



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 Meeting
Decatur City Hall – 201 E. Walnut St., Decatur, TX
Tuesday, January 4, 2022

REGULAR MEETING 5:30 p.m.

AND VIA VIDEOCONFERENCE/TELECONFERENCE

Call to Order

ITEM 1: Consider and take appropriate action regarding approval of the Planning and Zoning Commission Meeting Minutes from December 2, 2021.

General Agenda Comments

This is an in person and videoconference meeting. Videoconferencing is being used to allow staff and members of the public to join the meeting in the following manner:

Anyone may join the meeting via videoconference at www.zoom.us/join or via telephone by calling 1-346-248-7799; meeting ID 988 5813 2625; and Password 069758.

If you join the meeting via videoconferencing and want to address the Commission on an agenda item, you will need to have your camera on and hold up your hand when the Chairman calls for public comment and you will be recognized by the Chairman to address the Commission. Virtual and in person non-applicant speakers will be allowed a total of three (3) minutes to provide comments regarding the posted agenda item for which the request to speak was submitted and may speak during this item or during the Commission's consideration of individual items in accordance with City Council Rules of Procedure. The three (3) minute time period will be extended to six (6) minutes if a translator is required for a speaker to communicate his/her comments regarding the posted agenda item for which the request to speak was filed. You may also email your comments to be read at the meeting to: cfuss@decaturtx.org or dragland@decaturtx.org before and during the meeting on Tuesday, January 4th. Please provide your name, address and the agenda item number.

Public Hearing Items:

ITEM 2: **A2021-01** Commission to hold a public hearing, hear comments, and consider taking action to make a recommendation to the City Council regarding a request for voluntary annexation of an approximate 10.852 acres of land located within the City's extraterritorial jurisdiction into the corporate limits of the City of Decatur. The property to be annexed is generally located south of Crossroads Church's southern property line, approximately 118.4' northwest of the centerline of West Thompson Street, and approximately 98.9' west of the centerline of Deer Park Road, adjacent to the current city limits in Decatur's western extraterritorial jurisdiction (ETJ), Wise County, Texas, and being described by metes and bounds on the survey located at the Planning & Development Service Building, 1601 S. State St., Bldg. C, Decatur, Texas. **(Annexation Application A2021-01—Mr. Josh Jezek's request, on behalf of Decatur QOZB LLC)**

ITEM 3: **CP2021-02** Commission to hold a public hearing, hear comments, and consider taking action to make a recommendation to the City Council regarding an amendment to Appendix "D," "Comprehensive Plan," of the Code of Ordinances of the City of Decatur, Texas, to amend the Comprehensive Plan and the Future Land Use Map of the City, for an approximate 11.224 acres of land which is currently in the extraterritorial jurisdiction of the City but for which the property owner has requested annexation into the City's corporate limits, to change the designation on the property from Agriculture and Rural Living (AR - ETJ) to a Activity

Center (AC) Land Use Designation. The property is generally located south of Crossroads Church's southern property line, approximately 83.5' northwest of the centerline of West Thompson Street, and approximately 65.2' west of the centerline of Deer Park Road, adjacent to the current city limits in Decatur's western extraterritorial jurisdiction (ETJ), Wise County, Texas, and being described by metes and bounds on the survey located at the Planning & Development Service Building, 1601 S. State St., Bldg. C, Decatur, Texas, the "Property". The Commission recommendation for this item is subject to the City Council's approval of the request for annexation. **(Comprehensive Plan Amendment Application 2021-02—Mr. Josh Jezek's request, on behalf of Decatur QOZB LLC)**

- ITEM 4:** **ZC2021-03** Commission to hold a public hearing, hear comments, and consider taking action to make a recommendation to the City Council regarding an amendment to Appendix "B," "Zoning," of the Code of Ordinances of the City of Decatur, Texas, the Comprehensive Zoning Ordinance and the official Zoning Map of the City, to rezone an approximate 11.224 acres of land which is currently in the extraterritorial jurisdiction of the City but for which the property owner has requested annexation into the City's corporate limits. Upon the effective date of Annexation, the property would be zoned as Multi-Family Residential (MF) Zoning District. The property is generally located south of Crossroads Church's southern property line, approximately 83.5' northwest of the centerline of West Thompson Street, and approximately 65.2' west of the centerline of Deer Park Road, adjacent to the current city limits in Decatur's western extraterritorial jurisdiction (ETJ), Wise County, Texas, and being described by metes and bounds on the survey located at the Planning & Development Service Building, 1601 S. State St., Bldg. C, Decatur, Texas, the "Property". The Commission recommendation for this item is subject to the City Council's approval of the request for annexation and the accompanying proposed Comprehensive Plan and Future Land Use Map amendment. **(Zoning Change Application 2021-03—Mr. Josh Jezek's request, on behalf of Decatur QOZB LLC)**
- ITEM 5:** **A2021-02** Commission to hold a public hearing, hear comments, and consider taking action to make a recommendation to the City Council regarding a request for voluntary annexation of an approximate 137.02 acres of land which is currently in the extraterritorial jurisdiction of the City. The property to be annexed is generally located south of South Martin Branch Planned Development's southern property line, approximately 628.3' east of the centerline of Old Reunion Road and approximately 51.1' west of the centerline of FM 730 in Decatur's southern extraterritorial jurisdiction (ETJ), adjacent to the current city limits, Wise County, Texas, and being described by metes and bounds on the survey located at the Planning & Development Service Building, 1601 S. State St., Bldg. C, Decatur, Texas. **(Annexation Application A2021-02—Mr. Troy Lewis, on behalf of Rick and Derek McCarley)**
- ITEM 6:** **CP2021-03** Commission to hold a public hearing, hear comments, and consider taking action to make a recommendation to the City Council regarding an amendment to Appendix "D," "Comprehensive Plan," of the Code of Ordinances of the City of Decatur, Texas, to amend the Comprehensive Plan and the Future Land Use Map of the City, for an approximate 137.02 acres of land which is currently in the extraterritorial jurisdiction of the City but for which the property owner has requested annexation into the City's corporate limits, to change the designation on the property, from Agriculture and Rural Living (AR - ETJ) to a Community Commercial (CC) and Compact Neighborhood (CN) Land Use Designation. The property is generally located south of South Martin Branch Planned Development's southern property line, approximately 628.3' east of the centerline of Old Reunion Road and approximately 51.1' west of the centerline of FM 730 in Decatur's southern extraterritorial jurisdiction (ETJ), adjacent to the current city limits, Wise County, Texas, and being described by metes and bounds on the survey located at the Planning & Development Service Building, 1601 S. State St., Bldg. C, Decatur, Texas. The Commission recommendation for this item is subject to the City Council's approval of the request for annexation. **(Comprehensive Plan Amendment Application 2021-02—Mr. Troy Lewis, on behalf of Rick and Derek McCarley)**
- ITEM 7:** **ZC2021-04** Commission to hold a public hearing, hear comments, and consider taking action to make a recommendation to the City Council regarding an amendment to Appendix "B,"

“Zoning,” of the Code of Ordinances of the City of Decatur, Texas, the Comprehensive Zoning Ordinance and the official Zoning Map of the City, to rezone an approximate 11.224 acres of land which is currently in the extraterritorial jurisdiction of the City but for which the property owner has requested annexation into the City’s corporate limits. Upon the effective date of Annexation, the property would be zoned as Single Family-2 Residential (SF-2) and Restricted Business (C-1) Zoning District. The property is generally located south of South Martin Branch Planned Development’s southern property line, approximately 628.3’ east of the centerline of Old Reunion Road and approximately 51.1’ west of the centerline of FM 730 in Decatur’s southern extraterritorial jurisdiction (ETJ), adjacent to the current city limits, Wise County, Texas, and being described by metes and bounds on the survey located at the Planning & Development Service Building, 1601 S. State St., Bldg. C, Decatur, Texas. The Commission recommendation for this item is subject to the City Council’s approval of the request for annexation and the accompanying proposed Comprehensive Plan and Future Land Use Map amendment. **(Zoning Change Application 2021-03—Mr. Troy Lewis, on behalf of Rick and Derek McCarley)**

ITEM 8: **CP2021-04** Commission to hold a public hearing, hear comments, and consider taking action to make a recommendation to the City Council regarding an amendment to Appendix “D,” “Comprehensive Plan,” of the Code of Ordinances of the City of Decatur, Texas, to amend the Comprehensive Plan and the Future Land Use Map of the City, for an approximate 23.03 acres of land located at 3472 S. US Highway 81/287, Decatur, Texas, and an approximate 3.15 acres of land generally located to the centerline of US Highway 81/287 Service Road, Decatur, Texas, from Compact Neighborhood (CN) Land Use Designations to an Activity Center (AC) Land Use Designation. The property is more commonly referred to as 3472 S. US Highway 81/287, Decatur, Texas. **(Comprehensive Plan Amendment Application 2021-04—City of Decatur, on behalf of Wise Asset Property Decatur LTD)**

ITEM 9: **SI2021-06** Commission to hold a public hearing, hear comments and consider taking action to make a recommendation to City Council regarding an amendment to Section 6.1.2, “Allowed Uses and Permit Requirements”, of Article 6, “Use Regulations”, of Appendix “B”, “Zoning”, of the City’s Code of Ordinances, containing the Comprehensive Zoning Ordinance of the City, to amend regulations relating to the sale of alcoholic beverages, including the sale of alcoholic beverages for on-premises and off-premises consumption and the sale of beer and wine for off-premises consumption in various zoning districts, to allow those uses in the Convention Overlay District (CD) upon City Council approval of a Specific Use Permit (“SUP”) and providing criteria for Council consideration of a Specific Use Permit. **(Application SI2021-06—City of Decatur)**

ITEM 10: **SUP2021-02** – Commission to hold a public hearing to consider comments and take action to make a recommendation to the City Council regarding an amendment to Appendix “B,” “Zoning” of the Code of Ordinances of the City of Decatur, Texas to grant a Specific Use Permit to allow a convenience store in a CD, Convention Overlay Zoning District, on an approximate 6.7245 acre tract of land being legally described as Lot 1, Block 1, CEFCO Addition, or more commonly referred to as 2202 W. US Highway 380 Bypass, Decatur, Texas. **(Application SUP2021-02—Mr. Jordan Schaefer, on behalf of C.L. Gage, George Gage and CEFCO)**

ITEM 11: **SUP2021-03** – Commission to hold a public hearing to consider comments and take action to make a recommendation to the City Council regarding an amendment to Appendix “B,” “Zoning” of the Code of Ordinances of the City of Decatur, Texas to grant a Specific Use Permit to allow the sale of alcoholic beverages for off-premises consumption in a CD, Convention Overlay Zoning District, on an approximate 6.7245 acre tract of land being legally described as Lot 1, Block 1, CEFCO Addition, or more commonly referred to as 2202 W. US Highway 380 Bypass, Decatur, Texas. **(Application SUP2021-03— Mr. Jordan Schaefer, on behalf of C.L. Gage, George Gage and CEFCO)**

Non-Public Hearing Items:

ITEM 12: **ABX2021-01** Commission to hold a public hearing, hear comments, and consider taking action to make a recommendation to the City Council regarding an exception to the distance requirements contained in Appendix "B", "Zoning", of the Code of Ordinances of the City of Decatur, Texas, specifically Section 6.2.8(E)(4), to allow The County Seat Bar located at 107 S. Trinity Street, Decatur, Texas to sell alcoholic beverages and the sale of beer and wine for on-premises consumption to be 233.1 feet from a private school, 66.9 feet closer than what is permitted by the Code of Ordinances. **(Application ABX2021-01—Mr. Brendan Mitchell's request, on behalf of TCS Operations, LLC and Barrister Holdings, LLC Series C)**

ITEM 13: Follow-up discussion regarding selection criteria, process and methodology for serving on the Planning and Zoning Commission.

For Your Information Items:

ITEM 14: Discussion of future agenda new business items, staff requests and potential special called meeting and/or workshop requests:

- a. As of agenda posting, the February 1, 2022, meeting currently has no (0) new Planning applications. Submittal deadline is January 4, 2022, at 11:00 a.m. **(The meeting will be an in person meeting with potential virtual attendance of staff and members of the public unless otherwise determined.)**

Prepared and posted this the 31st day of December, 2021, in accordance with Chapter 551, Texas Government Code.



Dedra Denée Ragland, AICP
Planning and Development Director

PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COMMISSIONERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC AT THE ADDRESS POSTED ABOVE AS THE LOCATION OF THE MEETING.

***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.**