

**WORK SESSION AGENDA OF THE CITY COUNCIL OF
HURST, TEXAS
CITY HALL, 1505 PRECINCT LINE ROAD
FIRST FLOOR CONFERENCE ROOM
TUESDAY, JULY 11, 2023 – 6:00 P.M.**

I. Call to Order

II. Informational Items

- **Update and discussion of upcoming Calendar Items**
- **Update and discussion of 88th Legislature bills impacting the city**

III. Update and discussion of Regular Agenda Items

IV. Discussion of Agenda Item(s) 3

Consider Ordinance 2542, second reading, SITE-2023-00007 Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3, Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Highway

V. ADJOURNMENT

Posted By: _____

This the 7th day of July 2023, by 5:00 p.m., in accordance with Chapter 551, Texas Government Code.

Any item on this posted agenda could be discussed in executive session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and section 561.087 of the Texas Government Code.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (817) 788-7041 or FAX (817) 788-7054, or call TDD 1-800-RELAY-TX (1-800-735-2989) for information or assistance.

**REGULAR MEETING AGENDA OF THE CITY COUNCIL OF HURST, TEXAS
CITY HALL, 1505 PRECINCT LINE ROAD
TUESDAY, JULY 11, 2023**

AGENDA:

6:00 p.m. - Work Session (City Hall, First Floor Conference Room)

6:30 p.m. - City Council Meeting (City Hall, Council Chamber)

CALL TO ORDER

INVOCATION (Councilmember Jon McKenzie)

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. Consider approval of the minutes for the June 27, 2023 City Council meetings
2. Consider Ordinance 2541, second reading, amending Chapter 24 by adding to Section 24-127, prohibiting parking in certain areas

ORDINANCE(S)

3. Consider Ordinance 2542, second reading, SITE-2023-00007 Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3, Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Highway

OTHER BUSINESS

4. Board, Commission and Committee Minutes
 - Planning and Zoning Commission
5. Review of upcoming calendar items
6. City Council Reports - Items of Community Interest

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED. CITIZEN COMMENTS ARE LIMITED TO A MAXIMUM OF 3 MINUTES PER SPEAKER

ADJOURNMENT

Posted by: _____

This 7th day of July 2023, by 5:00 p.m., in accordance with Chapter 551, Texas Government Code.

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This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (817) 788-7041 or FAX (817) 788-7054, or call TDD 1-800-RELAY-TX (1-800-735-2989) for information or assistance.

**Minutes
Hurst City Council
Work Session
Tuesday, June 27, 2023**

On the 27th day of June 2023, at 5:02 p.m., the City Council of the City of Hurst, Texas, convened in Work Session at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Henry Wilson	)	Mayor
Gary N. Waldron	)	Mayor Pro Tem
Jon McKenzie	)	Councilmembers
Cathy Brotherton)	
Cindy Shepard)	
John Miller)	
Jimmy Meeks)	
Clay Caruthers	)	City Manager
Sam Hawk	)	City Attorney
Clayton Fulton	)	Assistant City Manger
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Executive Director of Planning and Development
Kyle Gordon	)	Executive Director of Community Services
Duane Hengst	)	City Engineer

With the following Councilmembers absent: none, constituting a quorum, at which time, the following business was transacted:

I. Call to Order – The meeting was called to order at 5:02 p.m.

II. Informational Items

- **Update and discussion of upcoming Calendar Items** – Executive Director of Community Services Kyle Gordon reviewed the Stars and Stripes event schedule, noting a new parking area for Council. City Manager Caruthers also reviewed the Future Events Calendar.
- **Update and discussion of appointments to Boards, Commissions and Committees** – Council discussed appointments to Boards, Commissions and Committees.
- **Update and discussion of vacant land 1848 Precinct Line Road** – Executive Director of Planning and Zoning Michelle Lazo noted the church located at 1848 Precinct Line Road approached staff regarding a donation of the land deeded to the church. She stated the land is located in the flood plain and not being utilized. City Manager Caruthers stated staff plans to accept the donation as an enhancement to the drainage easement. He also noted the possibility of any extra land being deeded to the homeowners.
- **Update and discussion of City Code Enforcement** – City Manager and staff provided an update on properties, generally part of an inheritance, being boarded due to vacant owners. Staff also noted code enforcement has been addressing issues with the home mentioned by Ms. Young at the June 11, 2023 Council meeting and that it seems to be

cyclical in nature. Staff also noted the Awareness Project in the Bellaire Shopping Center continues to have events without a Certificate of Occupancy and staff is working to address this issue.

III. Update and discussion of Regular Agenda Items

Mayor Wilson recessed the meeting to Executive Session under Section 551.071 of the Texas Government Code to consult with and receive legal advice from the City Attorney regarding zoning cases at 5:33 p.m. and reconvened open session at 5:42 p.m.

IV. Discussion of Agenda Item(s) 5

Conduct a public hearing and consider Ordinance 2542, first reading, SITE-2023-00007 Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3, Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Highway

This item was not discussed in work session.

V. Discussion of Agenda Item(s) 6

Conduct a public hearing and consider Ordinance 2543, first reading, Z-2023-00001 Hurst Boulevard Townhomes, a zoning change with a concept plan from GB-PD to R2-PD for Lot 11, Block 13 Billy Creek Estates, being 3.2 acres located at 920 West Hurst Boulevard (**The applicant has requested this item be withdrawn**)

Mayor Wilson noted the applicants request to withdraw this item.

VI. Discussion of Agenda Item(s) 7

Consider P-2023-00003 Adkins Park Addition a final plat of Tract 2 Isaac Carodine Survey, A-356 to Lots 1-14, Block A and 1-66, Block B, Adkins Park Addition, being 31.67 acres located at 7628 Precinct Line Road

Executive Director of Planning and Development Michelle Lazo briefed Council on the proposed plat noting the entrance on Precinct Line Road has been slightly moved south as requested by the Texas Department of Transportation. She further stated the flood plain and engineering plans have been reviewed and accepted by staff and noted the tree mitigation saves as many trees as possible and reviewed the plan to leave the flood plain area in a natural state.

VII. Discussion of Agenda Item(s) 8

Consider Ordinance 2541, first reading, amending Chapter 24 by adding to Section 24-127, prohibiting parking in certain areas

City Engineer Duane Hengst briefed Council on the proposed ordinance to include the first 175 feet north along the east side of Hurstview Drive from Mid-Cities Boulevard intersection. He stated this will provide room for vehicles to maneuver on the north side of the intersection without traffic congestion.

VIII. Discussion of Agenda Item(s) 9

Consider authorizing the city manager to enter into a Contract with Excel 4 Construction, LLC for the 2022 Miscellaneous Sanitary Sewer Replacement Project

City Engineer Duane Hengst briefed Council on the proposed contract noting this is part of the regular upgrade of sanitary sewer maintenance. One bid was received from Excel 4 Construction, LLC, who have provided good service during previous projects in the City. City Manager Caruthers also noted additional parking is available for the staff of the business on this portion of Hurstview. He stated staff is recommending \$1.5 million to include an additional contingency than stated in the packet.

IX. Discussion of Agenda Item(s) 10

Consider authorizing the city manager to enter into an Engineering Services Contract Amendment 2 with Burgess & Niple, Inc. for 2022 Miscellaneous Sanitary Sewer Replacement Project

City Engineer Duane Hengst briefed Council on the proposed amendment for the 2022 Miscellaneous Sanitary Sewer contract noting the Texas Department of Transportation is requiring a full replacement for the Grapevine Highway 12-inch sanitary sewer replacement crossing State Highway 26 near the Tarrant County Northeast Courthouse instead of the planned boring method.

X. Discussion of Agenda Item(s) 11

Consider appointments to Boards, Commissions and Committees – this item was discussed under Information Items.

XI. ADJOURNMENT – Mayor Wilson adjourned the work session at 5:58 p.m.

APPROVED this the 11th day of July 2023.

ATTEST:

Rita Frick, City Secretary

APPROVED:

Henry Wilson, Mayor

City Council Minutes
Tuesday, June 27, 2023

On the 27th day of June 2023, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in a regular meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Henry Wilson	)	Mayor
Gary N. Waldron	)	Mayor Pro Tem
Jon McKenzie	)	Councilmembers
Cathy Brotherton)	
Cindy Shepard)	
John Miller)	
Jimmy Meeks)	
Clay Caruthers	)	City Manager
Sam Hawk	)	City Attorney
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Executive Director of Planning and Development
Kyle Gordon	)	Executive Director of Community Services
Brent Craft	)	Fire Chief
Kristi Weaver	)	Assistant Director of Community Services
Duane Hengst	)	City Engineer

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m. and the Pledge of Allegiance and Texas Pledge was given.

Councilmember Cathy Brotherton gave the Invocation.

PROCLAMATION(S)

1. Proclamation recognizing Amateur Radio Operators – Councilmember Jimmy Meeks read and presented the proclamation recognizing Amateur Radio Operators to the President of the Hurst Amateur Radio Club who reviewed their recent successful Field Day Operations. Fire Chief Brent Craft and Mayor Wilson expressed appreciation for the assistance provided by the operators.
2. Proclamation recognizing Parks and Recreation Week – Councilmember Cathy Brotherton read and presented the proclamation recognizing Parks and Recreation Week to Assistant Director of Community Services Kristie Weaver and her team. Ms. Weaver provided an overview of activities planned for the week and expressed appreciation for her team. Mayor Wilson expressed appreciation for the great job provided by the employees.

CONSENT AGENDA

3. Consider approval of the minutes for the June 13 and June 15, 2023 City Council meetings
4. Consider Ordinance 2540, second reading, amending Chapter 26 of the Hurst Code of Ordinances regarding the assessment of certain fees for water utility accounts

Mayor Pro Tem Waldron moved to approve the consent agenda. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks
No: None

PUBLIC HEARING(S) AND RELATED ITEM(S)

5. Conduct a public hearing and consider Ordinance 2542, first reading, SITE-2023-00007 Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3, Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Highway

Mayor Wilson announced the public hearing to consider Ordinance 2542, first reading, SITE-2023-00007 Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol and recognized Executive Director of Planning and Development Michelle Lazo who reviewed the proposed case noting the request is for a 3,000 square feet liquor and cigar store. She stated the zoning requirements have been met, will follow state law regarding operating hours and the City security requirements. Ms. Lazo stated the shopping center owner Jeff Brand is available for questions.

Mayor Wilson recognized the following individual who spoke in favor of the request: Jeff Brand, 5720 LBJ Freeway, Dallas, Texas, owner of the shopping center, stated he is present to answer any questions and is in favor of the request.

Mayor Wilson recognized the following individuals: Thomas Bingham, 737 Highland Crest Drive, Hurst, and Stephanie Barfknecht, 700 Bear Creek Drive, Hurst, owner of Primrose School, 500 Mid Cities Boulevard, Hurst, who spoke against the proposed case expressing concerns regarding the proximity to her business across the street; including vulnerability of children and negative impact to children; safety concerns including potential loitering and public intoxication; timing of meeting notification, desire for stricter distance requirements than state guidelines; additional safety measures; and request to add Chapter 22 to Section 109.33 of state alcohol codes to extend distance requirement to 1,000 feet for on and off premise liquor sales.

Mayor Wilson noted the petition provided by Ms. Stephanie Barfknecht appears most signatures are from parents and approximately 67% are not Hurst citizens.

There being no one else to speak, Mayor Wilson closed the public hearing.

In response to Councilmember questions, Mr. Brand stated the stores front faces Grapevine Highway and no signage will face the school or customer access from the rear of the building on Mid Cities Boulevard. He provided information regarding the other shopping center

tenants and stated he is working hard to lease space in the shopping center and make it an asset to the community.

Councilmember Miller moved to approve Ordinance 2542, first reading, a Special Use Permit for Hurst Liquor and Cigar. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers Brotherton, Waldron, Shepard and Miller

No: Councilmembers McKenzie and Meeks

6. Conduct a public hearing and consider Ordinance 2543, first reading, Z-2023-00001 Hurst Boulevard Townhomes, a zoning change with a concept plan from GB-PD to R2-PD for Lot 11, Block 13 Billy Creek Estates, being 3.2 acres located at 920 West Hurst Boulevard (**The applicant has requested this item be withdrawn**)

Mayor Wilson noted the applicant requested this item be withdrawn.

Councilmember Miller moved to accept the withdrawal. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks

No: None

PLAT(S)

7. Consider P-2023-00003 Adkins Park Addition a final plat of Tract 2 Isaac Carodine Survey, A-356 to Lots 1-14, Block A and 1-66, Block B, Adkins Park Addition, being 31.67 acres located at 7628 Precinct Line Road

Mayor Wilson recognized John Pitstick, Beaten Path Development, 700 W. Harwood Road representing the developer, who stated he is happy to answer questions regarding the plat. Mr. Pitstick noted the development will have 75 lots and a 10-acre reserve area. In response to Councilmember questions, Shannon Hayes, Baird Hampton and Brown, stated the plat shows lots that are currently in the flood plain, but will not be once developed.

Councilmember Miller moved to approve Adkins Park Addition, a final plat, being 31.67 acres located at 7628 Precinct Line Road. Motion seconded by Councilmember Waldron. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks

No: None

ORDINANCE(S)

8. Consider Ordinance 2541, first reading, amending Chapter 24 by adding to Section 24-127, prohibiting parking in certain areas

City Engineer Duane Hengst reviewed the proposed ordinance to include the first 175 feet north along the east side of Hurstview Drive from the Mid-Cities Boulevard intersection. He stated this will provide room for vehicles to maneuver on the north side of the intersection without causing traffic congestion.

Councilmember Waldron moved to approve Ordinance 2541, first reading, amending Chapter 24, by adding a sentence to Section 24-127; prohibiting parking in a certain area on Hurstview Drive near Mid-Cities Boulevard. Motion seconded by Councilmember Miller. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks
No: None

OTHER BUSINESS

9. Consider authorizing the city manager to enter into a Contract with Excel 4 Construction, LLC for the 2022 Miscellaneous Sanitary Sewer Replacement Project

City Engineer Duane Hengst review the proposed contract noting this is part of the regular upgrade of sanitary sewer maintenance. One bid was received from Excel 4 Construction, LLC, which have provided good service on other work performed for the City. City Manager Caruthers noted even though only one bid was received, in today's construction environment, staff is not surprised and is recommending moving forward. He stated staff is also requesting the \$1.5 million to allow for an adequate contingency.

Councilmember Meeks moved to authorize the city manager to enter into a Contract with Excel 4 Construction, LLC, for 2022 Miscellaneous Sanitary Sewer Replacement Project, in the amount of \$1,403,350.00, with a contingency of \$96,650.00, for a total amount of \$1,500,000.00 and a construction contract duration of 330 calendar days. Motion seconded by Councilmember Miller. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks
No: None

10. Consider authorizing the city manager to enter into an Engineering Services Contract Amendment 2 with Burgess & Niple, Inc. for 2022 Miscellaneous Sanitary Sewer Replacement Project

City Engineer Duane Hengst reviewed the proposed amendment for the 2022 Miscellaneous Sanitary Sewer Contract noting the Texas Department of Transportation is requiring a full replacement for the Grapevine Highway 12-inch sanitary sewer replacement crossing State Highway 26 near the Tarrant County Northeast Courthouse instead of the planned boring method.

Councilmember Shepard moved to authorize the city manager to enter into an Engineering Services Contract Amendment 2 with Burgess & Niple, Inc., for the 2022 Miscellaneous Sanitary Sewer Replacement Project. Motion seconded by Councilmember Brotherton. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks

No: None

11. Consider appointments to Boards, Commissions and Committees

Councilmember Miller moved to reappoint members whose terms are expiring and wished to be reappointed and to appoint the following individuals as follows: Animal Control, Hannah Schneider, Place 4; Codes, Appeals and Advisory Board – Bob Centracco, Alternate Place 1 and Arnceli Sleinsky, Alternate Place 2; Economic Development Advisory Committee – Shane Litts, Place 6 and Michael Mella, Place 9; Library Board – Michael Budd, Place 3; Neighborhood and Community Advisory Committee – Carolyn Hurd, Place 3, and Zoning Board of Adjustment – Allan Heindel, Place 1 and John Mitchell, Place 4.

Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks

No: None

12. Review of upcoming calendar items – City Manager Clay Caruthers reviewed the Future Events Calendar.

13. City Council Reports - Items of Community Interest – No items were reported.

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED. CITIZEN COMMENTS ARE LIMITED TO A MAXIMUM OF 3 MINUTES PER SPEAKER

Mayor Wilson recognized Stephanie Barfknecht, 700 Bear Creek Drive, Hurst, Texas who expressed additional comments and concerns regarding Agenda Item 5.

ADJOURNMENT – The meeting adjourned at 7:21 p.m.

APPROVED this the 11th day of July 2023.

ATTEST:

APPROVED:

Rita Frick, City Secretary

Henry Wilson, Mayor

City Council Staff Report

SUBJECT: Consider Ordinance 2541, second reading, amending Chapter 24 by adding to Section 24-127, prohibiting parking in certain areas	
Supporting Documents:	
Ordinance 2541 Location Map	Meeting Date: 7/11/2023 Department: Public Works Reviewed by: Greg Dickens City Manager Review:
Background/Analysis:	
The City Council approved Ordinance 2260 on August 26, 2014, that established the areas along City streets where parking is prohibited. The proposed addition to that list of street areas is the first 175 feet north along the east side of Hurstview Drive from the Mid-Cities Boulevard intersection. This will provide more room for vehicles to maneuver on the north side of the intersection without conflicts.	
Funding Sources and Community Sustainability:	
There is no financial impact. Designation of No Parking areas is directly representative of the Council's goal of Public Safety .	
Recommendation:	
Staff recommends Council approve Ordinance 2541, second reading, amending Chapter 24, by adding a sentence to Section 24-127; prohibiting parking in a certain area on Hurstview Drive near Mid-Cities Boulevard.	

ORDINANCE 2541

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HURST, TEXAS, AMENDING THE HURST CODE OF ORDINANCES CHAPTER 24 BY ADDING TO SECTION 24-127; PROHIBITING PARKING IN CERTAIN AREAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council (the "City Council") of the City of Hurst, Texas (the "City"), has appointed a Transportation Infrastructure and Safety Committee to act in an advisory capacity to the City Council in all matters pertaining to traffic safety; and

WHEREAS, the Transportation Infrastructure and Safety Committee has determined, after reasonable consideration, that parking should be prohibited on the streets provided herein; and

WHEREAS, the City of Hurst is a Home Rule municipality having full powers of self-government and may enact ordinances relative to its citizens' health, safety, and welfare that are not inconsistent with the Constitution and laws of the State; and

WHEREAS, Section 311.001 of the Texas Transportation Code provides that a home-rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality; and

WHEREAS, Section 545.302 of the Texas Transportation Code prohibits stopping, standing, or parking in certain areas, including areas where an official sign prohibits stopping, standing, or parking; and

WHEREAS, the City of Hurst has determined that it is a necessity to regulate activities as provided for herein to safeguard the public; and

WHEREAS, the City of Hurst is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this Ordinance; and

WHEREAS, all statutory and constitutional requirements for the passage of this Ordinance have been adhered to, including but not limited to the Open Meetings Act; and

WHEREAS, the purposes of this Ordinance is to promote the public health, safety, and general welfare of the citizens of the City of Hurst.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS:

Section 1. **THAT** the statements contained in the preamble to this Ordinance are hereby adopted as findings of fact and as a part of the operative provisions hereof.

Section 2. **THAT** the City of Hurst Code of Ordinances Chapter 24 is hereby amended by adding the following sentence to Section 24-127:

Hurstview Drive on the east side from Mid-Cities Boulevard to a point one hundred and seventy-five (175) feet north of Mid-Cities Boulevard.

Section 3. **THAT** all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect.

Section 4. **THAT** any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be fined an amount not to exceed \$500.

Section 5. **THAT** if any section, subsection, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. **THAT** the fact that the present ordinances and regulations of the City of Hurst, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Hurst, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

AND IT IS SO ORDERED.

Passed on the first reading on the 27th day of June 2023 by a vote of 6 to 0.

Approved on the second reading on the 11th day of July 2023 by a vote of _ to _.

ATTEST:

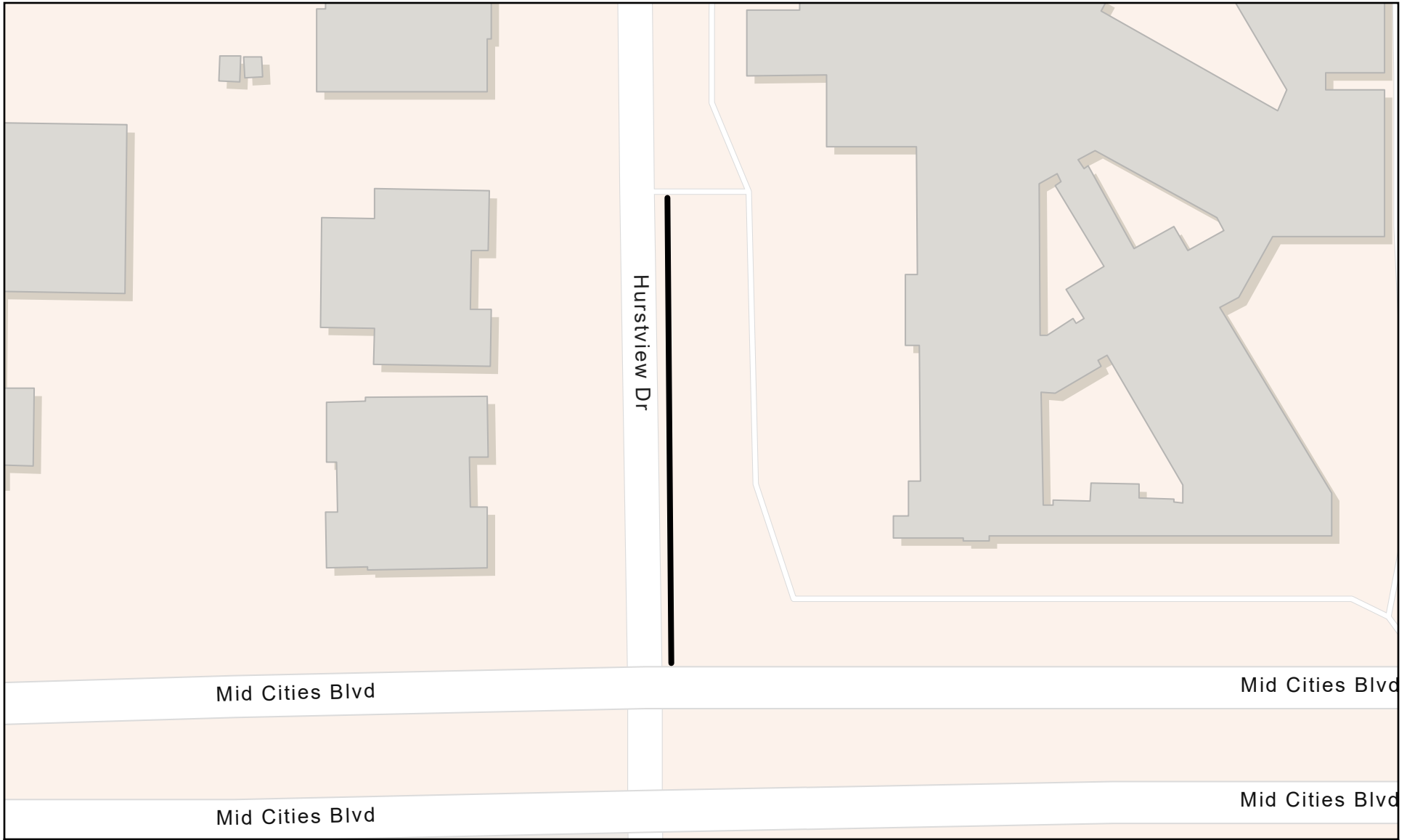
CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

City Attorney

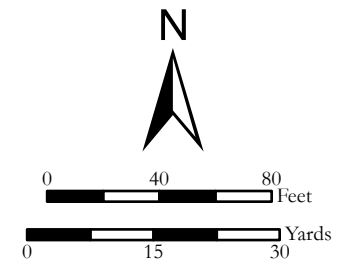


175' No Parking Zone

Tarrant County College, City of Fort Worth, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, Esri Community Maps Contributors, Tarrant County College, City of Fort Worth, City of Hurst, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS,

2023

X:\pubwks\GIS\Location Maps\Council Exhibits\No Parking Map.pdf



City Council Staff Report

SUBJECT: SITE-2023-00007 Hurst Liquor and Cigar, second reading, a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3, Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Highway	
Supporting Documents:	
Ordinance 2542	Meeting Date: 7/11/2023 Department: Development Reviewed by: Michelle Lazo City Manager Review:
Background/Analysis:	
<p>An application has been made by Pradip Patel for a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3, Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Highway. This property is zoned GB-PD (General Business Planned Development)</p> <p>The developer plans to remodel suite 112 and 114 in order to open Hurst Liquor & Cigar with 3,320 square feet. The strip center has 174 parking spaces along Grapevine Highway and Mid-Cities Boulevard, which meets the zoning requirements for the existing and proposed use.</p> <p>The SUP checklist requires many of the same site plan requirements, but also includes a floor plan for safety considerations. Operating hours for liquor stores are mandated by the state. The operating hours are 10:00 a.m. to 9:00 p.m., Monday through Saturday and closed on Sunday.</p> <p>Prior to receiving a Certificate of Occupancy, the applicant will be required to submit a proposed security plan including security cameras, alarm system, alarm monitoring, video and audio recording, drop safe, security signs, height markers, and safety training programs. These requirements are currently mandatory for convenience stores, and the Police Department will partner with Building Inspections on all liquor store certificate of occupancy requirements.</p> <p>The applicant is requesting building signs on the front elevation and rear elevation. The signs will meet the requirements for the GB (General Business) zoning district.</p>	

Funding Sources and Community Sustainability:

There is no fiscal impact. Consideration of the Special Use Permit is a direct representation of Council's goal for **Economic Vitality**.

Recommendation:

Based on the Planning and Zoning Commission's vote of 6-0, the recommendation is City Council **move to approve Ordinance 2542, second reading, a Special Use Permit for Hurst Liquor and Cigar**.

ORDINANCE 2542

AN ORDINANCE ADOPTING A SPECIAL USE PERMIT FOR PACKAGED ALCOHOL SALES FOR A PORTION OF LOT 2, BLOCK 3, WOODBRIDGE PLAZA ADDITION, BEING 2.81 ACRES LOCATED AT 420 GRAPEVINE HIGHWAY

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Hurst at least 15 days before such hearing; and

WHEREAS, notices were posted on the subject land as provided by the Zoning Ordinance; and

WHEREAS, public hearings to change the site plan on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the site plan change; and

WHEREAS, the City Council is of the opinion that the site plan herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Hurst.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS:

Section 1. **THAT** the Comprehensive Zoning Ordinance of the City of Hurst is hereby amended by adopting a Site Plan revision with a Special Use Permit with Exhibits "A - C" on a portion of Lot 2, Block 3, Woodbridge Plaza Addition, being 2.81 acres 420 Grapevine Highway.

AND IT IS SO ORDERED.

Passed on the first reading on the 27th day of June 2023 by a vote of 4 to 2.

Approved on the second reading on the 11th day of July 2023 by a vote of _
to _.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

City Attorney

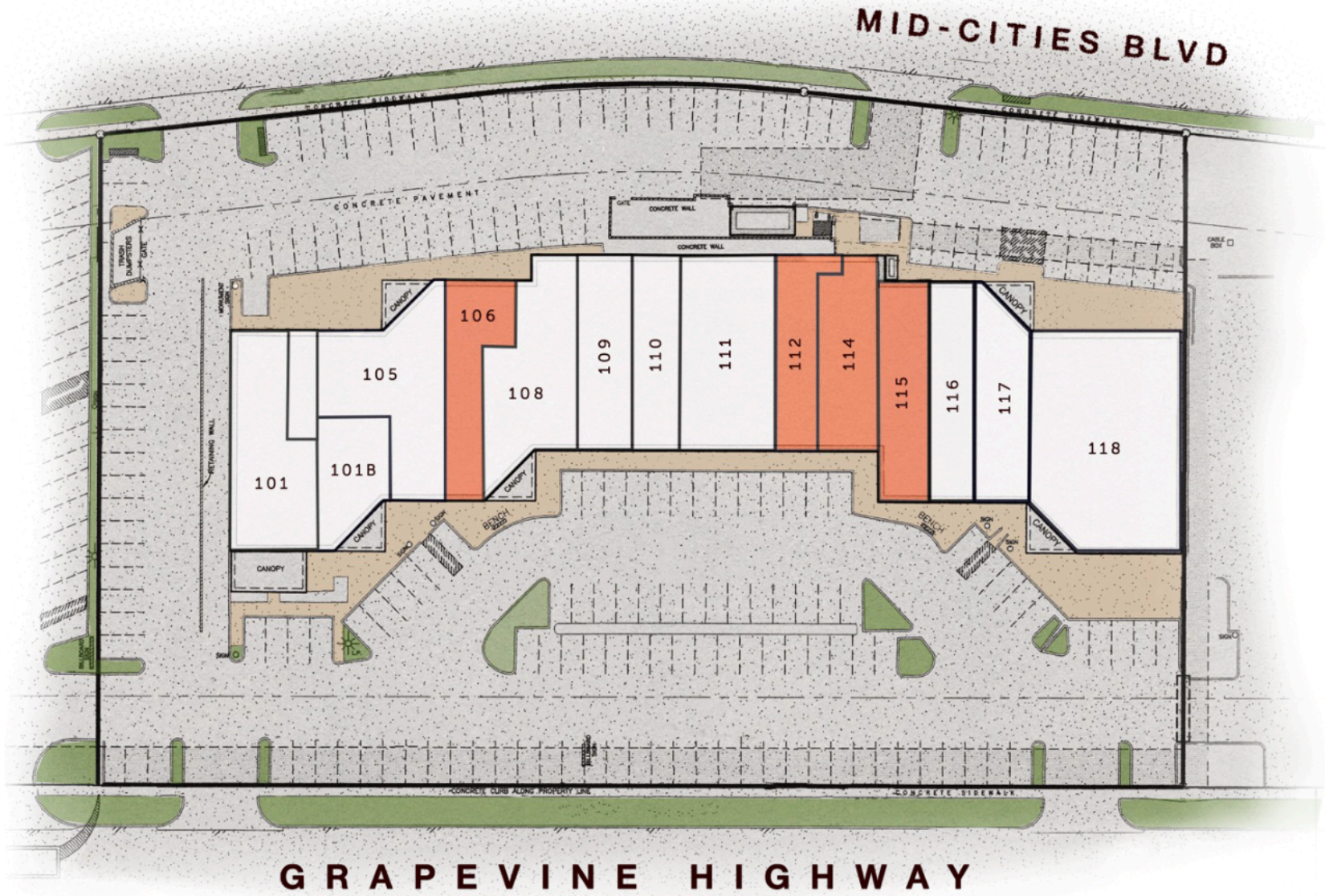
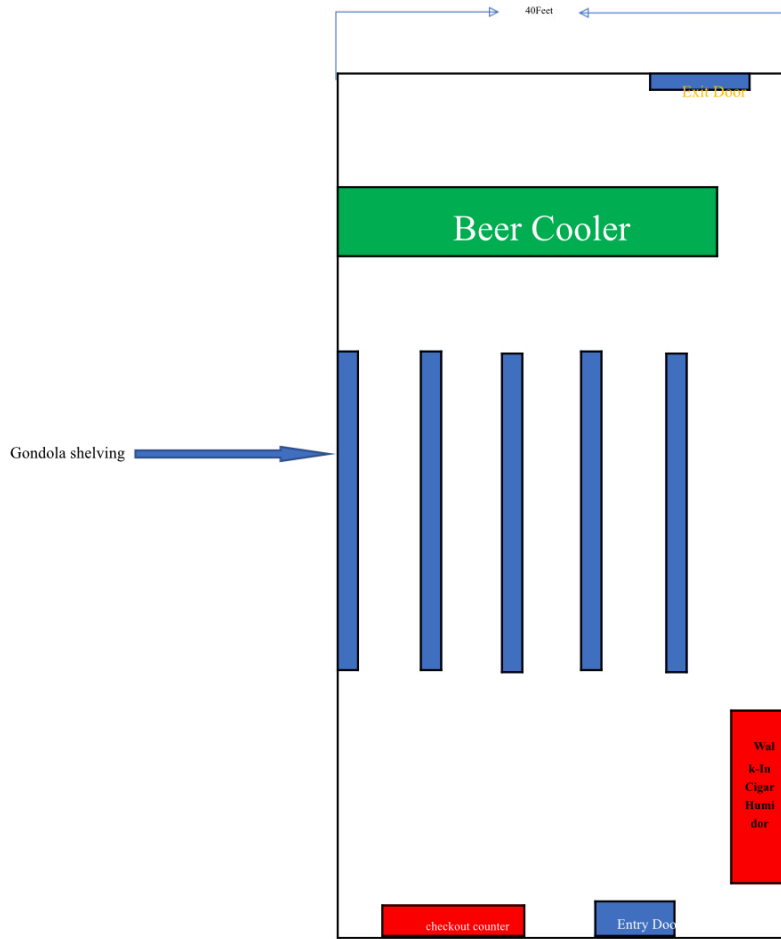


EXHIBIT B





TAN

OPEN

112

Available

Available

114

Available

FIRE LANE NO PARKING

**MINUTES
CITY OF HURST
PLANNING AND ZONING COMMISSION
WORK SESSION
MONDAY, June 19, 2023**

On the 19th day of June 2023, at 6:30 p.m., the Planning and Zoning Commission of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Charles Aman	) Chair
Howard Shotwell)
Mark Cyrier)
Will Blackburn)
Weldon Martin)
Larry Wilson)
Michelle Lazo	) Director, Planning and Development
Tina Powell	) Plans Examiner
Sharon Brown	) Permit Technician

With the following Board members absent: Andrea Taylor, constituting a quorum; at which time the following business was transacted:

I. Call to Order

II. Discussion:

Z-2023-00001 Hurst Boulevard Townhomes, a zoning change with a concept plan from GB to R2-PD for Lot 11, Block 13 Billy Creek Estates, being 3.2 acres located at 920 West Hurst Boulevard.

Applicant: Cooper Conger, Conger Group

Site-2023-00007 Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3 Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Highway.

Applicant: Pradip Patel

P-2023-00003 Adkins Park Addition a final plat of Tract 2 Isaac Carodine Survey, A-356 to Lots 1-14, Block A and 1-66, Block B Adkins Park Addition, being 31.67 acres located at 7628 Precinct Line Road

Applicant: John Ptstick, Beaten Path Development

APPROVED this the _____ day of _____ 2023

ATTEST:

Planning & Zoning Commission

Recording Secretary

Charles Aman, Chairperson

MINUTES
CITY OF HURST
PLANNING AND ZONING COMMISSION
MONDAY, JUNE 19, 2023

On the 19th day of June, 2023, at 7:00 p.m., the Planning and Zoning Commission of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Charles Aman	) Chair
Weldon Martin)
Will Blackburn)
Howard Shotwell)
Mark Cyrier)
Larry Wilson)
Michelle Lazo	) Director, Planning and Development
Tina Powell	) Plans Examiner
Sharon Brown	) Permit Technician

With the following Board members absent: Andrea Taylor; constituting a quorum; at which time the following business was transacted:

The meeting was called to order at 7:00 p.m. the Pledge of Allegiance was led by Mr. Cyrier.

1. Mr. Shotwell moved to approve the minutes for the May 15, 2023 meeting. Mr. Cyrier seconded the motion. The motion prevailed by a vote of 6-0.
2. Z-2023-00001 – Hurst Boulevard Townhomes, a zoning change with a concept plan from GB to R2-PD for Lot 11, Block 13 Billy Creek Estates, being 3.2 acres located at 920 West Hurst Boulevard.

Mary Nell Poole, representative for the applicant, spoke about the proposal.

Ms. Poole stated there would be 32 – 2 story townhomes with 73 total parking spaces.

Ms. Poole stated no buildings would be built outside of the Oncor easement and there would be a 25 ft setback from each corner.

Ms. Poole stated any drainage issues would be taken care of.

Mr. Aman opened the public hearing.

The following person/persons were in attendance at the meeting and did not wish to speak but are in opposition of the proposal:

Carlos and Petra Tevino at 132 Billy Creek Dr.

Gene Moore at 925 Calloway Ct.
Jody Mehaffy at 913 Daisy Ct.
Roberta Nicholls at 228 Blossom Lane
Holly Trinh at 916 Hardie St.
Michael Trinh at 916 Hardie St.
Gwen Jones at 1005 Calloway Dr.
Matthew Jones at 1005 Calloway Dr.
Lyndsi Watts at 937 Hardie
Samantha Reyal at 908 W Hurst Blvd.
Linda S. Reyal at 908 W Hurst Blvd.
Jamilah Martinez at 129 Billy Creek Dr.
Margaret McCarthy at 428 Billy Creek Cir.
David & Jane Sward at 148 Billy Creek Dr.
John McCarthy at 428 Billy Creek Cir.
Andrew Clark at 1113 Henson Dr.
Karen Clark at 1113 Henson Dr.
Danny Stevens at 144 Billy Creek Dr.
Lori Henry at 137 Billy Creek Dr.
Jerome Dugan at 157 Billy Creek Dr.
Ty Barker at 424 Billy Creek Cir.
Angela & Kevin McNatt at 432 Billy Creek Cir.
Ann Wiinikka at 201 Frazier Dr.
James Phillips at 913 Hardie St.
Tasha Phillips at 913 Hardie St.
Mark Wiinikka at 201 Frazier Dr.
Margaret Coleman at 1001 Calloway Dr.
Jeff Henley at 241 Blossom Ln.
Brandon Garcia at 212 Frazier Dr.
Amber Garcia at 212 Frazier Dr.
Freddy Martinez at 933 Hardie St.
Helene Casas at 145 Billy Creek Dr.
Leon Casas at 145 Billy Creek Dr.
Kelley Allred at 152 Billy Creek Dr.
Jim Allred at 152 Billy Creek Dr.
Sheila Ruthledge at 213 Billy Creek Dr.
Eva Winter at 1016 Calloway Dr.
Monica Morris at 420 Billy Creek Cir.
Eric Glicer at 436 Billy Creek Cir.
William Matthews at 1117 Henson Dr.
Cheryl Miller at 925 Hardie St.
Sue Boughton at 921 Hardie St.
R. Boughton at 921 Hardie St.
Jeff Hughes at 153 Billy Creek Dr.
Charlene Hughes at 153 Billy Creek Dr.
Courtney Morrison at 209 Billy Creek Dr.
Wendy Hinds at 1017 Sean Ct.
Eddie Rogers at 301 Billy Creek Dr.
Mary Sue Rogers at 301 Billy Creek Dr.

Gwen Franklin at 908 Hardie St.
Dave & Jan Heeter at 1004 Calloway Dr.
Dana Halverson at 233 Billy Creek Dr.
Jeremy Newell at 233 Billy Creek Dr.
Elizabeth Moore at 925 Calloway Ct.
Edward Palacios at 320 Frazier Dr.
Lois Morton at 268 Blossom Lane
David R. Herrera at 213 Frazier Dr.
Mike & Delicia Bozo at 208 Blossom Ln.

Misty Riggs from Hurst
Betty Parr at 221 Billy Creek
James Parr at 221 Billy Creek

Mike Bozo, 208 Blossom Ln, asked all residents that were present to please stand if they were in opposition of the proposal, majority stood.

Leslie Lopez, 128 Billy Creek, spoke in opposition of the proposal. Ms. Lopez stated adding more vehicles will affect the streets of the community and the townhomes are not the best use of the land. Ms. Lopez mentioned her concerns for the community property value, traffic and drainage issues.

Jason Watts, 937 Hardie, spoke in opposition of the proposal. Mr. Watts stated he'd rather the property stay as commercial. Mr. Watts stated he purchased his property in the community because of the green space and would hate to see it disappear. Mr. Watts mentioned his concerns for flooding and presented pictures of previous flooding in the community. Mr. Watts stated the developer would have to build the property up for the townhomes and he does not feel townhomes is the best use for the property.

Chris Stoner, 225 Billie Creek, spoke in opposition of the proposal. Mr. Stoner stated the residents do not want this in the neighborhood. Mr. Stoner stated renters will not take care of the property. Mr. Stoner asked how close are the high powered tension lines? Mr. Aman stated the commission will ask this later. Mr. Stoner mentioned concerns of police visibility on Highway 10 and he is also concerned about children from the townhomes trying to cross the street on Highway 10. Mr. Stoner stated the townhomes would create a parking issue and this could potentially cause the parking to over flow onto Billy Creek and into the park. Mr. Stoner mentioned concerns of health issues caused by smart meters and living close to the high power tension lines.

Brian Raynsford, 237 Billy Creek, spoke in opposition of the proposal. Mr. Raynsford stated he has lived in Hurst for 13 years and went to Bell High School. Mr. Raynsford stated he is in opposition because the area floods and the water closes Billy Creek and floods over to Highway 10. Mr. Raynsford stated that if the townhomes go in this area residents will have to be rescued in case of floods. Mr. Raynsford mentioned concerns for traffic.

David and Darlene Gray, 909 Hardie St. Ms. Gray spoke in opposition of the proposal. Ms. Gray stated this is a quality of life community and if the townhomes go in, it will no longer be a quality of life community. Ms. Gray mentioned her concerns for noise levels, crime rates, traffic, flooding and health issues due to proximity of the power lines.

Tim Rutledge, 213 Billy Creek, spoke in opposition of the proposal. Mr. Rutledge stated he has lived in Hurst for 30 years and enjoys living here. Mr. Rutledge stated apartments do not invite quality of life. Mr. Rutledge mentioned concerns for crime and ask the Commission to vote against the proposal.

Michelle Lazo, Development Director, read two emails of opposition from Ashley Skidmore, 1000 Calloway Dr. and Amy Bilbo, 308 Frazier.

Ms. Skidmore stated she is greatly opposed to the proposal. Ms. Skidmore stated she has lived in Hurst for 13 years and loved her neighborhood and the green space. Ms. Skidmore mentioned concerns of giant power lines, flooding, increased traffic, construction noise, disruption to wildlife and general drainage concerns.

Ms. Bilbo stated her family has lived in Hurst for 20 years and we feel that their entire neighborhood will be impacted if this zoning change is made. Ms. Bilbo stated they were drawn to the outstanding City of Hurst services and their clear commitment to the families and residents. Ms. Bilbo mentioned concerns of flooding potential, utility easement and limited area. Ms. Bilbo stated they fully expect and hope to see this zoning change request denied by the City. Ms. Bilbo stated the proposal seem to reflect a priority on their own profitability with little/no concern for the nearby, long existing City of Hurst community of Billy Creek Estates that will be negatively impacted by their project's progression and firmly believes the zoning should remain as it is.

Matt Manley, 917 Hardie St., spoke in opposition of the proposal. Mr. Manley stated he agrees with all of his neighbors and mentioned the best use of the property. Mr. Manley stated that on the GIS zoning map there is no apartment complex near a R2 zoning area. Mr. Manley mentioned concerns of drainage elevation issues, fencing, high power transmission lines/high voltage, density of units and the development not being built as the plans that were submitted to the P & Z Commission. Mr. Manley mentioned having a Petition to submit to City Council.

There being no one else to speak, Mr. Shotwell made a motion to close the public Hearing. Mr. Blackburn seconded the motion. The motion prevailed by a vote of 6-0.

Mr. Shotwell questioned whether or not Oncor owned lease agreement?

Ms. Poole stated there is no lease agreement with Oncor but mentioned an encroachment agreement.

Mr. Shotwell mentioned concerns of the high voltage.

Ms. Poole stated Oncor has viewed the plans and approved where the buildings will be built.

Mr. Shotwell mentioned concerns about a play area for children.

Ms. Poole stated they are townhomes not apartments and these are 1200 square feet, 2 bedroom units for rent, they are not for sale and not Section 8.

Mr. Aman asked how are the power lines to the buildings.

Matthew Manley stated 35 to 45 feet to the buildings.

Ms. Poole stated state requirement for building setback can't be within 20 feet.

Will Blackburn if there is so many opposition, why not withdraw?

Ms. Poole stated she would put out flyers and would like to meet individually with residents, if she had more time.

Mark Cyrier mentioned concerns regarding barrier to the electrical lines and that the green space will probably go away regardless to what is developed on the land. Mt. Cyrier stated whoever develops this property will have to work with a Civil Engineer.

Mr. Aman stated this body is a recommending body and City Council has the final say so. City Council meeting will be next Tuesday at 7:00 PM.

There being no one else to speak, Mr. Cyrier made a motion to recommend denial to the City Council. Mr. Shotwell seconded the motion. The motion prevailed by vote of 6-0

3. Site-2023-00007 – Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3 Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Highway

Mr. Jeff Brand, owner of Woodbridge Plaza Shopping Center, spoke about the proposal.

Mr. Aman opened the public hearing.

Ms. Stephanie Barfknecht, with Primrose School, located at 700 Bear Creek Dr, spoke in opposition of the proposed Liquor Store. Ms. Barfknecht stated the liquor store is located within 200 feet of the school.

Ms. Barfknecht also mentioned the law states that liquor stores have to be 300 feet away from public school and Primrose is a private school.

Mr. Cyrier made a motion to close the public hearing, Mr. Martin seconded the motion. The motion prevailed by vote of 6-0.

Mr. Brand stated there is no door and no access in the back of the building.

Mr. Brand stated the store will follow state guidelines along with City Ordinance.

Mr. Aman asked for clarification of 300 feet from front door if it's 200 feet from back.

Ms. Lazo stated from the front door down the side walk to the school property is over 800 feet.

There was no further discussion. Mr. Cyrier made a motion to recommend approval of Site-2023-00007 Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3 Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Hwy. Mr. Shotwell seconded the motion. The motion prevailed 6-0.

4. P-2023-00003, Adkins Park Addition a final plat of Tract 2 Isaac Carodine Survey, A-356 to Lots 1-14, Block A and 1-66, Block B Adkins Park Addition, being 31.67 acres located at 7328 Precinct Line Road

John Pitstick with Beaten Path Development spoke about the final plat.

After additional discussion from the commission, Mr. Martin made a motion to recommend approval of P-2023-00003 Adkins Park Addition a final plat of Tract 2 Isaac Carodine Survey, A-356 to Lots 1-14, Block A and 1-66, Block B Adkins Park Addition, being 31.67 acres located at 7628 Precinct Line Rd. Mr. Wilson seconded to motion. The motion prevailed by vote of 6-0.

There being no further business, The Chair declared the meeting adjourned at 8:30 p.m.

APPROVED this the _____ day of _____, 2023

ATTEST:

Recording Secretary

**Charles Aman, Chair
Planning & Zoning Commission**

Future Events Calendar

July 11, 2023

Regular City Council meetings are held on the second and fourth Tuesday of each month. Following are additional meetings, canceled meetings and public event dates.

<u>DATE AND TIME</u>	<u>ACTIVITY</u>
Saturday, July 15, 2023 8:00 – 11:00 a.m.	Household Hazardous Waste Event, Hurst Service Center, 2001 Precinct Line Road