

CITY OF AZLE PLANNING AND ZONING COMMISSION
NOTICE AND AGENDA OF REGULAR MEETING
505 W. MAIN STREET – CITY COUNCIL CHAMBERS
THURSDAY – October 15, 2020

COMMISSIONERS

Chairman, Leonard Wheeler
Laurel Mosier
Jared Arneson
Curt Lampkin

Vice Chairperson, Jim Carlson
Glenn Coffey
Mick Rudock

The Planning and Zoning Commission meeting consists of two parts, a Pre-Commission Work Session and the Regular Session. Both the Pre-Commission Work Session and the Regular Session are open to the public.

In accordance with order of the Office of the Governor issued March 19, 2020, The Azle Planning and Zoning Commission will have a scheduled meeting at 6:00 p.m. at City Hall in part by telephone conference in order to advance the public health goal of limited face-to-face meetings (also called “social distancing”), and to slow the spread of Coronavirus (Covid-19).

The public toll-free dial-in number to participate in the telephone meeting is:

Dial-in number (US): (844) 854-2222

Access code: 201221#

The public will be permitted to offer public comments by telephone as provided by the agenda and as permitted by the presiding officer during the meeting.

PRE-COMMISSION WORK SESSION

No work session

REGULAR SESSION

6:00 p.m.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS:

1. Consider approval of the minutes of the Regular Meeting held on October 01, 2020.

PUBLIC HEARINGS:

2. Conduct public hearing and make a recommendation to City Council regarding a zoning change request for a 8.361 acre tract of land situated in the Wilson Scruggs Survey, Abstract No. 1948, City of Azle, Tarrant County, Texas, and being all that certain 6.858 acre tract of land conveyed to BBCAT, LLC, by deed recorded in Instrument Number D215248946, Official Public Records, Tarrant County, Texas, and being all that certain 1.502 acre tract of land conveyed to BBCAT, LLC, by deed recorded in Instrument Number D215248958, Official Public Records, Tarrant County, Texas from the Planned Development #22 to the Heavy Commercial District.

ADJOURNMENT:

I, the undersigned authority, do hereby certify the above Agenda was posted at City Hall on October 9, 2020 at the City's official bulletin board which is readily accessible to the public at all times in accordance with V.T.C.A. Chapter 551, Texas Government Code.

Yael Forgey, City Secretary

Date Agenda Removed from Posting

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.

**CITY OF AZLE PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING
505 W. MAIN STREET
CITY COUNCIL CHAMBERS
10/01/2020**

1. Regular Session

2. Call to Order

Roll Call of Members

Attendance was taken at: 6:02 PM. A Quorum of members was present to conduct a meeting by the following results.

Present: (6) Place 1 Jared Arneson; Place 2 Glenn Coffey; Chairman Leonard Wheeler; Vice-Chair Jim Carlson; Place 6 Curt Lampkin; Place 5 Mick Rudock

Absent: (1) Place 3 Laurel Mosier

3. Invocation

Commissioner Carlson gave the invocation

This agenda item was not addressed during the meeting.

4. Pledge of Allegiance

Commissioner Arneson led the Pledge of Allegiance

5. Consent Agenda

A motion to approve this consent agenda was made by Vice-Chair Jim Carlson and seconded by Place 1 Jared Arneson.

This motion carried by the following results.

YES: (6) Place 1 Jared Arneson; Place 2 Glenn Coffey; Chairman Leonard Wheeler; Vice-Chair Jim Carlson; Place 6 Curt Lampkin; Place 5 Mick Rudock

Absent: (1) Place 3 Laurel Mosier

Description

Consider approval of the minutes of the Regular Meeting held on September 17, 2020. The Minutes were approved under the consent agenda.

6. Discussion Items

Discussion of general requirements of the Subdivision Ordinance and impact of HB 3167.

Discussion of processing zoning cases and impact of HB2439

Adjourn

Meeting adjourned at 7:59 PM

Approved:

Chairman Wheeler

Attest:

Debbie Clayton, Administrative Assistant

Planning And Zoning Communication

Item # 2

Submitted By:	Greg Mitchell, Development Services Manager	Date:	October 15, 2020
Subject:	<p>To consider an application to rezone property described as a 8.361 acre tract of land situated in the Wilson Scruggs Survey, Abstract No. 1948, City of Azle, Tarrant County, Texas, and being all that certain 6.858 acre tract of land conveyed to BBCAT, LLC, by deed recorded in Instrument Number D215248946, Official Public Records, Tarrant County, Texas, and being all that certain 1.502 acre tract of land conveyed to BBCAT, LLC, by deed recorded in Instrument Number D215248958, Official Public Records, Tarrant County, Texas from the Planned Development #22 to the Heavy Commercial District. The property is generally located in the 300 block of Northwest Parkway north of the old K-Mart store.</p>		

Action Requested:	<p>Conduct public hearing and make a recommendation to City Council regarding a zoning change request for a 8.361 acre tract of land situated in the Wilson Scruggs Survey, Abstract No. 1948, City of Azle, Tarrant County, Texas, and being all that certain 6.858 acre tract of land conveyed to BBCAT, LLC, by deed recorded in Instrument Number D215248946, Official Public Records, Tarrant County, Texas, and being all that certain 1.502 acre tract of land conveyed to BBCAT, LLC, by deed recorded in Instrument Number D215248958, Official Public Records, Tarrant County, Texas from the Planned Development #22 to the Heavy Commercial District.</p>
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Purpose (Outline – Who, What, Where, Why & How)	<p>To consider a request to rezone an approximately 8.361 acre tract of land from the Planned Development District to the Heavy Commercial District.</p>
Suggested Motions	<ol style="list-style-type: none"> 1) I move to approve Case # Z-2020-05 2) I move to disapprove Case # Z-2020-05 3) I move to table Case # Z-2020-05 until _____

Checklist of Attachments			
<input type="checkbox"/> Contract	<input type="checkbox"/> Agreement	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution
<input type="checkbox"/> Policy	<input type="checkbox"/> Applications	<input type="checkbox"/> Legal Opinion	<input type="checkbox"/> Minute Order
<input type="checkbox"/> Letter/Memo From Applicant	<input type="checkbox"/> P&Z Minutes	<input type="checkbox"/> Council Minutes	<input type="checkbox"/> Other Minutes
<input type="checkbox"/> Staff	<input type="checkbox"/> Checklist	<input type="checkbox"/> Federal Law	<input type="checkbox"/> Plans / Drawings
<input checked="" type="checkbox"/> Other	<input type="checkbox"/> State Law	<input type="checkbox"/> Bid Tabulations	<input type="checkbox"/> Maps
	<input type="checkbox"/> Attachments	<input type="checkbox"/> Notices	<input type="checkbox"/> Charter

Planning and Zoning Commission

Staff Analysis

Case # Z2020-05

Meeting Date: October 15, 2020

Summary of Request

Conduct a public hearing and make a recommendation to City Council regarding a request to rezone a 8.361 acre tract of land situated in the Wilson Scruggs Survey, Abstract No. 1948, City of Azle, Tarrant County, Texas, and being all that certain 6.858 acre tract of land conveyed to BBCAT, LLC, by deed recorded in Instrument Number D215248946, Official Public Records, Tarrant County, Texas, and being all that certain 1.502 acre tract of land conveyed to BBCAT, LLC, by deed recorded in Instrument Number D215248958, Official Public Records, Tarrant County, Texas from the Planned Development #22 to the Heavy Commercial District. The property is located in the 300 Block of Northwest Parkway.

Existing Condition of Property

The property is currently undeveloped.

Adjacent Zoning

North: Heavy Commercial & Single Family 2

South: Heavy Commercial

East: Single Family 3

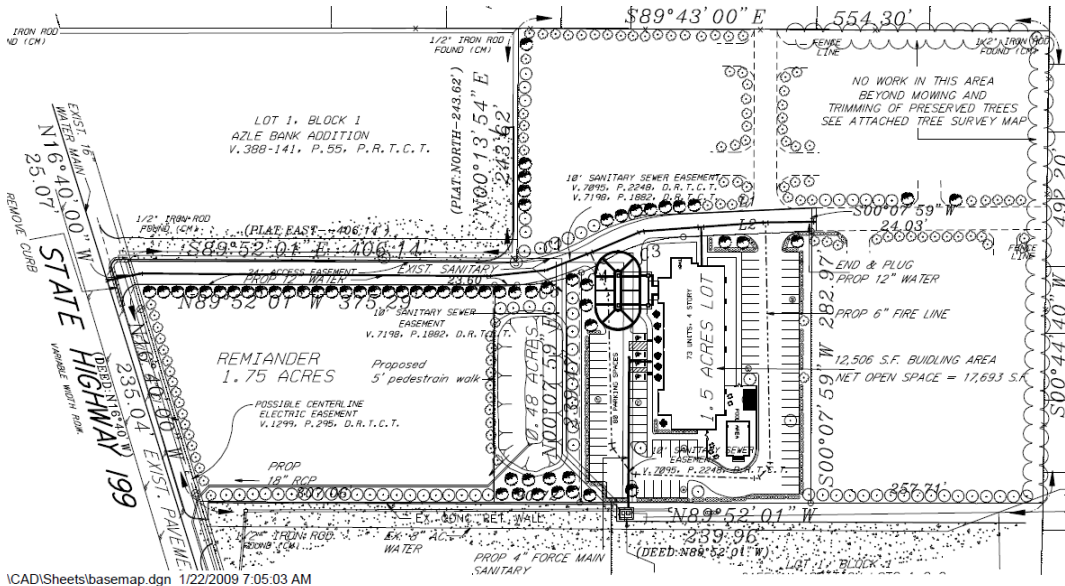
West: Hwy 199

Current Zoning

The property is currently Zoned Planned Development # 22. This Planned Development was approved in 2009 but was never developed.



Approved Planned Development # 22

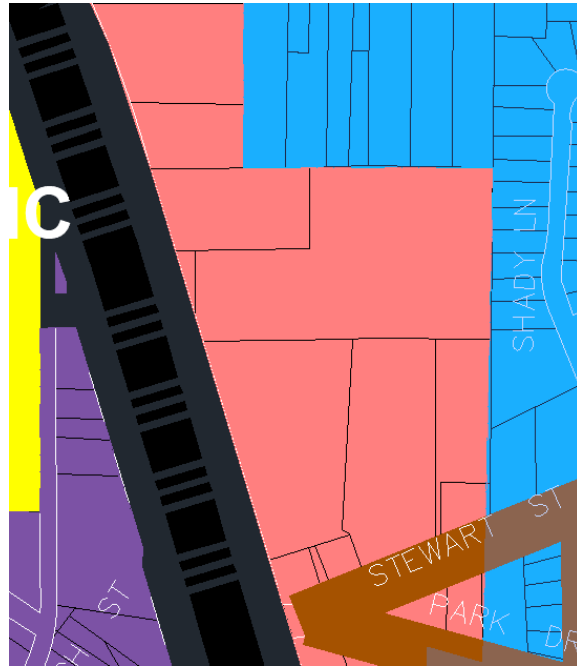


PD-22 allowed for the development of a hotel, offices, and a fast food restaurant. With the downturn of the economy in 2009 the PD was never developed. The property has been unsuccessfully marketed for these uses for over 10 years. The owner is requesting the property be rezoned back to its original Heavy Commercial to allow for the proposed development of a Discount Tire store.

Allowed Use in the Heavy Commercial District

- | | |
|--------------------|------------------------------|
| Public Schools | Offices |
| Daycares | Restaurants |
| Churches | Quick Vehicle Servicing |
| Community Services | Retail Sales |
| Auto Sales | Scientific Research |
| Carwashes | Bakeries |
| Hotel/Motel | Construction Equipment Sales |
| Parking Lots | Printing / Publishing |
| Equipment Rental | Self Storage Facilities |
| Laundry | Vet. Clinics |
| Medical Labs | Wholesale Sales |
| Movie Theaters | Barber Shop |
| Dance Studio | Fitness Facilities |
| Health Studio | Tattoo Parlor |
| Tanning Salon | |

Comprehensive Plan Compliance



The proposed area to be rezoned is designated as Commercial in the City of Azle's Comprehensive Land Use Plan. The proposed zoning is in compliance with the plan.

Twenty-two (22) letters were sent to surrounding property owners within 200 feet of the proposed rezoning area. As of October 8, 2020, staff has received the following responses:

In favor of request	-	2
Opposed to request	-	2 (same property)
Neutral to request	-	0

Letters in Favor

**NOTICE OF PUBLIC HEARING
Z2020-05**

The Planning and Zoning Commission of the City of Azle will hold a public hearing on **Thursday, October 15, 2020** to consider making a recommendation to the City Council regarding a request to rezone a 8.361 acre tract of land situated in the Wilson Scruggs Survey, Abstract No. 1948, City of Azle, Tarrant County, Texas, and being all that certain 6.858 acre tract of land conveyed to BBCAT, LLC, by deed recorded in Instrument Number D215248946, Official Public Records, Tarrant County, Texas, and being all that certain 1.502 acre tract of land conveyed to BBCAT, LLC, by deed recorded in Instrument Number D215248958, Official Public Records, Tarrant County, Texas from the Planned Development # 22 District back to the original zoning district of Heavy Commercial. The property is generally located along Hwy. 199 behind the old K-Mart building and west of Shady Lane.

The public hearing will start at 6:00 p.m. in the City Council Chambers located at 505 W. Main, Azle, Texas. *Because you own property within two hundred (200) feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing.* Please, in order for your opinion to be taken into account, return this form with your comments prior to the date of the public hearing. *(This in no way prohibits you from attending and participating in the public hearing.)* You may mail it to the address below or drop it off in person:

Planning Department
PO Box 1378
Azle, Texas 76098
Attn: Greg Mitchell

The process includes two public hearings designed to provide opportunities for citizen involvement and comment. Prior to the public hearings, landowners within two hundred (200) feet of the subject property are notified of the request by way of this notice. The first public hearing is held before the Planning and Zoning Commission. The Commission is informed of the percent of responses in support and in opposition. Second, the petition is forwarded to the City Council for final action. Should the Commission recommend denial, or if the owners of more than twenty (20) percent of the land area within two hundred (200) feet of the site submit written opposition, then six out of seven votes of the City Council are required to approve the request. ***These forms are used to calculate the percentage of landowner opposition.***

Please circle one:

In favor of request

Neutral to request

Opposed to request

Reasons for Opposition:

Signature: Harry Grape
Printed Name: Harry Grape
Mailing Address: 325 Shady Lane
City, State Zip: Azle Tx. 76020
Telephone Number: 817-832-2985
Physical Address of Property within 200 feet: _____

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Please circle one:

In favor of request

Neutral to request

Opposed to request

Reasons for Opposition:

Signature: Harry Grape

Printed Name: Harry Grape

Mailing Address: 32.5 Shady Lane

City, State Zip: Azle Tx. 76020

Telephone Number: 817-832-2985

Physical Address of Property within 200 feet: _____

Letters Opposed

**NOTICE OF PUBLIC HEARING
Z2020-05**

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Please circle one:

In favor of request

Neutral to request

Opposed to request

Reasons for Opposition:

Does not believe heavy commercial reflects current zoning.

Signature: _____

Robert Petrie

Printed Name: _____

Robert Petrie

Mailing Address: _____

7217 Charlene Court

City, State Zip: _____

Azle, TX, 76020

Telephone Number: _____

817-401-1617

Physical Address of Property within 200 ft: _____

505-527 N Stewart St.

NOTICE OF PUBLIC HEARING Z2020-05

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Please circle one:

In favor of request

Neutral to request

Opposed to request

Reasons for Opposition:

Does not believe in heavy commercial reflects current zoning regulations.

Signature: _____

Printed Name: Jacob Petrie

Mailing Address: 924 Cansy Drive

City, State Zip: Saginaw, TX, 76431

Telephone Number: 682-583-4962

Physical Address of Property within 200 feet: 505-527 N Stewart St

Letters Neutral to the Request

None

Staff Finding

The proposed development is in conformance with the City of Azle's Comprehensive Plan as well as the surrounding properties.