



"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, Vice-Chairperson
David Bry	Place 4, Member
Cristy McCauley-Blackburn	Place 5, Member
Karen Isbell	Place 6, Chairperson
Sharon Gehle	Place 7, Member

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 20th day of March, 2024.

SIGNED: this the 20th day of March, 2024.

APPROVED: Q. Adams /s/
~~Karen Isbell~~ Chairperson
Quincy Adams

ATTEST: Q. Adams /s/
Quincy Adams, Secretary

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