



**NOTICE OF REGULAR MEETING
CITY OF PILOT POINT
PLANNING AND ZONING COMMISSION**

NOTICE IS HEREBY GIVEN THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF PILOT POINT, TEXAS, WILL HOLD A REGULAR MEETING ON:

TUESDAY, JULY 13, 2021

AT 6:30 PM

PILOT POINT CITY HALL COUNCIL CHAMBERS
102 E. MAIN STREET PILOT POINT, TEXAS

AGENDA

- A. ROLL CALL/CALL TO ORDER
- B. Public Forum: (Citizens are allowed 3 minutes to speak. If the issue is on the agenda, the Planning and Zoning Commission may choose to discuss and consider the item. If the issue is not on the agenda, the Commission is not permitted by state law to respond to or discuss the item other than to make statement of specific facts in response to a citizen's inquiry or to recite existing policy in response to the inquiry. The Commission may request the issue to be placed on a future agenda for action in accordance with state law. This forum is not the appropriate place to address complaints against Public Officials and/or Staff. Complaints of this nature should be made in writing and filed with the City Manager.)
- C. Discuss, consider, and possible action on the **June 8, 2021**, Planning and Zoning Commission meeting minutes.
- D. Discuss, consider, and possible action on a recommendation on an ordinance amending Chapter 14 Zoning of the City of Pilot Point Code of Ordinances, Section 14.02112 Schedule of Land Uses and Section 14.02.002 Definitions.
- a. Staff report and presentation.
 - b. Public Hearing.
 - c. Discuss, consider, and take any necessary action.
- E. Discuss, consider, and possible action on a recommendation on a Special Use Permit for a "Fitness Club or Gym with outdoor operations" in the C-1 zoning district. The property is located at 216 W. Liberty St. and is described as OT Pilot Point, Block 14, Lot 4 in the City of Pilot Point, Texas, Denton County, Texas.

- a. Staff report and presentation.
 - b. Applicant presentation.
 - c. Public Hearing.
 - d. Discuss, consider, and take any necessary action.
- F. Discuss, consider and possible action on the rezoning of commercial properties on Massey to conform to the Comprehensive Plan.
- a. Staff report and presentation.
 - b. Discuss, consider, and take any necessary action.
- G. Discuss, consider and possible action on amending the start time of the Planning and Zoning Commission.
- a. Staff report and presentation.
 - b. Discuss, consider, and take any necessary action.
- H. Training on subdivision plat review, deliberations, and actions.
- a. Attorney presentation.
 - b. Discuss, consider, and take any necessary action.
- I. Adjourn.

The Planning & Zoning Commission reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (discussing purchase, exchange, lease or value of real property); §551.074 (discussing personnel or to hear complaints against personnel); and §551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

In compliance with the Americans with Disabilities Act, the City of Pilot Point will provide reasonable accommodations for disabled persons attending this meeting. Requests should be received at least 24 hours prior to the scheduled meeting by contacting the City Secretary's office at 940-686-2165.

I the undersigned authority do hereby certify this notice was posted on the official bulletin board for the City of Pilot Point, Texas on **7/9/2021 by 5:00 p.m.**, and shall remain posted for at least 72 hours preceding the scheduled time of said meeting.

Lenette Cox, City Secretary

**Minutes of the June 8, 2021
Planning and Zoning Commission Meeting**

The Planning and Zoning Commission of the City of Pilot Point, Texas met on June 8, 2021, at 6:00 p.m. for a regular meeting of the Planning and Zoning Commission. Planning and Zoning Commission members present were Brian Heitzman, Paul Dennis, JB Sevier, Mark Lanier, Steve Keith, Gary Speer. Commissioners absent were Rebecca Millikin. City staff present were City Manager Britt Lusk, Development Services Director John Taylor, Capital Projects Manager Matt Kaminski, City Attorney Brenda McDonald, and Development Services Administrative Assistant JoAnn Wright.

AGENDA

ROLL CALL/CALL TO ORDER

Commissioner Brian Heitzman conducted the roll:

Commissioner – Paul Dennis – Arrived at 6:25 pm

Commissioner – Jim Bob Sevier - Present

Commissioner – Gary Speer - Present

Commissioner - Brian Heitzman- Present

Commissioner - Steve Keith – Present

Commissioner – Mark Lanier - Present

Commissioner – Rebecca Millikin - Absent

Commissioner Heitzman declared a quorum and called the meeting to order at 6:06 pm.

- A. Public Forum: (Citizens are allowed 3 minutes to speak. If the issue is on the agenda, the Planning and Zoning Commission may choose to discuss and consider the item. If the issue is not on the agenda, the Commission is not permitted by state law to respond to or discuss the item other than to make statement of specific facts in response to a citizen’s inquiry or to recite existing policy in response to the inquiry. The Commission may request the issue to be placed on a future agenda for action in accordance with state law. This forum is not the appropriate place to address complaints against Public Officials and/or Staff. Complaints of this nature should be made in writing and filed with the City Manager.)**

No one had any comments.

- B. Discuss, consider, and possible action on the May 6, 2021, Planning and Zoning Commission meeting minutes.**

Commissioner Keith made the motion to approve the minutes. Commissioner Lanier seconded the motion. The motion passed unanimously.

- C. Hold a public hearing on a zoning change request to a plus or minus 3.25-acre tract from “C-2” Commercial to “I-1”, Light Industrial. The property is described as Lots 7 & 8 Block C of the Pilot Point Industrial Foundation Addition, generally located at address 936 & 944 E. Production St., Pilot Point, TX.**

Commissioner Heitzman opened the public hearing at 6:07 pm.

Development Services Director Taylor stated the purpose of this public hearing. Mr. Buster Chandler is requesting zone change request to a plus or minus 3.25-acre tract from "C-2" Commercial to "I-1", Light Industrial. The property is described as Lots 7 & 8 Block C of the Pilot Point Industrial Foundation Addition, generally located at address 936 & 944 E. Production St.

These two properties are for sale and the owner wants assurance that proposed light industrial uses they are being marketed to will be able to get a certificate of occupancy. One of the uses that is considering buying lot 8 is a company that manufactures water filtration units which would not be allowed in C-2 zoning.

The property is a part of the Pilot Point Industrial Park and has been used for a Cabinet Shop which was a Light Industrial use despite the requirement for an I-1 zoning district. A use of this intensity would not be allowed in the future without a zoning change.

The existing zoning supports a transition in zoning intensity from heavy Industrial to light industrial to commercial to single family. This is likely the logic that was used when originally zoning the property.

When a Light Industrial zoning abuts residential zoning, the setback is the same as the Residential zoning. The property to the north is zoned SF-2 which has a 25' rear yard setback which would be the same for the light industrial use or the C-2 use.

On February 12, 2018, the city adopted an ordinance that requires a masonry screening wall between commercial or industrial zoning and residential zoning. The property in question abuts residential zoning to the north; however, when these existing buildings were constructed, that requirement did not exist. A change of zoning to I-1 will not automatically require the screening to be constructed on these two lots but the Council could require it as a part of the rezoning.

Notices were sent out to all property owners within 200' of the parcel and a legal notice was run in the newspaper notifying of the public hearings to be held for Planning and Zoning Commission and for the City Council. A petition of opposition to the zoning was submitted 5/24/21. It is attached and is signed by 4 of the 12 property owners within 200' of the subject property. According to the Texas Attorney General the people entitled to protest are the people who are entitled to notice – those shown on the latest municipal tax roll. State law states that if 20% of the total area of the land outside of the boundaries of the proposed change and within 200 feet of any point of the land proposed to be changed are opposed it requires a super majority vote on the part of the City Council. The submitted petition covers 28%. It does not affect how the Planning and Zoning Commission must vote.

Buster Chandler stated that he purchased lot 7 from Jeff & Joyce Heuman with a cabinet shop already on it. Mr. Chandler purchased lot 8, at a later date. At either time nothing was said about the zoning of the properties.

Barbara Ettredge stated that prior to the Industrial Park this land was farmland. Until

receiving notice from the City about the zoning change, she was not aware that the property was anything other than industrial zoned. Mrs. Ettredge does not have a problem with the rezoning, but has a concern with the drainage if a masonry fence goes up.

Jennifer Anderson stated the back building on lot 7 is a source of noise, trash and is only 10 feet from her property line. Mrs. Anderson is impacted by noise, trash and wants a fence for privacy.

Deborah Garcin is located next to Jennifer Anderson and is impacted by noise. Changing from C2 to I1 will impact them because it is more intense zoning. The issues Mrs. Garcin sees are odors, dust, noise, and drainage. There needs to be a fence, but it needs to drain.

Commissioner Heitzman closed the public hearing at 6:40 pm.

D. Discuss, consider, and possible action on a recommendation on a zoning change request to a plus or minus 3.25-acre tract from “C-2” Commercial to “I-1”, Light Industrial. The property is described as Lots 7 & 8 Block C of the Pilot Point Industrial Foundation Addition, generally located at address 936 & 944 E. Production St., Pilot Point, TX.

Commissioner Speer made the motion to deny the zoning change on the properties known as 936 and 944 E. Production Dr. Commissioner Keith seconded the motion. The motion passed unanimously.

E. Discuss, consider and possible action on a recommendation on the Windrose Phase 1 Final Plat, a 58.336-acre tract located in the Joseph Jefferies Survey Abstract 525 and Peter Gass Survey, Abstract 459, City of Pilot Point, Cook and Grayson County Texas, creating 182 residential lots.

John Taylor reviewed the case stating that the property owner, Pilot Point 113, LLC and the developer DR Horton – DFW East is proposing to Final Plat Phase 1 of Windrose. This phase consists of 182 residential lots. The property is zoned PD for single family detached uses.

Taylor continued, The plat meets these requirements of the SF-2 district and conforms to the PD standards and the regulations of The Subdivision Rules and Regulations. In addition, all the civil engineering plans for the Construction have been reviewed by city engineer, public works director and the capital projects manager and all review comments have been addressed. Staff recommends approval of the Final Plat as presented.

Commissioner Lanier made the motion to approve the final plat of Windrose Phase 1 with the exception that Lot 2 of Block K be added to part of the park land. The motion was seconded. Commission members Brian Heitzman, Paul Dennis, JB Sevier, Mark Lanier, Gary Speer voted yay and Commissioner Keith voted nay. The motion passed.

F. Discuss, consider and possible action on a recommendation on the Yarborough Farms Phase 1C Final Plat, a 10.06-acre tract located in the Charles Smith Survey Abstract 1139, City of Pilot Point, Denton County Texas, creating 80 residential lots.

John Taylor briefed the Commission on the request, stating the property owner, the Commons of Yarborough Farms, LLC, is proposing to Final Plat Phase 1C of Yarborough Farms. This phase consists of 80 residential lots. The property is zoned PD for Townhouse uses. The proposal is to pay \$60,000 into the park fund rather than dedicate park land. The plat meets the requirements and conforms to the PD standards and the regulations of the Subdivision Rules and Regulations. Staff recommends approval of the Final Plat as presented.

Commissioner Lanier made the motion to approve the Final Plat for Yarbrough Farms Phase 1C. Commissioner Speer seconded the motion. The motion passed unanimously.

G. Discuss, consider and possible action on a recommendation on the Yarborough Farms Phase 2B Final Plat, a 10.91-acre tract located in the Joseph Jefferies Survey Abstract 661, City of Pilot Point, Denton County Texas, creating 26 residential lots.

John Taylor briefed the Commission on the request, stating the property owner, PPTX investments, LLC is proposing to Final Plat Phase 2B of Yarborough Farms. This phase consists of 26 residential lots. The property is zoned PD for single family detached uses. The Park dedication will be a payment into the park fund of \$19,500. The plat meets the requirements and conforms to the PD standards and the regulations of the Subdivision Rules and Regulations. Staff recommends approval of the Final Plat as presented.

Commissioner Dennis made the motion to accept the Final Plat of Yarbrough Farms Phase 2B. Commissioner Sevier seconded the motion. The motion passed unanimously.

H. Discuss, consider and possible action on a recommendation on the Final Plat of Phase 2C, Yarborough Farms Addition an 8.2-acre tract located in the Charles Smith Survey Abstract 1139, City of Pilot Point, Denton County Texas, creating 15 residential lots.

John Taylor briefed the Commission on the request, stating the property owner, PPTX Investments, LLC is proposing to Final Plat Phase 2C of Yarborough Farms. This phase consists of 15 residential lots. The property is zoned PD for single family detached uses. The Park dedication will be a payment into the park fund of \$11,250. The plat meets the requirements and conforms to the PD standards and the regulations of the Subdivision Rules and Regulations. Staff recommends approval of the Final Plat as presented.

Commissioner Dennis made the motion to approve the Final Plat of Yarbrough Farms Phase 2C. Commissioner Keith seconded the motion. The motion passed unanimously.

I. Discuss, consider and possible action on a recommendation on the Final Plat of Phase 2D, Yarborough Farms Addition a 4.322-acre tract located in the Charles Smith Survey Abstract 1139, City of Pilot Point, Denton County Texas, creating 54 residential lots.

John Taylor briefed the Commission on the request, stating the property owner, VYF, LLC, is proposing to Final Plat 54 single family detached patio home lots in the Phase 2D, Yarborough Farms Addition. The property is zoned Planned Development “PD” with a base of SF-3 standards. Park dedication will be a payment into the park fund of \$40,500. The final plat meets the requirements of the approved PD and the approved Development Standards. Staff recommends approval of the Final Plat as presented.

Commissioner Speer made the motion to approve the Final Plat of Yarbrough Farms Phase 2D. Commissioner Keith seconded the motion. The motion passed unanimously.

J. Discuss, consider and possible action on a recommendation on the Final Plat of Yarborough Farms Extension, a 1.28-acre tract located in the Charles Smith Survey Abstract 1139, City of Pilot Point, Denton County Texas.

John Taylor briefed the Commission on the request, stating the property owner, PPTX Investments, LLC is proposing to Final Plat Dorothy Blvd. Extension of Yarborough Farms. This phase consists of right-of-way only and does not contain any residential property. The plat meets these requirements and conforms to the PD standards and the regulations of the Subdivision Rules and Regulations. Staff recommends approval of the Final Plat as presented.

Commissioner Lanier made the motion to approve the Final Plat of Yarbrough Farms Phase 2D. Commissioner Sevier seconded the motion. The motion passed unanimously.

K. Hold a public hearing on a zoning determination for a CrossFit gym land use. Proposed location is in the C-1, Historic Overlay District.

John Taylor briefed the Commission on the request, stating the city has been contacted by someone that wants to open a “CrossFit Gym in the Downtown Historic District which is zoned C-1. This use is not listed in the Zoning Ordinance and will need to be interpreted by the Planning and Zoning Commission and the City Council to determine the appropriate zoning district for the use.

The ordinance states, “it is recognized that new types of land use will develop and forms of land use not anticipated may seek to locate in the city. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use shall be made.

In the description of the proposed use, it states that operations will be conducted indoors, as well as outdoors. The closest entry in the zoning use chart is commercial outdoor recreation. which is not allowed in a C-1 district.

Hallie Crawford stated this is a gyn that would have activities indoors as well as outdoors. Jordan Harr stated most of the outdoors activities would be running and flipping of tires.

City Attorney McDonald reminded the Commission that this is a recommendation of the zoning type for this type of business, not for the place.

Francisco Perez stated that they think the gym would be good for the community.

Shannon Stafford stated she is excited about have a cross fit business coming to the Old City Square.

Whitney Delcourt stated she represents the Staffords on this property. The Reginal and Urban Design Assistance Teams (RUDAT) supports more activity, and this business use would do that.

Commissioner Speer asked about what type of signage that would be allowed.

L. Discuss, consider, and make a recommendation on a zoning determination for a CrossFit gym land use. Proposed location is in the C-1, Historic Overlay District.

Development Services Director Taylor stated that staff recommends that the zoning be classified as a Commercial Outdoor Recreation and allowed in C-2, I-1 or I-2 or in C-1 zoning with a special use permit. The business owner would have to go in front of the Historic Review Board for the special use permit.

Commissioner Dennis made the motion to recommend to City Council that the zoning be classified as a Commercial Outdoor Recreation and allowed in C-2, I-1, or I-2 or in C1 zoning with a special use permit. Commissioner Keith seconded the motion. The motion passed unanimously.

M. Discuss, consider and possible action on the list of previously requested “Future Discussion Items” and prioritized ordinance amendments.

Development Service Director Taylor stated that the purpose for this item is to prioritize some ordinance amendments that are needing to be made. Mr. Taylor stated that staff put together a list of items from the list found in the Planning and Zoning Minutes from 2019 to date, which is included in the P&Z Agenda packet for review. The list includes the following:

1. Parking
2. Downtown revision of the C-1 district
3. Landscape Ordinance
4. Sign Ordinance
5. 377 over lay
6. Site Plan Ordinance
7. Subdivision Rules and Regulations
8. Zoning ordinance cleanup and Use Chart

Items 7 and 8 are cost involved so staff is looking toward the new budget for these.

Commissioner Dennis stated he would like to have the noise ordinance and a light pollution ordinance on a future agenda.

N. Items for Future Discussion - The Planning & Zoning Commission may identify issues or topics that they wish to schedule for discussion at a future meeting. Commissioners shall not comment upon, deliberate, or discuss any item that is not on the agenda. Commissioners shall not make routine inquiries about operations or project status on an item that is not posted. Any Commissioner may, however, state an issue and a request that this issue be placed on a future agenda.

Commissioners asked to add the following items to the next agenda:

1. Rezoning Massey Road
2. Training on plat review (Platting Process)
3. Meeting times

O. Adjourn

Commissioner Keith made the motion to adjourn. Commissioner Dennis seconded the motion. The meeting adjourned at 7:09 pm.

Brian Heitzman, Commissioner

ATTEST:

JoAnn Wright, Development Services
Administrative Assistant



Planning and Zoning Commission Agenda July 13, 2021

Agenda Item: Zoning Ordinance Amendment (Public Hearing and Action Item)

Agenda Description:

Discuss, consider, and possible action on a recommendation on an ordinance amending Chapter 14 Zoning of the City of Pilot Point Code of Ordinances, Section 14.02112 Schedule of Land Uses and Section 14.02.002 Definitions.

- a. Staff report and presentation.
- b. Public Hearing.
- c. Discuss, consider, and take any necessary action.

Background Information:

The Planning and Zoning Commission and the City Council gave staff direction to amend the zoning ordinance to allow a “Fitness Club or Gym with outside operations” in a C-1 Zoning District with a Special Use Permit (SUP). The proposed ordinance amendment makes the following changes:

- adds “**Fitness Club or Gym (indoors)**” as permitted uses in C-1, C-2, I-1, and I-2
- adds “**Fitness Club or Gym (with outside operations)**” as permitted uses in C-1 with an SUP, C-2, I-1, and I-2

As a cleanup the following change is also being proposed:

- Add the **SF-3 zoning district** to the Use Chart – This district is in the text of the Zoning Ordinance but was never codified into the Schedule of Land Uses. No use changes are proposed within the district as it takes the uses out of the text and conforms other uses not listed to the other SF districts.

The Definitions section is also being amended to include the following definitions:

- **Fitness Club or Gym (indoors)** – any person, firm, corporation, organization, club, or association engaged in the sale of instruction, training, or assistance in a program of physical exercise or weight reduction, which may include the use of a sauna, whirlpool bath, weightlifting room, massage, steam room, or other exercising or weight reduction machine or device. All activities shall be confined to the inside of a building.

- **Fitness Club or Gym (with outdoor operations)** – any person, firm, corporation, organization, club, or association engaged in the sale of instruction, training, or assistance in a program of physical exercise or weight reduction, which may include the use of a sauna, whirlpool bath, weightlifting room, massage, steam room, or other exercising or weight reduction machine or device. All or a portion of the operations may be conducted outdoors.

Financial Information:

N/A

Contact and Recommendations:

John Taylor, Development Services Director

Staff recommends a recommendation of approval as written.

Attachments:

Sec. 14.02.112 Schedule of land uses

This section identifies which land uses are allowed in each zoning classification. Land use types are shown as being either allowed, allowed with specific use permit, or not allowed. For uses not identified, refer to [section 14.02.053](#) of this article. The following legend is used for interpreting the schedule of uses:

X	Designates use permitted in district indicated.
S	Designates use only with a special use permit in districts indicated.
	Designates use prohibited in district indicated.
1	Designates mobile home districts.
2	Designates planned development districts.
SU	Designates specific use permit to place a mobile home.

RESIDENTIAL USES

Type	A	SF1	SF2	SF-3	MF1	MF2	MF3	C1	C2	I1	I2	PD-MH	PD
Single-family dwelling, attached		X	X	X	X	X						1	2
Single-family dwelling, detached		X	X	X	X	X		X				1	2
Two-family dwelling, duplexes		S	S	S	X	X						1	2
Four-family dwelling, fourplexes				S	S	X		X				1	2
Multi-family dwelling and condominiums						X	X	X				1	2
Mobile homes		SU	SU	SU								1	2
Nursing homes						X		X	S			1	2
Servant's quarters	X	X	X	X	X							1	2
Rooming/Boarding house and bed and breakfast		S	S	S	X	X		X	X				
Community home for disabled persons		X	X	X	X	X	X						

(Ordinance 031-07-2007 adopted 7/9/07; Ordinance 109-08-2012 adopted 3/12/12)

INSTITUTIONAL USES

Type	A	SF1	SF2	SF-3	MF1	MF2	C1	C2	I1	I2	PD-MH	PD
Schools												

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College or university		S	S	<u>S</u>	S	X	X	X	X	X	1	2
Public and private schools	S	S	S	<u>S</u>	X	X	X	X	X	X	1	2

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Utilities

Public utility facilities	X	X	X	<u>X</u>	X	X	X	X	X	X	1	2
Radio and television towers		S	S	<u>S</u>	S	S	S	X	X	X	1	2
Telephone exchanges and transmission buildings		S	S	<u>S</u>	S	X	X	X	X	X	1	2
Water pumping and reservoirs		S	S	<u>S</u>	S	S	X	X	X	X	1	2
Other												
Churches, parish houses and convents		S	S	<u>S</u>	S	X	X	X	X	X	1	2
Fraternal organizations			S	<u>S</u>	S	X	X	X	X	X	1	2
Hospitals							X	X	X	X	1	2
Mortuaries							S	X	X	X	1	2
Post office facilities		S	S	<u>S</u>	S	X	X	X	X	X	1	2

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RECREATION/ENTERTAINMENT USES

Type	A	SF1	SF2	<u>SF3</u>	MF1	MF2	C1	C2	I1	I2	PD-MH	PD
Commercial recreation facilities (indoor)							S	X	X	X	1	2
Commercial recreation facilities (outdoor)								S	X	X	1	2
Private clubs that sell alcoholic beverages							X	X	X	X	1	2
Sexually oriented businesses									X	X	1	2
Stadiums, arenas and auditoriums									S	X	1	2
Theaters (indoor)							X	X	X	X	1	2
Theaters (outdoor)							S	S	X	X	1	2

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OFFICE USES

Type	A	SF1	SF2	<u>SF3</u>	MF1	MF2	C1	C2	I1	I2	PD-MH	PD
Employment agencies							X	X	X	X	1	2

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Medical and dental centers								X	X	X	X	1	2
Offices								X	X	X	X	1	2
Opticians								X	X	X	X	1	2
Travel agencies								X	X	X	X	1	2

GENERAL RETAIL USES

Type	A	SF1	SF2	SF3	MF1	MF2	C1	C2	I1	I2	PD- MH	PD
Antique shops							X	X	X	X	1	2
Art/craft shops							X	X	X	X	1	2
Blueprinting stores							X	X	X	X	1	2
Camera sales and repair							X	X	X	X	1	2
Carpet stores							X	X	X	X	1	2
Clothing stores and tailors							X	X	X	X	1	2
Department stores							X	X	X	X	1	2
Drug stores/pharmacy							X	X	X	X	1	2
Florist shops (not outdoor nursery)							X	X	X	X	1	2
Furniture stores							X	X	X	X	1	2
Household appliance store							X	X	X	X	1	2
Jewelers							X	X	X	X	1	2
Office supply stores							X	X	X	X	1	2
Paint and wallpaper stores							X	X	X	X	1	2
Sporting goods stores							X	X	X	X	1	2
Taxidermists							X	X	X	X	1	2

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(1993 Code, sec. 10-3A-12)

COMMERCIAL USES

Type	A	SF1	SF2	SF3	MF1	MF2	C1	C2	I1	I2	PD- MH	PD
Advertising signs (including billboards)		S	S	S	X	X	X	X	X	X	1	2
Artisan's workshop							S					

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Auction rooms							X	X	X	X	1	2
Exterminating/pest control stores								S	X	X	1	2
Furniture refinishing/cabinet shops									X	X	1	2
Hardware stores							X	X	X	X	1	2
Hotels and motels							X	X	X	X	1	2
Lumberyards and building materials								X	X	X	1	2
Outdoor nurseries							X	X	X	X	1	2
Plumbing stores							X	X	X	X	1	2
Small engine repair							S	X	X	X	1	2
Spray painting/body shops								X	X	X	1	2
Upholstery shops								X	X	X	1	2
Veterinarian/kennels								X	X			
Weighing stations									X	X	1	2

(1993 Code, sec. 10-3A-12; Ordinance 110-08-2012 adopted 3/12/12)

MOTOR VEHICLE/TRANSPORTATION USES

Type	A	SF1	SF2	SF3	MF1	MF2	C1	C2	I1	I2	PD- MH	PD
Airports and heliports								S	X	X	1	2
Automobile accessory stores							X	X	X	X	1	2
Auto body repair shops								X	X	X	1	2
Auto parking lots and structures							S	X	X	X	1	2
Auto sales and service (no outdoor)							S	X	X	X	1	2
Auto sales and service							S	X	X	X	1	2
Auto service stations							S	X	X	X	1	2
Bus station/terminals								X	X	X	1	2
Carwashes							S	X	X	X	1	2
Motor freight terminal								S	X	X	1	2
Railroad yards and shops								S	X	X	1	2
Tire sales and repair shop							S	X	X	X	1	2

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Vehicle service centers									X	X	X	1	2
Auto salvage operation										S	X	1	2

(1993 Code, sec. 10-3A-12)

PERSONAL SERVICE USES

Type	A	SF1	SF2	SF3	MF1	MF2	C1	C2	I1	I2	PD-MH	PD
Alternative financial establishment								S				
Banks and financial institutions							X	X	X	X	1	2
Beauty parlors/barbershops							X	X	X	X	1	2
Body art studio								X	X	X	X	
Cleaning and dyeing facilities							X	X	X	X	1	2
Commercial laundries							X	X	X	X	1	2
Daycare centers		S	S	S	X	X	X	X	S	S	1	2
<u>Fitness Club or Gym (indoor)</u>							X	X	X	X	1	2
<u>Fitness Club or Gym (with outside operations)</u>							S	X	X	X	1	2
Locksmith							X	X	X	X	1	2
Self-service laundromats							X	X	X	X	1	2
Shoemakers							X	X	X	X	1	2

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(1993 Code, sec. 10-3A-12; Ordinance 149-09-2014 adopted 5/19/14; Ordinance 311-11-2017, ex. A, adopted 1/9/17)

FOOD/BEVERAGE USES

Type	A	SF1	SF2	SF3	MF1	MF2	C1	C2	I1	I2	PD-MH	PD
Bakeries							X	X	X	X	1	2
Beer and wine sales (off-premises consumption only)							X	X	X	X		2*
Catering establishments							X	X	X	X	1	2
Grocery stores/supermarkets							X	X	X	X	1	2

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Private clubs							X	X	X	X	1	2
Restaurants and cafes							X	X	X	X	1	2
Sale of alcoholic or mixed beverages in restaurants by food and beverage certificate holders only							X	X	X	X		2*
Sale of alcoholic or mixed beverages for on-premises consumption							S	S	X	X		2*
Sale of alcoholic beverages for off-premises consumption; liquor (package) store								X	X	X		2*
Wine, beer and/or other alcoholic beverage product tasting as authorized by TCAB							X	X	X	X		

* The sale of alcoholic beverages is not allowed in areas zoned for residential use, including but not limited to PD planned development districts approved exclusively for residential uses.

(Ordinance 412-13-2020 adopted 4/27/20)

WAREHOUSING USES

Type	A	SF1	SF2	SF3	MF1	MF2	C1	C2	I1	I2	PD-MH	PD
Mini warehouses							S	X	X	X	1	2
Warehouses								X	X	X	1	2
Wholesaling establishments								S	X	X	1	2

INDUSTRIAL/MANUFACTURING USES

Type	A	SF1	SF2	SF3	MF1	MF2	C1	C2	I1	I2	PD-MH	PD
Asphalt and concrete batching									S	X	1	2
Boat building facilities									X	X	1	2
Bottling/distribution plants									X	X	1	2
Concrete casting operations									S	X	1	2
Electrical equipment assembly									X	X	1	2
Feed mixing and grinding plant									S	X	1	2
Foundry or metal fabrication									S	X	1	2

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Gasoline and oil storage									S	X	1	2
Machine shops									X	X	1	2
Meat processing plant							S	S	S	X	1	2
Storage yards									X	X	1	2
Tire manufacturing									S	X	1	2

AGRICULTURAL/MINING USES

Type	A	SF1	SF2	SF3	MF1	MF2	C1	C2	I1	I2	PD-MH	PD
Farming and ranching operations	X	X	X	X	X	X	X	X	X	X	1	2

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(1993 Code, sec. 10-3A-12)



Planning and Zoning Agenda July 13, 2021

Agenda Item: Special Use Permit – (Public Hearing and Action Item)

Agenda Description:

Discuss, consider, and possible action on a recommendation on a Special Use Permit for a “Fitness Club or Gym with outdoor operations” in the C-1 zoning district. The property is located at 216 W. Liberty St. and is described as OT Pilot Point, Block 14, Lot 4 in the City of Pilot Point, Texas, Denton County, Texas.

- a. Staff report and presentation.
- b. Applicant presentation.
- c. Public Hearing.
- d. Discuss, consider, and take any necessary action.

Background Information:

The approximate location of the SUP request is indicated on the attached site map. It is proposed to be in a portion of an existing 4,800 sq. ft. vacant building off the square. The gym will be in 3 of the 4 bays of the building using approx. 3,600 sq. ft.

The property is owned by Shannon and Kevin Stafford. They along with Holly Crawford, owner of Kainos Functional Fitness, are requesting a Special Use Permit for the operation of a fitness club or gym with the use and storage of a limited amount of fitness equipment outside at property located at 216 W. Liberty. The fitness equipment includes large tires used for tire flips. All tires are proposed to be stored on the north side of the building under the awning. The tires are intended to be stored in a sightly manner and free from the accumulation of water.

While most of the fitness classes will be conducted indoors, it is reasonable to expect some activities will be conducted outdoors on the business property or on the city’s public property. These activities include but are not limited to running, tire flips, and skid pulls. It is intended that no activities will impede with the daily conduct of the local businesses near the facility and the safety of all members will be the priority when programming outdoor activity.



The SUP will need to have written conditions approved as a part of the ordinance to be enforceable.

Possible conditions include:

1. All exercise equipment used and stored outside must be stored on the north side of the building with no visibility from the street and under cover from the rain.
2. No activities will impede with the daily conduct of the local businesses near the facility nor with the traffic flow on any street or sidewalk.
3. Prior to certificate of occupancy the business and building will be in conformance with all City of Pilot Point rules and regulations.
4. All members safety will be the priority when programming outdoor activity.

The following are the rules for approval of a Special Use Permit.

Sec. 14.02.501 Issuance

After public hearing and proper notice and after recommendation by the planning and zoning commission, the city council may authorize the issuance of a special use permit when the council finds all of the following conditions present:

(1) That the establishment, maintenance, or operation of the special use will not be materially detrimental to or endanger the public health, safety, morals, or general welfare;

(2) That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the specific use;

(3) That the establishment of the conditional use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

(4) That adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;

(5) That adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets; and

(6) That the special use shall conform to all applicable yard area regulations of the district in which it is located.



Sec. 14.02.502 Conditions and restrictions

Prior to the granting of any special use permit, the city council may stipulate such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the specific use as deemed necessary to protect the public health, safety and general welfare of the community and to secure compliance with the standards and requirements specified in section 14.02.501(1) through (6) of this division. In all cases in which specific uses are granted, the council shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with. (1993 Code, sec. 10-7-2)

Notices were sent out to all property owners within 200' of the parcel that contains this building and a legal notice was run in the newspaper notifying of the public hearings to be held on 7-13-21 for Planning and Zoning Commission and 7-22-21 for the City Council.

Financial Information:

NA

City Contact and Recommendations:

John Taylor, Development Services Director

Attachments:

1. Location Map





Planning and Zoning Agenda July 13, 2021

Agenda Item: Massey Road zoning discussion

Agenda Description:

Discuss, consider and possible action on the rezoning of commercial properties on Massey to conform to the Comprehensive Plan.

- a. Staff report and presentation.
- b. Discuss, consider, and take any necessary action.

Background Information:

The Planning and Zoning Commission has expressed a desire to do a city initiated zoning change along Massey from C-2 to SF-2 to bring it into conformance with the Comprehensive Plan. The City Council has expressed reservations on having this zoning change be city driven as it will be a down zoning and potentially be removing value from the properties. The following map shows the 7 parcels involved and the following table identifies the ownership of those parcels.

Here is an overview of those parcels:

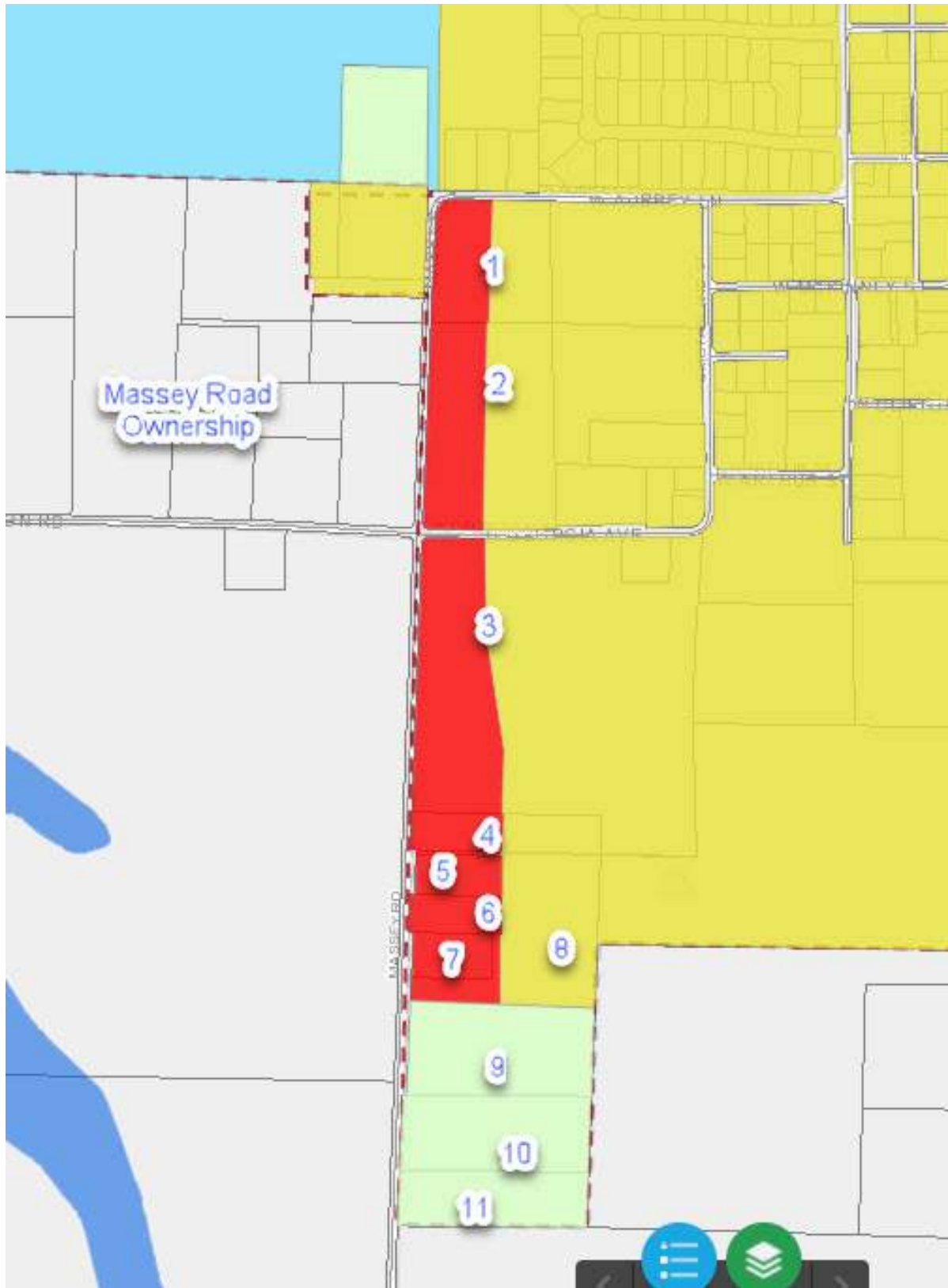
Tract 1 has recently sold for large lot residential development. Rezoning to SF-2 is expected.

Tract 2 to a residential property owned by a PZ Commissioner.

Tract 3 is under contract and the city has a DRC meeting on July 13th to discuss their plans.

Tract 4 is a residential property that is owned by a City Council person.

Tracts 5, 6, and 7 are an operating commercial business owned by a City Council person.





Massey Road Ownership

Tract 1 – 41682 (Massey and Aubrey)

This property recently sold and the new owners have plans to develop it as large lot residential and they have said they will be coming in for a zoning change.

Abstract/Subdivision Code

A1139A

Legal Description

A1139A C. SMITH, TR 304, 4.0 ACRES

Tact 2 – 41689

Owner

LANIER, MARK AUBREY & AMY DANE (PZ Commissioner)

Property Address

12580 MASSEY RD PILOT POINT TX 76258

Mailing Address

9342 VAIL ETON DR

City

PILOT POINT, TX

Abstract/Subdivision Code

A1139A

Legal Description

A1139A C. SMITH, TR 311, 7.083 ACRES

Tract 3 – 313933

This property is under contract to be sold and DRC meeting is scheduled for the 13th to discuss probable use.

Abstract/Subdivision Code

A1139A

Legal Description

A1139A C. SMITH, TR 320, 27.473 ACRES

Tract 4 - 41750

Owner

CORDELL, WESLEY D (Council member)

Property Address

1200 MASSEY RD TX 76258-3631

Mailing Address

1200 MASSEY RD

City

PILOT POINT, TX



Abstract/Subdivision Code

A1139A

Legal Description

A1139A C. SMITH, TR 321, 1.9111 ACRES

Tract 5 – 680557 & Tract 6 – 273884 & tract 7 – 680556 (operating Commercial business)

Owner

JONES, ELIZABETH S LVING TRUST

Property Address

MASSEY RD TX

Mailing Address

12222 MASSEY RD

City

PILOT POINT, TX

Abstract/Subdivision Code

SW0208A

Legal Description

PROSE HONEY BEE ADDITION BLK 1 LOT 4 & A1139A C. SMITH, TR
322A, 1.0 ACRES

Financial Information:

NA

City Contact and Recommendations:

John Taylor, Development Services Director

Attachments: