



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice★ (940) 626-4629 fax

AGENDA

Planning and Zoning Commission Regular Meeting*

Tuesday, August 2, 2016, at 6:00 P.M.

City Hall Council Chamber

201 E. Walnut

Call to Order

ITEM 1: Consider and take appropriate action regarding approval of July 5, 2016, Planning and Zoning Commission Meeting Minutes.

Public Hearing Items:

ITEM 2: **RP2016-02** Commission to hear and consider and take action to make a recommendation to City Council regarding Replat Application 2016-02—Harold Ballard's request, on behalf of Tiffany Leeann Waskowicz, to final plat Lots 1R, 2R & 3R, Block A, Fairview Estates East, being a replat of Lot 1, Block A, Fairview Estates East, in the Extraterritorial Jurisdiction (ETJ) of the City of Decatur, Wise County, Texas. **(Table item to the August 16, 2016, Planning and Zoning Commission Meeting.)**

ITEM 3: **RP2016-03** Commission to hear and consider and take action to make a recommendation to City Council regarding Replat Application 2016-03—QuikTrip's request to final plat Lot 1, Block 1, QT 1853 Addition, being a replat of Lots 1 & 2, Block 41; Lots 1 & 2 Block 42; Lots 1 & 2, Block 61; Lot 1, Block 62; part of Lot 2, Block 62; part of Lots 1 & 2, Block 63; Lots 1 & 2, Block 64; all of Fields Street closed by Ord. 3-63; a portion of Collum Street closed by Ord. 3-63; a portion of S. Cowan Street closed by Ord. 3-63 and a portion Saunders Street closed by Ord. 2003-07-11, South Decatur Addition, being 5.4058 acres out of the A. J. Walker Survey, Abstract No. 860, and more commonly referred to as 710 W. Hale Street, City of Decatur, Wise County, Texas. **(Table item to the August 16, 2016, Planning and Zoning Commission Meeting.)**

Non Public Hearing Items:

ITEM 4: **FP2016-04** Commission to hear and consider and take action to make a recommendation to City Council regarding Final Plat Application 2016-04—Juan Vasquez's request, on behalf of Discount Tire, to final plat Lot 1, Block 1, Discount Tire Addition, being a 1.262-acre tract of land conveyed in deed to Isham Properties, LTD, as recorded in Volume 1346, Page 30 and being situated in the J.C. Bullock, Abstract No. 79, City of Decatur, Wise County, Texas.

ITEM 5: New and/or future business items:
A. Special Called Meeting for the Decatur Civic Center Hotel (Fairfield Inn and Suites) preliminary and final plat for mid-August.
B. Annexation of property owned by Daniel Cocanougher and others.
C. Long Range Master Plan Land Use Map Workshop date.

Adjournment

Prepared and posted this the 29th day of July, 2016, in accordance with Chapter 551, Texas Government Code.

A handwritten signature in cursive script that reads "Dedra Denée Ragland".

Dedra Denée Ragland, AICP
Planning and Development Director

*NOTE: THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO A CLOSED MEETING AT ANY TIME REGARDING ANY ITEM ON THE AGENDA FOR WHICH IT IS LEGALLY PERMISSIBLE **UNDER THE TEXAS OPEN MEETINGS ACT PURSUANT TO LGC 551.071.**

MINUTES

Agenda Item 1

A regular meeting of the City of Decatur Planning and Zoning Commission was held at 6:00 p.m., Tuesday, July 5, 2016, in City Hall Council Chambers with the following in attendance:

MEMBERS PRESENT:

William D. Edwards, Chairman
Cecil LeMond, Vice-Chairman
John Lainer
Eileen Standridge
Curtis Creswell
Terry Berube
Eddie Allen

OTHERS PRESENT: Planning and Development Director Dedra Ragland, Legal Counsel Patricia Adams and Development Services Coordinator Codi Delcambre, representing the staff; and Ronald Hubbard and Garry Bible representing the applicant.

Commissioner Berube called the meeting to order at 6:04 p.m.

ITEM 1: Consider and take appropriate action regarding approval of:

- a. April 5, 2016 Planning and Zoning Commission Meeting Minutes
- b. May 3, 2016 Planning and Zoning Commission Meeting Minutes
- c. June 7, 2016 Planning and Zoning Commission Meeting Minutes

Commissioner Allen made a motion approve the minutes for April 5, 2016, May 3, 2016, and June 7, 2016. Vice-Chairman Cecil LeMond seconded the motion. The motion passed 6-0.

Chairman Edwards resuse himself and left the chambers.

ITEM 2: **V2016-03** Commission to hear and consider and take action to make a recommendation to City Council regarding Variance Application 2016-03—Ronald Hubbard’s request, on behalf of The Eagle Drive Baptist Church, for a variance to the Decatur Design Standards, Chapter 1 “Design Criteria,” Section 104 “Easements,” Subsection 104.1 “Utility Easements.” Specifically, applicant is requesting a reduction from the ten (10) feet wide easement requirement on either side of all rear lot lines and along the side lot lines for utilities such as electric, telephone and gas to 3’ along the rear lot line where adjacent to the accessory structure of proposed Lot 1, Block 1, Eagle Drive Baptist Church Addition, being a 1.65-acre tract of a 5.26-acre tract of land out of the David Moses Survey, Abstract No. 537, and being the same tracts of land as deeded to Trustees of Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas and to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, and as more completely described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.

Planning Director Ragland presented the staff report. Staff recommends approval.

Commissioner Creswell made a motion to approve Variance Application 2016-03. Commissioner Lainer seconded the motion. The motion passed 6-0, Chairman Edwards recused.

ITEM 3: **V2016-04** Commission to hear and consider and take action to make a recommendation to City Council regarding Variance Application 2016-04—Ronald Hubbard’s request, on behalf of The Eagle Drive Baptist Church, for a variance to the Decatur Design Standards, Chapter 1 “Design Criteria,” Section 104 “Easements,” Subsection 104.1 “Utility Easements.” Specifically, applicant is requesting a reduction from the ten (10) feet wide easement requirement on either side of all rear lot lines and along the side lot lines for utilities such as electric, telephone and gas to 7.5’ along the side lot line of proposed Lots 1 & 2, Block 1, Eagle Drive Baptist Church Addition (as diagrammed in the easement exhibits in Attachment 3 of the staff report), being a 1.65-acre tract (Lot 1) and a 3.61-acre tract (Lot 2) of a 5.26-acre tract of land out of the David Moses Survey, Abstract No. 537, and being the same tracts of land as deeded to Trustees of Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas and to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, and as more completely described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.

Planning Director Ragland presented the staff report. Staff recommends approval.

Commissioner Berube made a motion to approve Variance Application 2016-04. Commissioner Lainer seconded the motion. The motion passed 6-0, Chairman Edwards recused.

ITEM 4: **PP2016-03** Commission to hear and consider and take action to make a recommendation to City Council regarding Preliminary Plat Application 2016-03— Ronald Hubbard’s request, on behalf of The Eagle Drive Baptist Church, to preliminary plat Lot 1 and Lot 2, Block 1, Eagle Drive Baptist Church Addition, being a 5.26-acre tract of land out of the David Moses Survey, Abstract No. 537, and being the same tracts of land as deeded to Trustees of Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas and to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, and as more completely described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.

Planning Director Ragland presented the staff report. Staff recommends approval.

Commissioner Berube made a motion to approve Preliminary Plat Application 2016-03. Commissioner Lainer seconded the motion. The motion passed 6-0, Chairman Edwards recused.

ITEM 5: **FP2016-03** Commission to hear and consider and take action to make a recommendation to City Council regarding Final Plat Application 2016-03—Ronald Hubbard’s request, on behalf of The Eagle Drive Baptist Church, to final plat Lot 1 and Lot 2, Block 1, Eagle Drive Baptist Church Addition, being a 5.26-acre tract of land out of the David Moses Survey, Abstract No. 537, and being the same tracts of land as deeded to Trustees of Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas and to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, and as more completely described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.

Planning Director Ragland presented the staff report. Staff recommends approval.

Commissioner Berube made a motion to approve Final Plat Application 2016-03. Commissioner Lainer seconded the motion. The motion passed 6-0, Chairman Edwards recused.

Chairman Edwards returned to the meeting.

ITEM 6: New and/or future business items.

- a. Director Ragland introduced Development Review Coordinator Codi Delcambre.
- b. The next meeting is July 5, 2016, at 6:00 p.m.

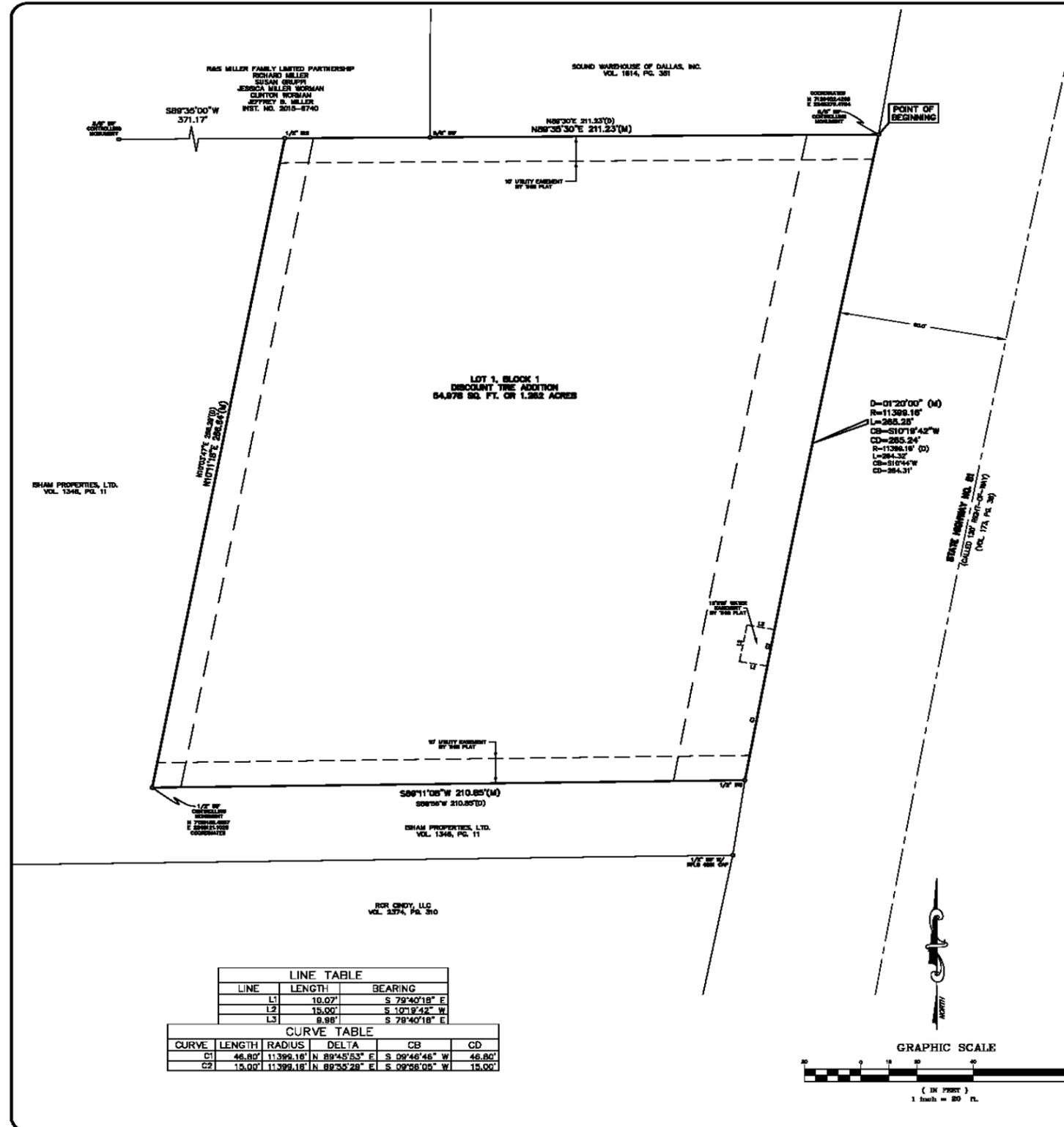
The meeting adjourned at 6:35 p.m.

William D. Edwards, Chairman

ATTEST:

Dedra Denée Ragland, Planning Director

ATTACHMENT 1 Final Plat Exhibit



LINE TABLE					
LINE	LENGTH	BEARING			
L1	10.07'	S 79°40'18" E			
L2	15.00'	S 101°2'42" W			
L3	8.98'	S 79°40'18" E			

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CB	CD
C1	46.80'	11399.16'	N 89°45'53" E S 09°46'48" W	46.80'	46.80'
C2	15.00'	11399.16'	N 89°45'53" E S 09°46'48" W	15.00'	15.00'



NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS, THAT THE CITY OF DECATUR, does hereby adopt this plat of **DISCOUNT TIRE ADDITION**, in addition to the City of Decatur, Wise County, Texas, and hereby dedicates to the public use forever that right-of-way and easements shown hereon. The easements shown hereon are hereby reserved for the purposes as indicated. The utility easements shall be open for all City or franchised public utilities for each particular use. The maintenance of paving on the easements are the responsibility of the property owner. No buildings or auxiliary structures shall be constructed, reconstructed, or placed upon, over, or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using, or desiring to use same. Any City or franchised utility shall have the full right to remove and keep removed all or parts of any fences, trees, shrubs, or other construction, maintenance, or efficiency of its respective system on the easements and all City or franchised utilities shall at all times have the full right of ingress and egress to and from and upon said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or parts of its respective system without the necessity of enjoining or procuring the permission of anyone. I have reviewed the City's findings concerning dedications and I do certify that the statements are true and correct.

This plat approved subject to all plotting ordinances, rules, regulations, and resolutions of the City of Decatur, Texas.

Witness my hand this _____ day of _____, 2016.

Halle Properties, LLC/Owner/Representative

STATE OF ARIZONA
COUNTY OF MARICOPA
Before me, undersigned Notary Public in and for said county and state, on this day personally appeared, _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this _____ day of _____, 2016.

Notary Public, State of Arizona
My Commission Expires _____

FLOOD CERTIFICATE
As determined by the FLOOD INSURANCE RATE MAPS for Wise County, the subject property Does Not appear to lie within a Special Flood Hazard Area (100 Year Flood), Map date 12/16/2011 Community Panel No. 48497C03500 subject lot is located in Zone X.
If this site is not within an identified flood hazard area, this Flood Statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Flood Statement shall not create liability on the part of the Surveyor.

NOTES:
1. IRF - Iron Rod Found
2. IRS - Iron Rod Set w/ "PEISER & MANKIN SURVY" red plastic cap
3. Bearings based on the State Plane Coordinate System, North Central Zone 4202, NAD83, as derived by field observations utilizing the RTK Network administered by Western Data Systems.
4. Elevations shown hereon refer to North American Vertical Datum of 1988 (NAVD88), as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods.

Control Source:
Coordinate data and bearing source shown hereon is based on the city control network. This data is relative to the Texas Coordinate System NAD 83 North Central Texas Zone utilizing GPS monuments 9 & 12. Bearing Control combined scale factor is 1.00016. All distances and coordinates shown are based on feet US definition.

ENGINEER:
VASQUEZ ENGINEERING, L.L.C.
1919 S. SHILOH ROAD
SUITE 440, LB 44
GARLAND, TEXAS 75042
872-278-2948
CONTACT: JUAN J. VASQUEZ, P.E.

OWNER:
HALLE PROPERTIES, L.L.C.
20225 N. SCOTTSDALE ROAD
SCOTTSDALE, AZ 85255
GARLAND, TEXAS 75042
CONTACT: JON THRALLKILL

OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF WISE
WHEREAS HALLE PROPERTIES, L.L.C. is the sole owner of all that certain tract of land situated in the J. C. Bullock Survey, Abstract No. 78, City of Decatur, Wise County, Texas, and being all that certain tract of land conveyed to Halle Properties, L.L.C., by Special Warranty Deed recorded under instrument Number 201606541, Deed Record, Wise County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 Inch Iron rod found for the Northeast corner of said Halle tract, same being the Southeast corner of that certain tract of land conveyed to Sound Warehouse of Dallas, Inc., by deed recorded in Volume 1814, Page 351, said Deed Record, same being in the West right-of-way line of State Highway No. 51 (called 120 foot right-of-way), same being the beginning of a curve to the left having a radius of 11399.16 feet, and a chord bearing and distance of South 10 deg. 19 min. 42 sec. West, 265.24 feet;
THENCE along the common line of said Halle tract and said State Highway No. 51 and along said curve to the left, on an arc distance of 265.25 feet and a central angle of D1 deg. 20 min. 00 sec. to a 1/2 Inch Iron rod set with "PEISER & MANKIN SURVY" red plastic cap (hereinafter referred to as 1/2 Inch Iron rod set) for the Southeast corner of said Halle tract, same being the Northeast corner of that certain tract of land conveyed to Isahm Properties, L.L.C., by deed recorded in Volume 1346, Page 11, aforesaid Deed Record;
THENCE along common line of said Halle tract and said Isahm tract as follows:
South 88 deg. 11 min. 08 sec. West, a distance of 210.85 feet to a 1/2 Inch Iron rod found for the Southwest corner of said Halle tract;
North 10 deg. 11 min. 18 sec. East, a distance of 266.64 feet to a 1/2 Inch Iron rod set for the Northwest corner of said Halle tract, same being the Northeast corner of said Isahm tract, same being in the South line of that certain tract of land conveyed to R25 Miller Family Limited Partnership, by deed recorded in instrument Number 2015-5740, aforesaid Deed Record;
THENCE North 89 deg. 35 min. 30 sec. East, along the common line of said Halle tract and said R25 tract, passing a 5/8 Inch Iron rod found for the Southwest corner of said R25 tract, same being in the South line of that certain tract of land conveyed to R25 Miller Family Limited Partnership, by deed recorded in instrument Number 2015-5740, aforesaid Deed Record;
THENCE North 89 deg. 35 min. 30 sec. East, along the common line of said Halle tract and said Sound Warehouse tract, a total distance of 211.23 feet to the POINT OF BEGINNING and containing 54,978 square feet or 1.262 acres of computed land, more or less.

SURVEYOR'S CERTIFICATE:
I, Timothy R. Mankin, of Peiser & Mankin Surveying L.L.C., a Registered Professional Land Surveyor of the State of Texas, do hereby declare that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the plotting and regulations of the State of Texas and the City of Decatur.
PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE
Timothy R. Mankin, R.P.L.S. No. 8122 Date _____

STATE OF TEXAS
COUNTY OF TARRANT
Before me, undersigned Notary Public in and for said county and state, on this day personally appeared Timothy R. Mankin, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.
Given under my hand and seal of office this _____ day of _____, 2016.

Notary Public, State of Texas
My Commission Expires 8/15/18

ON THE _____ DAY OF _____, 2016, THIS PLAT WAS DULY APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DECATUR, TEXAS.
BY: _____ CHAIRMAN
ATTEST: _____ PLANNING DIRECTOR

THE CITY COUNCIL OF DECATUR, TEXAS ON THE _____ DAY OF _____, 2016, VOTED AFFIRMATIVELY TO ADOPT THIS PLAT AND APPROVE IT FOR FILING OF RECORD.
BY: _____ MAYOR
ATTEST: _____ CITY SECRETARY

FINAL PLAT
LOT 1, BLOCK 1
DISCOUNT TIRE ADDITION
54,978 SQ. FT. OR 1.262 ACRES
BEING 1.262 ACRE TRACT OF LAND CONVEYED IN DEED TO HALLE PROPERTIES, L.L.C., AS RECORDED UNDER INSTRUMENT NUMBER 201606541 AND BEING SITUATED IN THE J.C. BULLOCK, ABSTRACT NO. 79 IN THE CITY OF DECATUR, WISE COUNTY, TEXAS "APRIL 2016"
EXISTING ZONING: C-2
THIS PLAT FILED ON _____, 2016
INSTRUMENT _____

JOB NO.: 15-1214	PEISER & MANKIN SURVEYING, LLC www.peisersurveying.com	823 E. DALLAS ROAD GARLAND, TEXAS 75051 817-481-1806 (O) 817-481-1809 (F)	COMMERCIAL RESIDENTIAL BOUNDARIES TOPOGRAPHY MORTGAGE	Texas Society of Professional Surveyors
DATE: 4/7/2016 REV: 4/26/2016				
SCALE: 1" = 20'				
FIELD: J.D.H.				
DRAWN: M.C.M.				
CHECKED: T.R.M.	tmankin@peisersurveying.com	FRM No. 100999-00	Member Since 1977	