHASE OF THESE PLANS ENTITLES THE BUYER TO CONSTRUCT THIS HOUSE ONLY ONCE. ANY COPYING, TRADING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATORS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS.		



BLDG #100 - FLOOR PLAN - EXISTING/DEMO

SCALE:
24X36 SHEET: 1/4" = 1'-0"
11X17 SHEET: 1/8" = 1'-0"

DEMOLITION NOTES BY NUMBER

D1. GENERAL CONTRACTOR TO VERIFY BUILDING MEETS CODE STANDARDS PER CITY REQUIREMENTS.

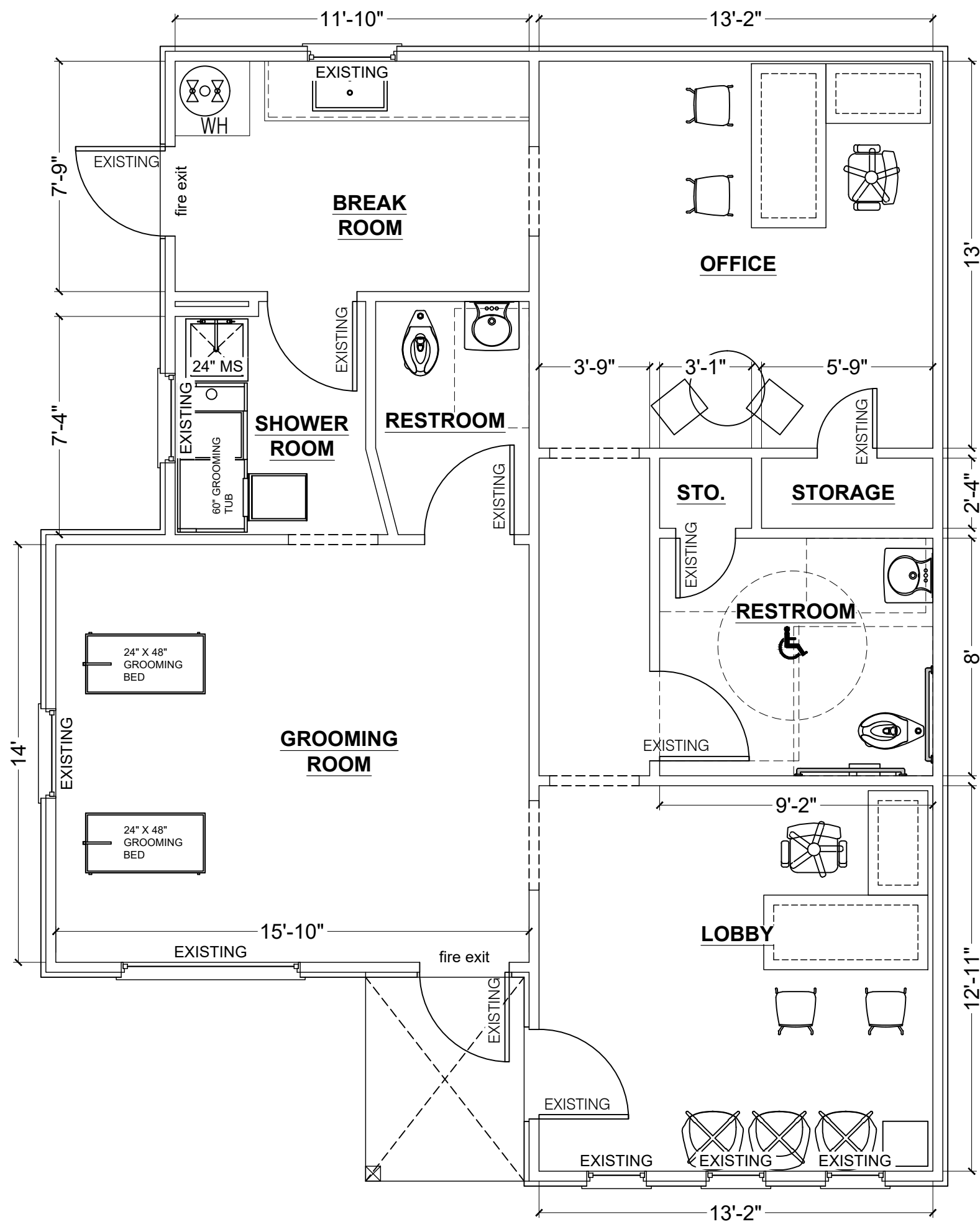
DEMOLITION PLAN LEGEND

	EXISTING PARTITION TO REMAIN.		EXTENT OF DEMOLITION.
	EXISTING PARTITION TO BE REMOVED.		NOT IN CONTRACT.
	PROPOSED WALLS.		PLAN NOTE SYMBOL.
	DENOTES EXISTING TO REMAIN.		CMU BLOCK WALL.
	DENOTES EXISTING TO BE RELOCATED.		PARTIAL WALL PARTITION.
	DENOTES EXISTING TO BE DEMOLISHED.		DEMO AREA, RE NOTES FOR ITEMS TO BE DEMOED.

SQUARE FOOTAGE TABULATION

CONDITIONED SPACE: 960.32 SQ. FT.
FRONT COV'D ENTRY: 38.36 SQ. FT.

TOTAL: 998.68 SQ. FT.



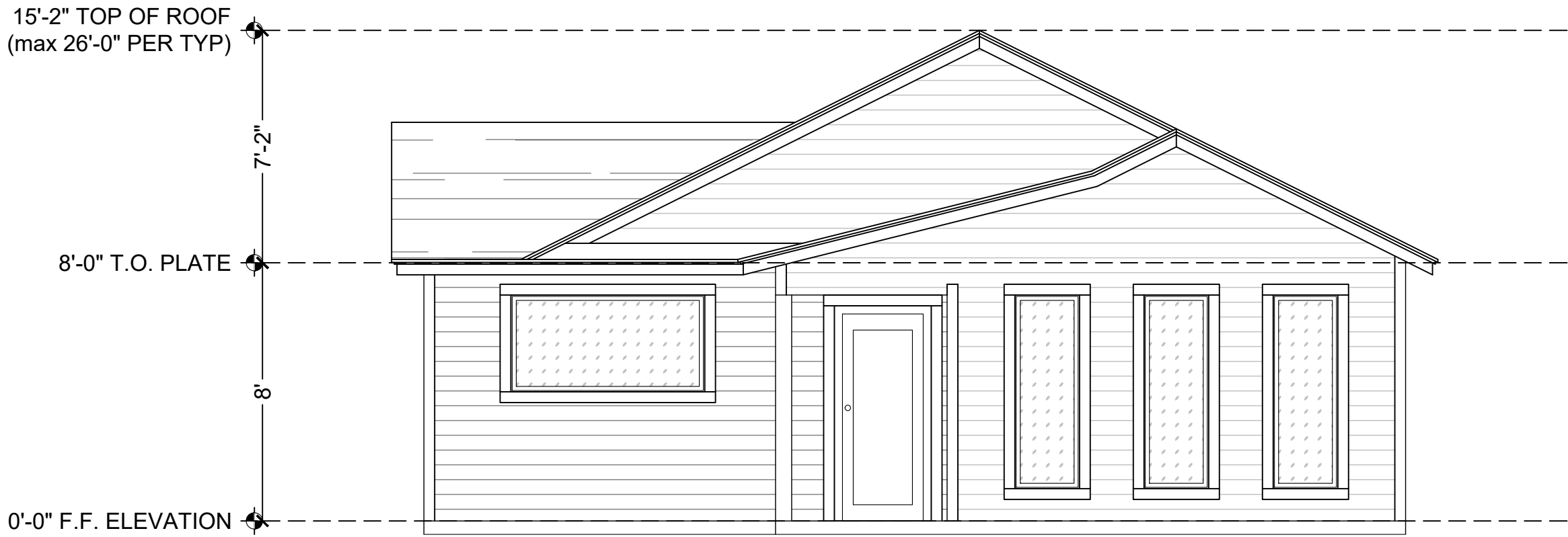
BLDG #100 - FLOOR PLAN - PROPOSED

SCALE:
24X36 SHEET: 1/4" = 1'-0"
11X17 SHEET: 1/8" = 1'-0"

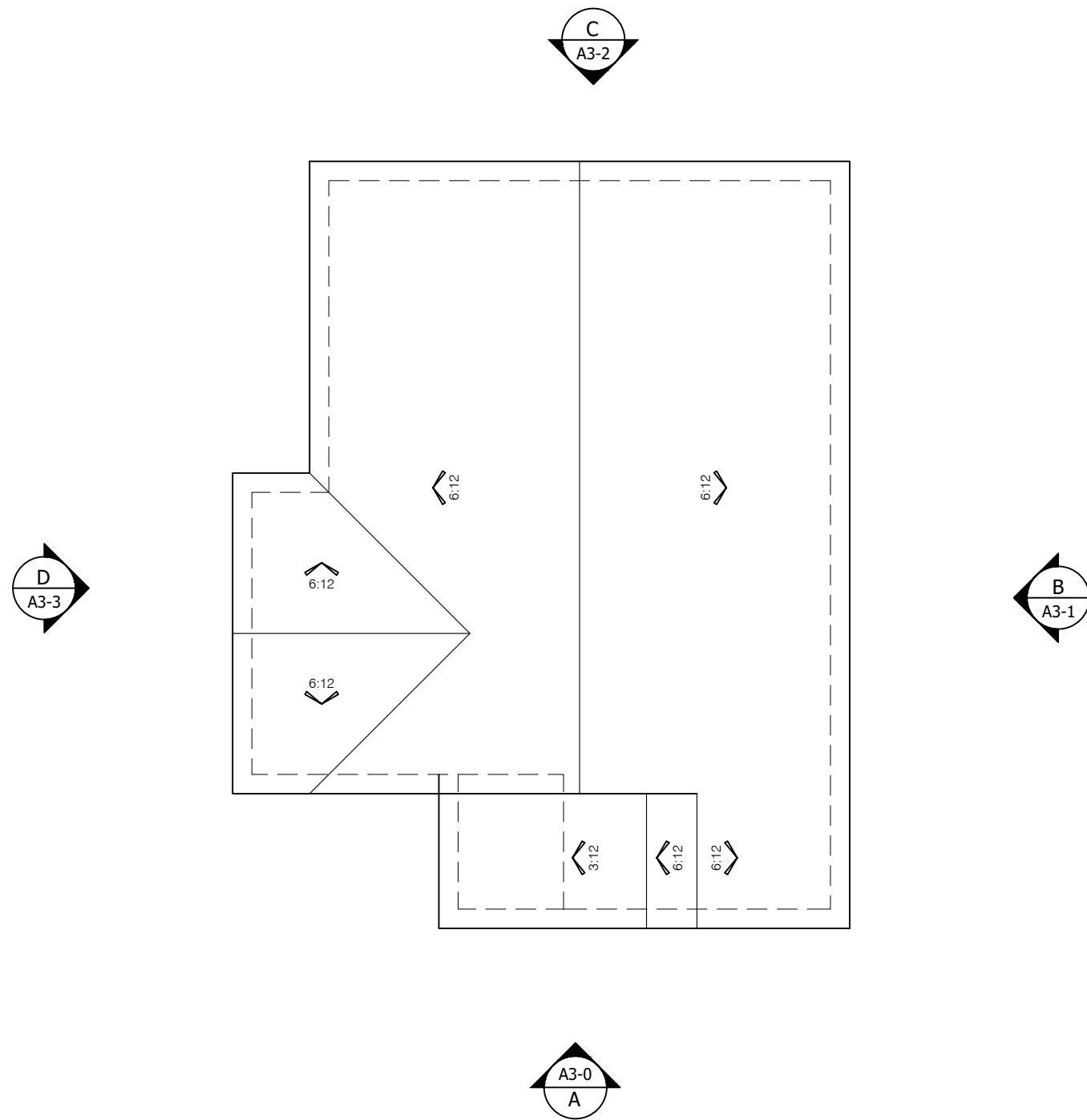
SQUARE FOOTAGE TABULATION

CONDITIONED SPACE: 960.32 SQ. FT.
FRONT COV'D ENTRY: 38.36 SQ. FT.

TOTAL: 998.68 SQ. FT.



A FRONT ELEVATION
SCALE:
24X36 SHEET: 1/4" = 1'-0"
11X17 SHEET: 1/8" = 1'-0"



KEY ROOF PLAN
SCALE:
24X36 SHEET: 1/8" = 1'-0"
11X17 SHEET: 1/16" = 1'-0"



1111 W ROCKINGBIRD LN DALLAS, TX 75247
LUDKCS99@GMAIL.COM
(972) 358-8000

**5625 WATAUGA RD,
SUITE #100
WATAUGA, TX 76148**

V0 - 10/02
V1 - 10/26

LEGAL DESCRIPTION:
SCHELLINGER, I J
SUBDIVISION BLOCK 5
LOT 5

SCALE:
AS NOTED

DATE:
02/08/24

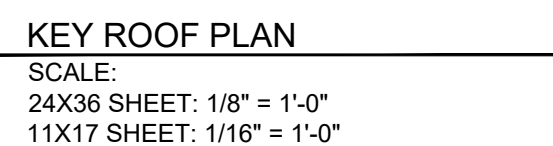
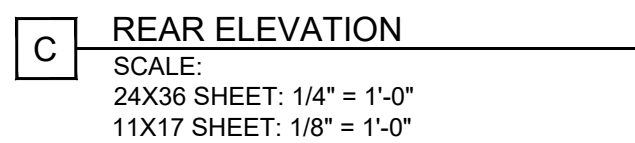
ELEVATIONS

A3-0

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**5625 WATAUGA RD,
SUITE #100
WATAUGA, TX 76148**

V0 - 10/02
V1 - 10/26

LEGAL DESCRIPTION:
SCHELLINGER, I J
SUBDIVISION BLOCK 5
LOT 5

SCALE:
AS NOTED

DATE: 02/08/24

ELEVATIONS

A3-3

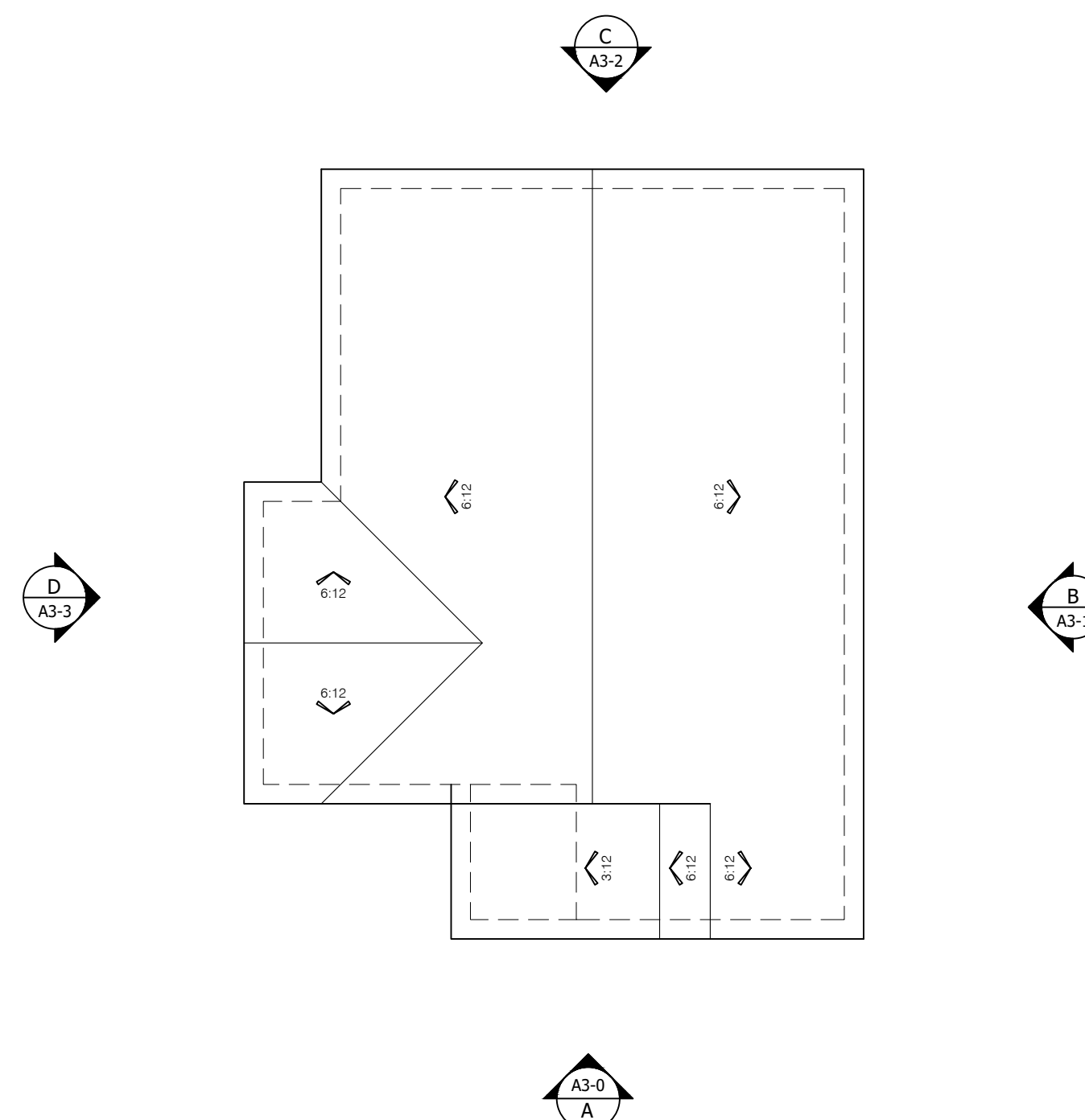
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D LEFT ELEVATION
 SCALE:
 24X36 SHEET: 1/4" = 1'-0"
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KEY ROOF PLAN

SCALE:
24X36 SHEET: 1/8" = 1'-0"
11X17 SHEET: 1/16" = 1'-0"

**CITY OF WATAUGA, TEXAS
ORDINANCE NO. 2024-XXX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS GRANTING A SPECIFIC USE PERMIT TO ALLOW FOR ANIMAL GROOMING AS DESCRIBED IN PLANNING AND ZONING CASE SUP.24-02: FOR THE PROPERTY DESCRIBED AS THE IJ SCHELLINGER SUBDIVISION, LOT 5 BLOCK 5, AND ADDRESSED AS 5625 WATAUGA ROAD #100 TO THE OWNERS OF PROPERTY; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

WHEREAS, RFB Capital LLC (hereinafter, the “Owner/Agent”) owners of property addressed as 5625 Watauga Road #100, located to the north of Watauga Road west of Johnnie Street and east of Denton Highway and further described as the I J Schellinger Subdivision, Lot 5 Block 5, located in the City of Watauga, Tarrant County, Texas (hereinafter, the “Property”); and

WHEREAS, Rafael Gregorio, the Owner, (hereinafter the “Agent”) has made proper application to the Planning and Zoning Commission, in accordance with the Zoning Chapter, for a specific use permit (SUP) authorizing the use of said Property for animal grooming; and

WHEREAS, the City of Watauga has adopted a comprehensive zoning ordinance providing for the development of the City (hereinafter, the “Zoning Chapter”); and

WHEREAS, the Property is presently zoned with the classification of Local Business (LB) District; and

WHEREAS, a specific use permit is an amendment to zoning applicable to the property but is not a permanent change in zoning; and

WHEREAS, in granting a specific use permit, the City Council may impose on the Owners/Agent certain requirements and safeguards as are necessary to protect adjoining properties; and

WHEREAS, written notice of the Planning and Zoning public hearing on the proposed changes was sent to all owners of property, or to the person rendering the same for city taxes, affected by such proposed changes of classification, and to all owners of property, or to the person rendering the same for city taxes located within 200 feet of the Property affected thereby, in accordance with Section 115-35(c)(3)(b); and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Watauga have each conducted, in the time and manner and after the notice required by law, a public hearing on the application for such specific use permit; and

WHEREAS, the Planning and Zoning Commission has issued its final report hearing regarding said request for specific use permit, and the City Council now deems it appropriate to grant such requested specific use permit, subject to certain limitations, restrictions and conditions; and

WHEREAS, the City Council of the City of Watauga finds all requirements of the Zoning Chapter pertaining to zoning map amendments have been met; and

WHEREAS, the City Council of the City of Watauga finds that adoption of this ordinance is in the interest of the general health, safety, and welfare of the community and is in general conformance with the master plan of the City; and

WHEREAS, the City Council of the City of Watauga, Texas has considered the application and the materials presented referenced herein and now deems it appropriate to grant approval of the issuance of such SUP.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Watauga, Texas that:

I.

The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

II.

The specific use granted to the Owners/Agent for the Property by this Ordinance is Specific Use: Animal Grooming.

III.

The Property shall be developed in accordance with the Site Plan attached hereto as Exhibit “A” and shall comply with the following additional regulations: Section 115-85(c) 2, 7, 17, and 24 of the Code of Ordinances;

- (2) A site plan in accordance with section 115-115, Site plan requirements, will only be required in districts which require a specific use permit.
- (7) Must provide screening and/or landscaping consisting of fences/walls, beams [berms], or a combination of such from any abutting residentially zoned property.
- (17) No veterinary services shall be permitted.
- (24) No outdoor exercise areas, runs, or holding pens may be located within 50 feet of any residentially zoned property.

IV.

The Zoning District Map of City of Watauga, Texas shall be revised and amended to show the specific use permitted on the Property as provided in Section II hereof, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the changes.

V.

If the use authorized by the Specific Use Permit granted is not commenced within one (1) year from the date of issuance for this permit, then this permit shall become void, provided that such limitation may be extended upon application by the Owners/Agent of such property to the City Council of the City of Watauga. In the event the building, premise, or land use under the specific use permit is voluntarily vacated by the Owners/Agent for a period of no less than six months, or if such building, premise, or land is more than 50 percent destroyed by fire or other cause, the use of the same shall thereafter conform to the regulations of the original zoning.

VI.

This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other ordinance(s) are hereby repealed. However, to the extent this Ordinance represents any deviation from the Future Land Use Plan of the City of Watauga City Comprehensive Plan; such map is hereby amended to conform to this Ordinance.

VII.

If any section, sub-section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

VIII.

It shall be unlawful for any person to violate any provision of this Ordinance. Any person who violates, or any person who causes or allows another person to violate, any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2000.00). Each occurrence of any violation of this Ordinance shall constitute a separate offense. Each day in which any violation of this Ordinance occurs shall constitute a separate offense.

IX.

This Ordinance shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council and upon approval thereof by the Mayor of the City of Watauga, Texas and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas, the 8th day of April, 2024.

APPROVED:

ARTHUR L. MINER, MAYOR

ATTEST:

LINDA PROSKEY, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

DAVID M BERMAN, CITY ATTORNEY
NICHOLS JACKSON LLP