



**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:

**THURSDAY, JULY 7, 2022**

**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. Consent Agenda:**

1. **Minutes:** Discuss, consider, and possible action on the **June 2, 2022**, Planning and Zoning Commission meeting minutes.

**D. Regular Agenda:**

1. **Z22-005 C2 and Temporary A to SFE - Henzler – Alexander Estates Zoning Change Request:**

Consider and act to rezone 19.4541 acres from "C-2" Commercial and temporary "A" Agricultural Zoning to SF-E Single family Estate residential district for a 7-lot single family residential home development. The parcel is a portion of DCAD ID 41303 and 40683 and is generally located at the northeast corner of Holford and Alexander, Pilot Point, TX.

- a. Staff overview.
- b. Applicant presentation.
- c. **Public Hearing.**
- d. Discuss, consider and possible action.

**E. 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.

**F. 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 by **5:00 p.m. on 7/1/22**, and shall remain posted for at least 72 hours preceding the scheduled time of said meeting.

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Lenette Cox, City Secretary

**MINUTES OF THE JUNE 2, 2022  
PLANNING AND ZONING COMMISSION MEETING**

The Planning and Zoning Commission of the City of Pilot Point, Texas met on June 2, 2022 at 6:30 p.m. for a regular meeting of the Planning and Zoning Commission. Planning and Zoning Commission Members present were Brian Heitzman, Steve Keith, Gary Speer, and Scott Cates. Staff members present were Development Services Director John Taylor, City Attorney Cynthia Kirchoff, and Development Services Administrative Assistant JoAnn Wright.

**A. ROLL CALL/CALL TO ORDER**

Commissioner Heitzman called roll and declared a quorum calling the meeting to order at 6:30 PM

Commissioner Dennis – Absent

Commissioner Speer - Present

Commissioner Lanier – Absent

Chair Heitzman - Present

Commissioner Keith – Present

Commissioner Sevier - Absent

Commissioner Cates – Present

**B. Public Forum:**

With no public to speak Commissioner Heitzman moved to the next item.

**C. Consent Agenda:**

**1. Minutes: Discuss, consider, and possible action on the May 5, 2022, Planning and Zoning Commission meeting minutes.**

Commissioner Speer made the motion to approve the minutes of the May 5, 2022, Planning and Zoning Commissioner Meeting. Commissioner Keith seconded the motion. The motion carried unanimously.

**D. Regular Agenda:**

**1. Z22-006 C2 to SF2 - 810 S. Washington Zoning Change Request:**

**To consider a zone change request to a plus or minus 1.58-acre tract from “C2” Commercial to “SF2” Single family. The parcel is DCAD ID 168273 and is generally located east of Washington Street, west of the Railroad, and south of McKinney Street with the approximate address of 810 S. Washington St., Pilot Point, TX.**

**a. Staff overview.**

Development Services Director Taylor stated that, Larry and Susan Frank are requesting a zoning change to be able to remodel and occupy a commercial structure as a single family house. The surrounding zoning and land use is as follows:

- North: C2 commercial zoning with Single-Family improvements.
- East: SF2 residential zoning with Single-Family improvements
- South: PD Townhouse zoning and is vacant
- West: SF2 residential zoning and is railroad and vacant

The structure was originally constructed as a gas station and has been used for various

commercial and residential uses. However, it has been vacant beyond the time for a nonconforming use to be permitted to continue. Therefore, a zoning change is required for the property to be used for residential purposes.

The request is in conformance with the adopted Future Land Use Plan which shows the area as low to medium density residential.

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 hearing to be held on 6-2-22 for Planning and Zoning Commission and 6-9-22 for the City Council.

Staff recommends approval of the proposed zoning change for C2 to SF2.

**b. Applicant presentation.**

Owner Larry Frank bought the property in 1997 and it is the intent for he and his wife to live there. He wants to build an auxiliary building on the property.

**c. Public Hearing.**

Chair Heitzman opened the public hearing at 6:36pm.

Owner Larry Frank stated that the property was built in 1916 as White Eagle gas station. There are living quarters in the back south side of the building. The building is a very sturdy structure. The gas station had gravity fed pump so there is no under-ground gas tank on the property.

With no other public comments Chair Heitzman closed the public hearing at 6:41pm.

**d. Discuss, consider and possible action.**

Commissioner Cates made the motion to approve the zoning request to change the zoning from Commercial Two (C2) to Single Family Two (SF2). Commissioner Speer seconded the motion. The motion passed unanimously.

**2. Z22-007 C2 to MF3 - 909 S. Washington Zoning Change Request:**

**To consider a zone change request to a plus or minus 1.781-acre tract from “C2” Commercial to “MF3” Multi-family. The DCAD parcel ID is 41595 and it is generally located east of Washington Street, west of Jefferson Street, and south of Shadow Ridge Apartments with the approximate address of 909 S. Washington Street, Pilot Point, TX.**

**a. Staff overview.**

Development Services Director Taylor stated Harold Baeck is representing 909 S. Washington LLC and is requesting a zoning change to be able to construct a new apartment complex under the MF3 standards.

The surrounding zoning and land use is as follows:

- North: MF2 Multi-family zoning with apartments.
- East: SF2 residential zoning with Single-Family improvements.
- South: C2 commercial zoning with agricultural and single family uses.

- West: C2 commercial zoning with self-storage uses.

The subject property is vacant and proposed for apartment construction conforming with the MF3 standards.

The request is not in conformance with the adopted Future Land Use Plan which shows the area as low to medium density residential. Low to Medium Residential Mixed-Use Neighborhoods is defined as predominantly residential with a mix of densities, lot sizes, housing types, styles, and patterns that can be accommodated or retrofitted in a conventional single-family neighborhood. The primary uses in this category include single family residences, such as duplexes, patio homes, and town homes.

Although the use is of a higher density than shown in the Comprehensive Plan the use could be compatible with the surrounding land uses if all MF-3 standards, landscaping and screening are followed. The realignment of Washington, the adjacent self-storage and the existing apartments support the use of the property as multi-family.

The proposal is that the new apartment complex will be separate from the existing complex. A portion of the parking of the existing complex is located on the subject property and will taken care of in the platting of the property through an access and parking easement.

This is a straight zoning application and not a Planned Development. Therefore, all requirements in the MF-3 district will be followed. However, according to the ordinance, a site plan must be submitted with the zoning change, meeting the requirements of Sec. 14.02.253. The site plan does not address the screening, landscaping, stormwater detention or an analysis of the project vs the ordinance standards. The submittal also does not include a table showing units by size, number of bedrooms and floor plans as required in Sec. 14.02.253.

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 hearing to be held on 6-2-22 for Planning and Zoning Commission.

Staff recommends that the zoning request be tabled until a site plan meeting all the requirements of the MF-3 district, also following the requirements listed in 14.02.253 and a landscape plan and storm water detention plan be submitted.

**b. Applicant presentation.**

Architect Harold Baeck stated the property is currently zoned Commercial Two (C2) and we want to zone the property, so it is similar to the Landings Apartments. The hydraulics need to be checked for runoff water. Everything else complies with Multi-Family Three.

**b. Public Hearing.**

Commissioner Heitzman opened the public hearing at 7:03pm.

Craig Tullis stated that he was pleased to hear that the property was being developed by the same people that own the Landings Apartments. Mr. Tullis has some concerns with the screening. There are no sidewalks and there is a school nearby.

Mr. Taylor stated that if this project is zoned MF3, the screening material requirements would be masonry. If this were zoned as a Planned Development (PD) a tubular steel fence could be put up, which would allow for visibility on Jefferson Street concerned with side yards.

With no other comments, Commissioner Heitzman closed the public hearing at 7:14pm.

**c. Discuss, consider and possible action.**

Commissioner Cates made the motion to deny the zoning change with the recommendation to come back and ask for planned development zoning. Commissioner Keith seconded the motion. The motion passed unanimously.

Development Services Director Taylor stated that the City Council will be holding a public hearing on this matter on June 23<sup>rd</sup>, 2022.

**E. Items for Future Discussion**

Development Services Director Taylor stated that City Council would like to have a work session with the Planning and Zoning Commission to discuss garage specifications.

Commissioner Keith wants to look at the ordinance for demolition by neglect. Mr. Taylor stated that the City Attorney is working on it.

**F. Adjourn.**

Commissioner Speer made the motion to adjourn. Commissioner Cates seconded the motion. The meeting closed at 7:26pm.

ATTEST:

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Brian Heitzman, Commissioner

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JoAnn Wright, Development Services  
Administrative Assistant



**Agenda Item: Z22-005 Zone Change Request: A (Temporary) and C-2 (Commercial) to SF – E (Single Family Residential Estate) Alexander Street and Holford Street**

**Planning and Zoning Commission – July 7, 2022  
City Council – July 14, 2022**

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**Agenda Description:**

Consider and act to rezone 19.4541 acres from “C-2” Commercial and temporary “A” Agricultural Zoning to SF-E Single family Estate residential district for a 7-lot single family residential home development. The parcel is a portion of DCAD ID 41303 and 40683 and is generally located at the northeast corner of Holford and Alexander, Pilot Point, TX.

1. Staff overview.
2. Applicant presentation.
3. **Public Hearing.**
4. Discuss, consider and possible action.

**Background Information:**

Trustees for Cora Alice Henzler Revocable Trust are requesting a zoning change to be able to prepare a preliminary plat for the subject 19.451 acres and develop the properties in accordance with the SF-E, single family estate residential standards. The owner listed in DCAD is:

Cora Alice Henzler Revocable Trust  
13570 Alexander Road  
Pilot Point, Tx 76258

The surrounding zoning and land use is as follows:

- North: unincorporated, vacant land.
- East: unincorporated, vacant land and C-2 (commercial).
- South: MF-2, (multi-family residential). Manufactured housing units are located on south side of West Holford Street.



- West: SF-2 (Single Family), A (Agricultural) and unincorporated single family and vacant land uses.

The subject property is vacant and is proposed for annexation by City Council action and a zone change for future estate residential platting and/or development.

The zone change request is in conformance with the adopted Future Land Use Plan which shows the area as low density residential. Low Residential Density locations are defined as predominantly estate residential densities, lot sizes, housing types, styles, and patterns that can be accommodated in single-family estate residential neighborhoods.

Primary uses in this category include single family estate residences with horse corrals/barns, limited crops and ancillary structures, barns, corrals, agricultural equipment, garages, small to medium sheds. Eventual development with single family estate residential development would be compatible with the surrounding properties.

The zone change request will provide future development as single-family estate residential units. Future platting and development will need to address any required city street dedication and improved public access needed for this location.

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 hearing to be held on 7-7-22 for Planning and Zoning Commission and 7-14-22 for City Council.

### **Staff Contacts and Recommendation:**

- John Taylor, Development Services Director
- Darrell Gentry, City Planner

Staff recommends the Planning & Zoning Commission recommend approval to the City Council for the subject 19.451 acres from C-2 and A (temporary zoning) to SF – E (single family estate residential district as requested by the applicant.

### **Attachments:**

Location Map



