

**PLANNING & ZONING COMMISSION WORK SESSION MINUTES  
PLANNING & ZONING COMMISSION AND CITY COUNCIL JOINT SESSION MINUTES  
AND**

**PLANNING & ZONING COMMISSION REGULAR MEETING MINUTES**

**August 3, 2009**

**Work Session – 6:30 p.m.**

**Joint Session – 7:00 p.m.**

**Planning & Zoning Members Present:**

Joe Hollarn, Chairperson  
Brad Moravec, Place 1  
Kenneth Bransom, Place 2  
Sharlotta Connally, Place 3  
Glen Reue, Place 4  
Angela McFarland, Place 5

**Planning & Zoning Members Absent:**

Robert Browder, Place 6

**Staff Present:**

Paulette Hartman, City Manager  
Mike Peacock, Director of Operations  
Mary Beth Thomas, City Secretary

**I. WORK SESSION – 6:30 p.m.**

Planning & Zoning Chairperson Hollarn called the Work Session to order at 6:30 p.m.

**A. Staff Briefings:**

Paulette Hartman, City Manager, presented this item.

**B. Questions Regarding Regular Session Agenda Items.**

There were none.

**C. Requests For Future Reports And Agenda Items.**

There were none.

The Work Session recessed at 6:38 pm.

**II. JOINT SESSION – 7:00 p.m.**

***P&Z Members Present:*** Chairperson Hollarn, Commission Members Moravec, Bransom, Connally, Reue, McFarland

***P&Z Members Absent:*** Commissioner Browder

***City Council Members Present:*** Mayor Breitenstein, Council Members Isom, Walden, Mathieu, Tallent, Neely.

***City Council Members Absent:*** Council Member Smallwood.

Planning & Zoning Chairperson Hollarn called the Joint Session to order at 7:00 p.m.

The Joint Session recessed and a Public Hearing was opened at 7:01 p.m.

**A. Convene A Public Hearing To Obtain Public Input Regarding A Request For A Conditional Use Permit To Allow A Car Repair Business In “C-1” Zoning District, More Commonly Known As 619 N. Broadway.**

A. Applicant’ Statement.

The applicant was not in attendance.

B. Staff Comments.

Paulette Hartman, City Manager, presented this item. Mrs. Hartman stated that the applicant requested withdrawal of the conditional use permit and she recommends denying this request.

C. Those In Favor.

No one spoke at this time.

D. Those Against.

No one spoke at this time.

E. Applicants Rebuttal.

None required.

F. Adjournment.

The Public Hearing closed and the Joint Session reconvened at 7:03 pm.

**B. Discuss, Consider And Act Regarding An Ordinance Amending Ordinance No. 469-2008, As Amended, The Zoning Ordinance Of The City Of Joshua, By Approving A Conditional Use Permit For Certain Property Located In The City Of Joshua, Texas; Providing This Ordinance Shall Be Cumulative Of All Ordinances; Providing A Severability Clause; Providing A Penalty For Violations Hereof; Providing A Savings Clause; Providing For Publication In The Official Newspaper; Providing For Engrossment And Enrollment; And Providing An Effective Date. (Hartman)**

Planning & Zoning Commissioners discussion: Commissioner Reue made a motion to recommend denial of the conditional use permit request. Commissioner Bransom seconded the motion.

**Motion Carried – 6-0.** Absent: Commissioner Browder

City Council Members discussion: Council Member Tallent made a motion to deny the conditional use permit request. Council Member Walden seconded the motion.

**Motion Carried – 6-0.** Absent: Council Member Smallwood

There being no further business the Joint Session recessed at 7:05 p.m.

**III. REGULAR SESSION**

Chairperson Hollarn called the Regular Session to order at 7:05 pm.

**A. Citizens Presentation And Public Input For Future Agenda Items.**

No one spoke at this time.

**B. Consider The Approval Of Minutes For May 4, 2009.**

Commissioner Connally made a motion to approve the minutes as written. Commissioner Moravec seconded the motion.

**Motion Carried – 6-0.** Absent: Commissioner Browder

The Regular Session recessed and a Public Hearing was opened at 7:07 pm.

At this time, Commissioner Bransom excused himself from participating in the discussion on this item due to a conflict of interest.

**C. Convene A Public Hearing To Obtain Public Input Regarding A Request To Change The Zoning On An Approximate 0.2804 Acre Tract Of Land Located In The W. W. Byers Survey, Abstract No. 29, Tract 68, More Commonly Known As 103 Veatch, From “R-1” Single Family Residential To “C-1” Restricted Commercial.**

**A. Applicants Statement.**

Carl Strain, representative with JCSUD, presented the request.

**B. Staff Comments.**

Paulette Hartman, City Manager, presented this item.

**C. Those In Favor.**

Ken Kepple, P.O. Box 1, Joshua, Texas spoke in favor.

**D. Those Against.**

Wade Cooper, 104 14<sup>th</sup> St. Joshua, Texas spoke in opposition.  
Mary Horton, 202 12<sup>th</sup> St., Joshua, Texas spoke in opposition,  
Kelly Neil, 205 E. 14<sup>th</sup> St., Joshua, Texas spoke in opposition.

**E. Applicants Rebuttal.**

Carl Strain, representative with JCSUD, presented this item.

**F. Adjournment.**

The Public Hearing recessed and the Regular Session reconvened at 7:14 pm.

**D. Discuss, Consider And Act Regarding A Request To Change The Zoning On An Approximate 0.2804 Acre Tract Of Land Located In The W. W. Byers Survey, Abstract No. 29, Tract 68, More Commonly Known As 103 Veatch, From “R-1” Single Family Residential To “C-1” Restricted Commercial. (Hartman)**

Paulette Hartman, City Manager, presented this item. After a brief discussion, Commissioner Reue made a motion to recommend approval of the zoning change request. The motion died for lack of a second.

Commissioner Connally made a motion to recommend denial of the zoning change request. Commissioner Moravec seconded the motion. The vote was as follows:

**Ayes:** Moravec, Connally, Hollarn, McFarland

**Nays:** Reue

**Abstention:** Bransom

**Motion Carried - 4-2.** Absent: Commissioner Browder

There being no further business the meeting adjourned at 7:28 p.m.

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Joe Hollarn, Planning & Zoning Chairperson

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Merle Breitenstein, Mayor

**ATTEST:**

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Mary Beth Thomas, City Secretary

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Mary Beth Thomas, City Secretary