MINUTES OF THE REGULAR MEETING OF THE PLANNING & ZONING COMMISSION OF THE CITY OF LAKE WORTH, TEXAS HELD IN CITY HALL, COUNCIL CHAMBERS, 3805 ADAM GRUBB TUESDAY, NOVEMBER 17, 2020

REGULAR MEETING: 6:30 PM

A. CALL TO ORDER.

Chair Sherrie Kubala-Watkins called the Planning & Zoning Commission meeting to order at 6:30 p.m.

A.1 INVOCATION AND PLEDGE OF ALLEGIANCE.

Commissioner Patty Biggers gave the invocation and attendees recited the pledge of allegiance.

A.2 ROLL CALL.

Present: Diane Smith Place 1

Sherrie Kubala Watkins Chair, Place 2

Patty Biggers Place 4
Troy Jones Place 5

Coy Pennington Alternate Place 6
Don Riley Alternate Place 7

Absent: Jeannie Turley Place 3

Staff Present: Stacey Almond City Manager

Barry Barber Director of Building Development Suzanne Meason Planning and Zoning Administrator

Alicia Kreh City Attorney

Alternate Place #6, Coy Pennington and Alternate Place #7, Don Riley were voting members for certain items on the agenda; due to one regular member absence and one member recusing herself from two of the agenda items.

A.3 CITIZENS PRESENTATION / VISITOR COMMENTS.

There were no requests to speak from the public.

- B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS
- B.1 APPROVE MINUTES OF THE OCTOBER 20, 2020 REGULAR PLANNING AND ZONING COMMISSION MEETING.

APPROVED

COMMISSIONER DIANE SMITH MADE A MOTION, SECONDED BY COMMISSIONER PATTY BIGGERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION TO APPROVE CARRIED 5-0.

- C. PUBLIC HEARINGS
- C.1 PUBLIC HEARING TO CONSIDER PLANNING & ZONING CASE PZ-2020-14, AN ORDINANCE AMENDING ORDINANCE NO. 1169, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE WORTH BY CHANGING THE ZONING DISTRICT CLASSIFICATION FROM "PC" PLANNED COMMERCIAL TO "C" COMMERCIAL FOR AN APPROXIMATELY 1.0257 ACRE PARCEL OF LAND KNOWN AS BLOCK 1, LOT 3, LAKE WORTH TOWNE CROSSING ADDITION, OR MORE COMMONLY KNOWN AS 4041 PAUL MEADOR DRIVE, LAKE WORTH, TEXAS AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE.

APPROVED

Chair Sherrie Kubala-Watkins opened the public hearing at 6:35 pm and called on staff to present the case.

Ms. Suzanne Meason presented the case to the Commission. She advised that this was the request on Madison Black who desires to develop the property. Before it can be developed it would have to be changed from the "PC" Planned Commercial zoning district to the "C" Commercial zoning district under the City's new Comprehensive Zoning Ordinance. The Commission was given an excerpt containing the land use table, which outlines what uses are allowed in the "C" Commercial zoning. Notice of the public hearing was mailed out to all those property owners within two hundred (200') foot of the subject property and published in the Fort Worth Star Telegram. Ms. Meason reported that she had received two (2) public comments forms back which were in favor of the request.

Madison Black, 5213 El Campo Dr., Ft Worth, Texas, the applicant was present to answer any questions. She advised that she wanted to open a HTeaO business on the site. Ms. Black noted that the best way to describe the business was that it was like the "Starbucks" of iced tea. She advised that there were locations in Weatherford, Bedford, Plano, Carrollton and many other locations to be developed in Texas. She advised that this would be her first store, and she expected to open two (2) additional stores.

There being no one else in the audience wishing to speak, Chair Sherrie Kubala-Watkins closed the public hearing at 6:39 pm and called for a motion.

COMMISSIONER TROY JONES MADE A MOTION, SECONDED BY COMMISSIONER DIANE SMITH, TO APPROVE PLANNING AND ZONING CASE #PZ-2020-14.

MOTION TO APPROVE CARRIED 5-0.

C.2 Public Hearing to consider Planning & Zoning Case PZ-2020-15, an ordinance AMENDING THE 2035 FUTURE LAND USE PLAN MAP FROM PLANNED MIXED USE TO SINGLE-FAMILY-HIGH DENSITY FOR AN APPROXIMATELY 15.06 ACRE TRACT OF LAND KNOWN BY METES AND BOUNDS AS A TRACT OF LAND SITUATED IN THE JACOB WILCOX SURVEY. ABSTRACT NO. 1741, CITY OF LAKE WORTH, TARRANT COUNTY, TEXAS; AND BEING PART OF A TRACT OF LAND DESCRIBED IN THE WARRANTY DEED TO NORTH CORRIDOR REALTY LTD., RECORDED IN INSTRUMENT No. D206356748, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF AZLE AVENUE (A VARIABLE WIDTH RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF PAUL MEADOR DRIVE (A CALLED 80-FOOT RIGHT-OF-WAY) SAME BEING THE NORTHWEST CORNER OF LOT 1, BLOCK A, OF AZLE ADDITION, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT No. D217018314, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 89°15'51" EAST, WITH SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 1050.47 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°15'51" EAST, CONTINUING WITH SAID SOUTH RIGHT-OF-WAY LINE OF AZLE AVENUE. A DISTANCE OF 98.02 FEET TO THE NORTHWEST CORNER OF LOT 7, BLOCK 1 OF LOTS 6, 7, & 8, BLOCK 1, SUMMIT PARK, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-206, PAGE 73, PLAT RECORDS, TARRANT COUNTY, TEXAS; THENCE SOUTH 0°45'21" EAST, WITH THE WEST LINE OF SAID SUMMIT PARK PART OF THE WAY, A DISTANCE OF 846.35 FEET TO A POINT IN THE NORTH LINE OF LOT 2R, BLOCK 1, OF COURAGE ADDITION, BLOCK 1, LOT 2R, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT No. D205303025, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 74°15'56" WEST, WITH SAID NORTH LINE OF LOT 2R, Block 1, a distance of 475.53 feet to the northwest corner

OF SAID LOT 2R, BLOCK 1; THENCE SOUTH 15°39'44" WEST, WITH THE WEST LINE OF SAID LOT 2R, BLOCK 1, A DISTANCE OF 304.09 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2R, BLOCK 1, AND BEING IN THE NORTH LINE OF LOT 3 OF LAKE WORTH CENTER, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLATE THEREOF RECORDED IN VOLUME 388-145, PAGE 6, PLAT RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 74°17'22" WEST. WITH SAID NORTH LINE OF LOT 3, A DISTANCE OF 260.27 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, SAME BEING THE NORTHEAST CORNER OF LOT 1, BLOCK A, OF THE LAKE WORTH TOWNE CENTER LOTS 1-4, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT No. D194043046, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE WITH SAID NORTH LINE OF LOT 1, BLOCK A, AND LOT 4. BLOCK A OF SAID LAKE WORTH TOWNE CENTER ADDITION, THE FOLLOWING COURSES AND DISTANCES: NORTH 81°10'41" WEST, A DISTANCE OF 575.52 FEET; NORTH 81°06'45" WEST, A DISTANCE OF 34.31 FEET; THENCE NORTH 56°37'40" EAST, OVER AND ACROSS SAID NORTH CORRIDOR REALTY LTD. TRACT, A DISTANCE OF 590.14 FEET TO THE MOST SOUTHERNLY SOUTHEAST CORNER OF LOT 1, BLOCK A, OF AZLE ADDITION, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT No. 0217018314, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 53°13'08" EAST, WITH A SOUTHEAST LINE OF SAID LOT 1, BLOCK A, A DISTANCE OF 263.55 FEET TO THE MOST EASTERLY SOUTHEAST CORNER OF SAID LOT 1, BLOCK A; THENCE OVER AND ACROSS SAID NORTH CORRIDOR REALTY LTD. TRACT, THE FOLLOWING COURSES AND DISTANCES: NORTH 61°35'11" EAST, A DISTANCE OF 650.14 FEET; NORTH 11°07'14" EAST, A DISTANCE OF 32.66 FEET; NORTH 4°45'07" EAST, A DISTANCE OF 21.07 FEET TO THE POINT OF BEGINNING AND CONTAINING 15.06 ACRES OF LAND MORE OR LESS, OR MORE COMMONLY LOCATED OFF AZLE AVE/PAUL MEADOR/BOAT CLUB RD, LAKE WORTH, TEXAS AND BY AMENDING THE 2035 FUTURE LAND USE MAP TO REFLECT SUCH CHANGE.

APPROVED

Chair Sherrie Kubala-Watkins opened the public hearing at 6:42 pm for agenda item C.2 and C.3, which are Planning and Zoning Case No. PZ-2020-15 and PZ-2020-16 and called on staff to present the cases.

Ms. Suzanne Meason presented the cases to the Commission. Mrs. Meason stated this was the request of Arnold Pent the property owner of the large tract of land behind the existing Wal-Mart, specifically a 15.06-acre tract of that land which he was requesting be changed on the 2035 Future Land Use Plan Map and the zoning changed from Mixed Use Planned Development to Multi-Family. Ms. Meason advised that notice had been mailed to those property owners within two hundred (200') feet of the subject property and published in the Fort Worth Star Telegram; the Lake Worth Independent School District was notified as well due to the zoning request involving multi-family development.

Ms. Meason had received the following public comments forms back as of the packet preparation date:

In Favor of the request:

TSCA-335 Limited Partnership - Lake Worth Shopping Center (6346 Lake Worth Blvd./3937 Boat Club Road.

In Opposition of the request:

Amol Kansagra - Meineke Automotive Repair Shop (4041 Boat Club Road)

Ms. Meason advised that there had not been any contact with the school district.

Mr. Brady Blair with Flournoy Development in Columbus, GA was in attendance and had a brief presentation for the Commission and audience. Mr. Blair gave the history of his company which was started in 1967 and was privately owned until 2018 when they were purchased by Kajima a very large construction company in Japan. That company has a headquarters in Atlanta, GA which handles all the United States companies. The have their own construction company and management company. They do nothing but market rate apartments. This will be the fifteenth (15) or sixteenth (16) project they have done in the Dallas/Fort Worth area. This project planned is for 288 market rate units: three-story garden style apartments. The company is excited for this project because it is in a good location and their market study shows that there are no comps for this type of product in Lake Worth. There are other apartments in the area, but they are older or are tax-credit income restricted communities. Mr. Blair noted that the target group to occupy the apartments would be young professionals, single or married; generally, do not have kids or will later in life and empty nesters that are looking to downsize, but want to stay close to familiar surroundings. The units are mostly one bedroom, some two bedroom and some three bedrooms. The rent rates range from \$1100 - \$1600 a month and the overall project value is around forty (40) to forty-five (45) million. A project of this magnitude would generate somewhere between \$850,000-\$900,000 in property tax revenue a year. The community will have typical amenities: pool, grilling areas, dog parks, conference room/work area, game room, and clubhouse. It will be a completely gated community with automated entry. Construction time frame is approximately ten (10) to elven (11) months until the clubhouse and first units are ready to lease and then the remaining units being ready to lease in an additional four (4) to five (5) months. Mr. Blair had an example elevation of what the buildings may look like and a general site layout for reference. The main entry will be off Azle Avenue and a resident only secondary access off Boat Club Rd. The drainage creek that runs through the property will be cleaned up, and kept as natural as possible and utilized as an amenity for the residents. Mr. Blair feels that this is a great location for a much-needed product.

Commissioner Diane Smith asked if the second and third stories were walkups and about lighting on the property.

Mr. Blair advised that they would be walkups and that the property would be very well lit and secure without projecting too much light on neighboring properties. Applicants are screened financially and have a criminal background check done as well. He did note again that they would be building and managing the apartment community.

Chair Sherrie Kubala-Watkins asked if anyone in the audience wished to speak in favor of the request. She then asked if there was anyone in the audience wishing to speak in opposition of the request.

In Opposition of the request:

Brian McWilliams, 6301 Big Bend Trail asked about security at the community. He touched on the public safety aspect, addition of children to the school district, inadequate utilities in the area, and potential crime related to apartment communities. He feels that an apartment community would further these issues.

Amol Kansagra - Meineke Automotive Repair Shop (4041 Boat Club Road) advised that he was conflicted on the issue as he is all for city grow as that provides growth for his business, but in other cities he has had businesses near apartments that in his experience tend to be bulgarized.

Mr. Blair responded to some of the concerns voiced. He advised that the market study done did not show for many children to be living on the property. The target audience for the community is going to be young professionals, mature professionals, married professionals without kids, empty nesters, and roommate situations. As far as the security is concerned, he reiterated that the community would be completely gated/fenced and would have security lighting and other security measures; and that was as much for the residents of the community as for those businesses around the community as well.

Commissioner Diane Smith asked the height of the fencing around the community.

Mr. Blair advised that would just be dependent on the site itself and was not really known at this time. Height and materials would be something that would have to be looked at during site planning.

Terry Reynold, Manager for the Meineke Automotive expressed his concern as to burglary and vandalism of businesses in close proximity of the apartment community.

Mr. McWilliams asked about traffic counts and if a study had been done as to the impact the apartments would have on Azle Avenue and Boat Club Rd traffic.

Jennifer Gansert with Kimley-Horn and Associates noted that a preliminary traffic study had been conducted and will be submitted with the official site plan submittal; but the report shows that those two intersections are rated at an E rating. Roads are rated from A-F, with A-D being okay and E and F being failing. While it is classified as an E, the study does not show the project to make the rating any worse than it already is. They noted in the study some recommendations for items that can be done to try to help with the issues.

Commissioner Troy Jones asked if this were not something that could be tabled in order to work out the concerns with lighting, security, etc.

Mrs. Stacey Almond, City Manager explained that pertaining to those items, that would be something that would be worked out in the site planning process and did not have bearing on the zoning items at hand.

There being no one else in the audience wishing to speak, Chair Sherrie Kubala-Watkins closed the public hearing at 7:16 pm and called for a motion.

COMMISSIONER TROY JONES MADE A MOTION, SECONDED BY COMMISSIONER COY PENNINGTON, TO APPROVE PLANNING AND ZONING CASE #PZ-2020-15 AND PLANNING AND ZONING CASE #PZ-2020-16.

MOTION TO APPROVE CARRIED 5-0. COMMISSIONER PATTY BIGGERS RECUSED HERSELF FROM THE VOTE.

C.3 Public Hearing to consider Planning & Zoning Case PZ-2020-16, an ordinance amending ordinance no. 1169, the comprehensive zoning ordinance of the city of lake worth by changing the zoning district classification from "PC" Planned Commercial and "M-PD" Mixed Planned Development to "MF" Multifamily for an approximately 15.06 acre tract of land known by metes and bounds as a tract of land situated in the Jacob Wilcox Survey, abstract no. 1741, City of Lake Worth, Tarrant County, Texas; and being part of a tract of land described in the warranty deed to North Corridor Realty Ltd., recorded in Instrument No. D206356748, official public records, Tarrant County, Texas; and being more particularly described as follows: Commencing at the intersection of the south right-of-way line of Azle Avenue (a variable width right-of-way) with the east right-of-way line

OF PAUL MEADOR DRIVE (A CALLED 80-FOOT RIGHT-OF-WAY) SAME BEING THE NORTHWEST CORNER OF LOT 1, BLOCK A, OF AZLE ADDITION, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT No. D217018314, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 89°15'51" EAST, WITH SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 1050.47 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°15'51" EAST, CONTINUING WITH SAID SOUTH RIGHT-OF-WAY LINE OF AZLE AVENUE, A DISTANCE OF 98.02 FEET TO THE NORTHWEST CORNER OF LOT 7, BLOCK 1 OF LOTS 6, 7, & 8, BLOCK 1, SUMMIT PARK, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-206, PAGE 73, PLAT RECORDS, TARRANT COUNTY, TEXAS; THENCE SOUTH 0°45'21" EAST, WITH THE WEST LINE OF SAID SUMMIT PARK PART OF THE WAY, A DISTANCE OF 846.35 FEET TO A POINT IN THE NORTH LINE OF LOT 2R, BLOCK 1, OF COURAGE ADDITION, BLOCK 1, LOT 2R, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT No. D205303025, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 74°15'56" WEST, WITH SAID NORTH LINE OF LOT 2R. BLOCK 1. A DISTANCE OF 475.53 FEET TO THE NORTHWEST CORNER OF SAID LOT 2R, BLOCK 1; THENCE SOUTH 15°39'44" WEST, WITH THE WEST LINE OF SAID LOT 2R. BLOCK 1. A DISTANCE OF 304.09 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2R, BLOCK 1, AND BEING IN THE NORTH LINE OF LOT 3 OF LAKE WORTH CENTER, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLATE THEREOF RECORDED IN VOLUME 388-145, PAGE 6, PLAT RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 74°17'22" WEST, WITH SAID NORTH LINE OF LOT 3, A DISTANCE OF 260.27 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, SAME BEING THE NORTHEAST CORNER OF LOT 1, BLOCK A, OF THE LAKE WORTH TOWNE CENTER LOTS 1-4, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. D194043046, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE WITH SAID NORTH LINE OF LOT 1, BLOCK A, AND LOT 4, BLOCK A OF SAID LAKE WORTH Towne Center Addition, the following courses and DISTANCES: NORTH 81°10'41" WEST, A DISTANCE OF 575.52 FEET; NORTH 81°06'45" WEST, A DISTANCE OF 34.31 FEET; THENCE NORTH 56°37'40" EAST, OVER AND ACROSS SAID NORTH CORRIDOR REALTY LTD. TRACT, A DISTANCE OF 590.14 FEET TO THE MOST SOUTHERNLY SOUTHEAST CORNER OF LOT 1, BLOCK A, OF AZLE ADDITION, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. 0217018314, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 53°13'08" EAST, WITH A SOUTHEAST LINE OF SAID LOT 1, BLOCK A, A DISTANCE OF 263.55 FEET TO THE MOST EASTERLY SOUTHEAST CORNER OF SAID LOT 1, BLOCK A; THENCE OVER AND ACROSS SAID NORTH CORRIDOR REALTY LTD. TRACT, THE FOLLOWING COURSES AND DISTANCES: NORTH 61°35'11" EAST, A DISTANCE OF 650.14 FEET; NORTH 11°07'14" EAST, A DISTANCE OF 32.66 FEET; NORTH 4°45'07" EAST, A DISTANCE OF 21.07 FEET TO THE POINT OF BEGINNING AND CONTAINING 15.06 ACRES OF LAND MORE OR LESS, OR MORE COMMONLY LOCATED OFF AZLE AVE/PAUL MEADOR/BOAT CLUB RD, LAKE WORTH, TEXAS AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE.

APPROVED

Chair Sherrie Kubala-Watkins had opened and closed the public hearing for both items C.2 and C.3 at the same time.

Staff presented the cases together and heard comments from the public. A motion was made pertaining to both agenda items C.2 and C.3 at the same time.

D. EXECUTIVE SESSION

The Planning and Zoning Commission may enter into closed Executive Session as authorized by Chapter 551, Texas Government Code. Executive Session may be held at the end of the Regular Session or at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the city attorney (551.071) as to the posted subject matter of this Planning and Zoning Commission meeting.

The Planning and Zoning Commission may confer privately with its attorney to seek legal advice on any matter listed on the agenda or on any matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Texas Government Code.

There was no Executive Session needed.

E. EXECUTIVE SESSION ITEMS – THE PLANNING AND ZONING COMMISSION MAY TAKE ACTION ON ANY ITEMS DISCUSSED IN EXECUTIVE SESSION LISTED ON THE AGENDA.

No items for this category.

F. ADJOURNMENT

Chair Sherrie Kubala-Watkins adjourned the meeting at 7:20 p.m.

APPROVED:

Sherrie Kubala Watkins, Chair Planning & Zoning Commission

ATTEST:

Suzanne Meason

Planning & Zoning Administrator