



# 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, December 6, 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 November 1, 2022.

### 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](http://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](mailto:cfuss@decaturtx.org) or [dragland@decaturtx.org](mailto:dragland@decaturtx.org) before and during the meeting on Tuesday, December 6<sup>th</sup>. Please provide your name, address and the agenda item number.*

### Public Hearing Items:

**ITEM 2:** **A2022-02** 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 a tract of land for Right-of-Way, approximately 1.604 acre (69,860 square foot) tract of land situated in the David Moses Survey, Abstract No. 537, Wise County, Texas; said tract being part of those certain tracts of land described in General Warranty Deeds to Deer Park QOZB LLC, recorded in Instrument No. 202113185 and Instrument No. 202113187 of the Official Public Records of Wise County, Texas; said 1.604 acre (69,860 square foot) tract being more particularly described as follows: (Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances reported have been scaled by applying a computed scale factor of 1.00017002991) and generally located at the intersection of Deer Park Road and Thompson Street, Wise County, Texas, 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 A2022-02—Mr. Josh Jezek, on behalf of property owners Deer Park QOZB, LLC.)**

**ITEM 3:** **CP2022-03** 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 1.604 acres of land for Right-of-Way, 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 Agricultural and Rural Living (AR - ETJ) to an Activity Center (AC) Land Use Designation. The property is generally located in the David Moses Survey, Abstract No. 537, Wise County, Texas and generally located at the intersection of Deer Park Road and Thompson Street, 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 Commission recommendation for this item is subject to the City Council's approval of the request for annexation. **(Comprehensive Plan Amendment Application 2022-03—Mr. Josh Jezek, on behalf of property owners Deer Park QOZB, LLC.)**

**ITEM 4:** **ZC2022-04** 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 1.604 acres of land for Right-of-Way, 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 in the David Moses Survey, Abstract No. 537, Wise County, Texas and generally located at the intersection of Deer Park Road and Thompson Street, 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 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 2022-04—Mr. Josh Jezek, on behalf of property owners Deer Park QOZB, LLC.)**

#### **Non-Public Hearing Items:**

**ITEM 5:** **CONSENT AGENDA** – All consent agenda items listed are considered to be routine by the Planning and Zoning Commission and will be recommended in one motion. There will be no separate discussion of these items unless a P&Z Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**A. FP2022-03** Commission to take action to make a recommendation to the City Council regarding a request to final plat Lot 1, Block 1, Decatur TA Addition, being an approximately 17.479-acre tract of land in the Antonio Hernandez Survey, Abstract Number 401, City of Decatur, Wise County, Texas. A complete legal description of the property is found on the plat exhibit located in the staff report. **(Application FP2022-03—Mr. Majed Khalaf, on behalf of Elorr Realty, LLC.)**

- ITEM 6:** Commission to hear staff comments and take action to make a recommendation to City Council regarding a request for a variance from Chapter 2, Section 201, "Street Improvements (curb/gutter)," of the City of Decatur's Design Standards on approximately 100.0 linear feet of property located along south Church St., where adjacent to the western boundary of Lot 3, Block 6, South Decatur Addition, and more commonly referred to as 709 S. Church St., Decatur, Texas. A complete legal description of the subject property is found on the plat exhibit located in the staff report. **(Application V2022-12—Mr. Hector De Avila)**
- ITEM 7:** Commission to hear staff comments and take action to make a recommendation to City Council regarding a request for a variance from Chapter 1, Section 106, "Sidewalks," of the City of Decatur's Design Standards on approximately 100.0 linear feet of property located along south Church St., where adjacent to the western boundary of Lot 3, Block 6, South Decatur Addition, and more commonly referred to as 709 S. Church St., Decatur, Texas. A complete legal description of the subject property is found on the plat exhibit located in the staff report. **(Application V2022-13—Mr. Hector De Avila)**
- ITEM 8:** Commission to hear staff comments and take action to make a recommendation to City Council regarding a request for a variance from Chapter 2, Section 201, "Street Improvements (curb/gutter)," of the City of Decatur's Design Standards on approximately 109.9 linear feet of property located along east Collins St., where adjacent to the southern boundary of Lot 3, Block 6, South Decatur Addition, and more commonly referred to as 709 S. Church St., Decatur, Texas. A complete legal description of the subject property is found on the plat exhibit located in the staff report. **(Application V2022-14—Mr. Hector De Avila)**
- ITEM 9:** Commission to hear staff comments and take action to make a recommendation to City Council regarding a request for a variance from Chapter 1, Section 106, "Sidewalks," of the City of Decatur's Design Standards on approximately 109.9 linear feet of property located along east Collins St., where adjacent to the southern boundary of Lot 3, Block 6, South Decatur Addition, and more commonly referred to as 709 S. Church St., Decatur, Texas. A complete legal description of the subject property is found on the plat exhibit located in the staff report. **(Application V2022-15—Mr. Hector De Avila)**
- ITEM 10:** Commission to hear staff comments and take action to make a recommendation to City Council regarding a request for a variance from Chapter 2, Section 201, "Street Improvements (curb/gutter)," of the City of Decatur's Design Standards on approximately 460 linear feet of property located along west Thompson St., where adjacent to the southern boundary of Lot 1, Block 1, Decatur ISD School Addition, and more commonly referred to as 1201 W. Thompson St., Decatur, Texas. A complete legal description of the subject property is found on the plat exhibit located in the staff report. **(Application V2022-16—Mr. John Knowles, on behalf of Decatur ISD)**
- ITEM 11:** Commission to hear staff comments and take action to make a recommendation to City Council regarding a request for a variance from Chapter 1, Section 106, "Sidewalks," of the City of Decatur's Design Standards on approximately 1,624 linear feet of property located along west Thompson St., where adjacent to the northern boundary of Lot 1, Block 1, Decatur ISD School Addition, and more commonly referred to as 1201 W. Thompson St., Decatur, Texas. A complete legal description of the subject property is found on the plat exhibit located in the staff report. **(Application V2022-17—Mr. John Knowles, on behalf of Decatur ISD)**
- ITEM 12:** Commission to hear staff comments and take action to make a recommendation to City Council regarding a request for a variance from Chapter 1, Section 106,

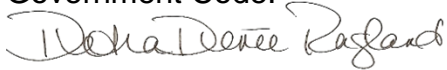
“Sidewalks,” of the City of Decatur’s Design Standards on approximately 1,730 linear feet of property located along west Eagle Dr., where adjacent to the southern boundary of Lot 1, Block 1, Decatur ISD School Addition, and more commonly referred to as 1201 W. Thompson St., Decatur, Texas. A complete legal description of the subject property is found on the plat exhibit located in the staff report. **(Application V2022-18—Mr. John Knowles, on behalf of Decatur ISD)**

**For Your Information Items:**

**ITEM 13:** Discussion of future agenda new business items, staff requests and potential special called meeting and/or workshop requests:

- a. As of agenda posting, the January 3, 2023, meeting currently has no (0) new Planning applications. Submittal deadline was December 5, 2022, at 5:00 p.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 2<sup>nd</sup> day of December, 2022, 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.**