

**WORK SESSION AGENDA OF THE CITY COUNCIL OF
HURST, TEXAS
CITY HALL, 1505 PRECINCT LINE ROAD
FIRST FLOOR CONFERENCE ROOM
TUESDAY, SEPTEMBER 26, 2023 – 4:30 P.M.**

I. Call to Order

II. Informational Items

- **Update and discussion of upcoming Calendar Items**
- **Update and discussion of Communications and Marketing projects**
- **Update and discussion of Tarrant Appraisal Board of Directors nomination/election process**
- **Update and discussion of Utility Box Art project**
- **Update and discussion of Police Department operations**

III. Update and discussion of Regular Agenda Items

IV. Discussion of Agenda Item(s) 3

Mr. Greg Garza requested to speak to request protection and safeguards for pedestrians from fast moving sport cyclists at Hurst Community Park

V. Discussion of Agenda Item(s) 5

Consider authorizing the city manager to enter into a contract with the Tarrant County Health Department

VI. Discussion of Agenda Item(s) 6

Consider authorizing the city manager to enter into a ten-year contract agreement with Stryker for the replacement and purchase of emergency medical response equipment

VII. Discussion of Agenda Item(s) 7

Conduct a public hearing and consider Ordinance 2549, first reading, Z-2023-00002 Events In Your Budget, a zoning change from GB to GB-PD with a site plan for Tract 12 A1 William Wallace Survey, A 1607, being .38 acre located at 1305 Yates Drive

VIII. Discussion of Agenda Item(s) 8

Conduct a public hearing and consider Ordinance 2550, first reading, SP-2023-00008 (Rosa's Tortilla Factory) a site plan revision to consider a site plan revision for Lot 3A, Block 1, Lowes Addition, being 1.6 acres located at 2200 Precinct Line Road

IX. Discussion of Agenda Item(s) 9

Consider P-2023-00004 Chowdhry At Yates Addition, a final plat of Tract 12A1, William Wallace Survey A-1607 to Lot 1, Block 1 Chowdhry At Yates, being .36 acre located at 1305 Yates Drive

X. Discussion of Agenda Item(s) 10

Consider P-2023-00005 McDaniel Addition, a replat of Lots A & B McDaniel Addition and Lot 11 Bellvue Addition to Lots A-R and B-R McDaniel Addition, being 2.77 acres located at 105 E. Pecan Street

XI. Discussion of Agenda Item(s) 11

Consider Resolution 1843 approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2023 rate review mechanism filing

XII. Discussion of Agenda Item(s) 12

Consider appointments to Boards, Commissions and Committees

EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open Meetings Law, Authorized by Government Code, 551.072, deliberation of the purchase, exchange, lease, or value of real property (economic development/redevelopment) and to reconvene in Open Session at the Conclusion of the Executive Session to consider and take any necessary action

XIII. ADJOURNMENT

Posted by: _____

This the 22nd day of September 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, SEPTEMBER 26, 2023**

AGENDA:

4:30 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 Jimmy Meeks)

PLEDGE OF ALLEGIANCE

PRESENTATION(S) AND PROCLAMATION(S)

1. Presentation of flag flown at half-staff in recognition of Gerald Grieser
2. Proclamation recognizing Hurst-Eules-Bedford Independent School District Council of Parent Teachers Association's 50th Anniversary

PERSON(S) TO BE HEARD

3. Mr. Greg Garza requested to speak to request protection and safeguards for pedestrians from fast moving sport cyclists at Hurst Community Park (Continued from September 12, 2023 Council meeting)

CONSENT AGENDA

4. Consider approval of the minutes for the September 12, 2023 City Council meeting
5. Consider authorizing the city manager to enter into a contract with the Tarrant County Health Department
6. Consider authorizing the city manager to enter into a ten-year contract agreement with Stryker for the replacement and purchase of emergency medical response equipment

PUBLIC HEARING(S) AND RELATED ITEM(S)

7. Conduct a public hearing and consider Ordinance 2549, first reading, Z-2023-00002 Events In Your Budget, a zoning change from GB to GB-PD with a site plan for Tract 12 A1 William Wallace Survey, A 1607, being .38 acre located at 1305 Yates Drive

(Continued from September 12, 2023 Council meeting)

8. Conduct a public hearing and consider Ordinance 2550, first reading, SP-2023-00008 (Rosa's Tortilla Factory) a site plan revision to consider a site plan revision for Lot 3A, Block 1, Lowes Addition, being 1.6 acres located at 2200 Precinct Line Road

PLAT(S)

9. Consider P-2023-00004 Chowdhry At Yates Addition, a final plat of Tract 12A1, William Wallace Survey A-1607 to Lot 1, Block 1 Chowdhry At Yates, being .36 acre located at 1305 Yates Drive (Continued from September 12, 2023 Council meeting)
10. Consider P-2023-00005 McDaniel Addition, a replat of Lots A & B McDaniel Addition and Lot 11 Bellvue Addition to Lots A-R and B-R McDaniel Addition, being 2.77 acres located at 105 E. Pecan Street (Continued from September 12, 2023 Council meeting)

RESOLUTION(S)

11. Consider Resolution 1843 approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2023 rate review mechanism filing (Continued from September 12, 2023 Council meeting)

OTHER BUSINESS

12. Consider appointments to Boards, Commissions and Committees
13. Board, Commission, and Committee Minutes
 - Planning and Zoning
 - Hurst Community Arts and Historic Landmark Preservation Committee
14. Review of upcoming calendar items
15. 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.

EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open

Meetings Law, Authorized by Government Code, 551.072, deliberation of the purchase, exchange, lease, or value of real property (economic development/redevelopment) and to reconvene in Open Session at the Conclusion of the Executive Session to consider and take any necessary action

16. Take any and all action necessary ensuing from Executive Session

ADJOURNMENT

Posted by: _____

This 22nd day of September 2023, by 5:00 p.m., in accordance with Chapter 551, Texas Government Code.

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City Council Staff Report

SUBJECT: Presentation of flag flown at half-staff in honor of Gerald Grieser	
Supporting Documents:	
	Meeting Date: 9/26/2023 Department: Administration Reviewed by: Clay Caruthers City Manager Review:
Background/Analysis:	
Former Hurst Senior Citizens Advisory Chair, Gerald Grieser, served on the Senior Citizens Advisory Board from 2013 to 2020 and as a volunteer for numerous years in the community.	
Funding Sources and Community Sustainability:	
Not applicable.	
Recommendation:	
There is no staff recommendation.	

Office of the Mayor

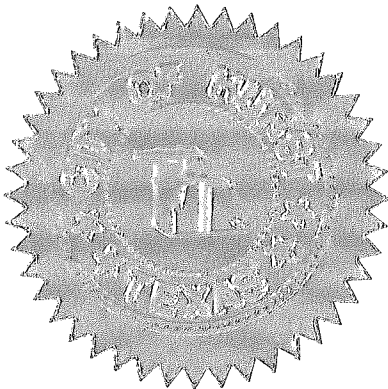
Proclamation

City of Hurst

- WHEREAS,** Hurst-Eules-Bedford Independent School District Council of Parent Teacher Associations has a long tradition of seeking the highest possible education advantages for all children and youth, enabling them to realize their full potential; and
- WHEREAS,** The HEB ISD Council of PTAs assists parents in developing the skills they need to protect and raise healthy children, encourages parent and public involvement in public schools in our community, and speaks on behalf of children and schools in communities, organizations, and before public governing bodies; and
- WHEREAS,** the HEB ISD Council of PTAs will be celebrating 50 years in 2023 and is having many events this year to expand the membership of HEB ISD Council of PTAs, promote parent involvement, and broaden its base of support to become a stronger and more effective voice for children and education; and
- WHEREAS,** it is the role of HEB ISD Council of PTAs to encourage parent involvement, an essential part of the PTA mission, by promoting an environment in which parents are valued as primary influences and essential partners in their children's education and development; and
- NOW, THEREFORE, I, Henry Wilson,** Mayor of the City of Hurst, Texas, and on behalf of our City Council and citizens, hereby recognize and celebrate

HEB ISD COUNCIL of PTAs 50th ANNIVERSARY

in the City of Hurst, Texas.



WITNESS MY HAND AND THE OFFICAL SEAL
of the City of Hurst, Texas, on this the 26th day of
September 2023.

Henry Wilson
Henry Wilson, Mayor

City Council Staff Report

SUBJECT: Greg Garza requested to speak to request protection and safeguards for pedestrians from fast moving sport cyclists at the Hurst Community Park

Supporting Documents:	
	Meeting Date: 9/26/2023 Department: Legislative and Judicial Services Reviewed by: Rita Frick City Manager Review:

Background/Analysis:

Request to speak from Greg Garza to request protection and safeguards for pedestrians from fast moving sport cyclists at the Hurst Community Park.

This item was tabled from the September 12, 2023 Council meeting.

Funding and Sources and Community Sustainability:

There is no fiscal impact.

Recommendation:

There is no staff recommendation.

City Council Minutes
Tuesday, September 12, 2023

On the 12th day of September 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
Cindy Shepard	)	Councilmembers
Jon McKenzie)	
Jimmy Meeks)	
Sarah Walsh	)	City Attorney
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Steve Niekamp	)	Police Chief

With the following Councilmembers absent: Cathy Brotherton, John Miller, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m.

Mayor Henry Wilson moved to the Consent Agenda.

PERSON(S) TO BE HEARD

1. Mr. Greg Garza requested to speak to request protection and safeguards for pedestrians from fast moving sport cyclists at Hurst Community Park

CONSENT AGENDA

2. Consider approval of the minutes for the August 22, 2023 City Council meetings
3. Consider ratifying the emergency expenditure for vegetation clearing located at 1848 Precinct Line Road
4. Consider authorizing the city manager to proceed with the Hurst Senior Activities Center Plumbing Repair Project
5. Consider authorizing the city manager to enter into a contract with CourTex Construction, Inc. for tennis and pickleball court resurfacing services
6. Consider authorizing the city manager to enter into a Professional Services Contract with Pyles Whatley Corporation for appraisal services for the West Pipeline Road Improvements,

Phase 4 Project

7. Consider authorizing the city manager to enter into an Interlocal Cooperation Contract with the Texas Department of Public Safety (DPS) for the Failure to Appear (FTA) program
8. Consider Resolution 1841 authorizing the city manager to enter into an Interlocal Agreement with the Texas Department of Motor Vehicles (TX DMV) Scofflaw Program and any and all necessary agreements regarding the implementation of the Motor Vehicle Registration Refusal Program on behalf of the City
9. Consider Resolution 1842 appointing a voting member and an alternate member to the City of Fort Worth's Wholesale Water and Wastewater Customer Advisory Committee

Mayor Pro Tem Waldron moved to approve the Consent Agenda. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

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

Councilmember McKenzie moved to table the rest of the Agenda to the next regular Council meeting on September 26, 2023. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

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

PUBLIC HEARING(S) AND RELATED ITEM(S)

10. Conduct a public hearing and consider Ordinance 2549, first reading, Z-2023-00002 Events In Your Budget, a zoning change from GB to GB-PD with a site plan for Tract 12 A1 William Wallace Survey, A 1607, being .38 acre located at 1305 Yates Drive

PLAT(S)

11. Consider P-2023-00004 Chowdhry At Yates Addition, a final plat of Tract 12A1, William Wallace Survey A-1607 to Lot 1, Block 1 Chowdhry At Yates, being .36 acre located at 1305 Yates Drive
12. Consider P-2023-00005 McDaniel Addition, a replat of Lots A & B McDaniel Addition and Lot 11 Bellvue Addition to Lots A-R and B-R McDaniel Addition, being 2.77 acres located at 105 E. Pecan Street

RESOLUTION(S)

13. Consider Resolution 1843 approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2023 rate review mechanism filing

14. Board, Commission, and Committee Minutes
 - Planning and Zoning

OTHER BUSINESS

15. Review of upcoming calendar items

16. City Council Reports - Items of Community Interest

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EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open Meetings Law, Authorized by Government Code, 551.072, deliberation of the purchase, exchange, lease, or value of real property (economic development/redevelopment) and to reconvene in Open Session at the Conclusion of the Executive Session to consider and take any necessary action

17. Take any and all action necessary ensuing from Executive Session

ADJOURNMENT – The meeting adjourned at 6:30 p.m.

APPROVED this the 26th day of September 2023.

ATTEST:

APPROVED:

Rita Frick, City Secretary

Henry Wilson, Mayor

City Council Staff Report

SUBJECT: Consider approval of agreement with Tarrant County Health Department for Restaurant and Swimming Pool Inspections

Supporting Documents:

Interlocal Agreement
Fee Schedule

Meeting Date: 9/26/2023

Department: Administration

Reviewed by: Malaika Marion Famer

City Manager Review:

Background/Analysis:

The City of Hurst contracts with the Tarrant County Health Department for the inspection of all food service establishments, commercial swimming pools, and spas within Hurst. The City of Hurst has had a successful and cooperative relationship with Tarrant County for these services for many years. The agreement calls for Tarrant County inspectors to inspect all restaurants, food establishments, apartment swimming pools, and public spas within Hurst. The enforcement power is derived from local ordinances in our codes that we update periodically.

Tarrant County Health Department receives funding through the annual license fees collected by local businesses. The current fees are \$100 annually for both food establishments and swimming pools, and have not changed since they were enacted in 1996. Tarrant County has asked us to update our agreement with them so the fees are in line with charges in other communities (see attached fee schedule). This new contract period would begin as soon as the City Council approves it and will continue until canceled by a minimum of 90 days written notice from either party.

Funding Sources and Community Sustainability:

There is no funding impact. This agreement addresses the City Council's Strategic Priorities for **Public Safety and Innovation**.

Recommendation:

Staff recommends City Council **authorize approval of an agreement with the Tarrant County Health Department for inspection services of all food service establishments and commercial swimming pools and spas within the City of Hurst.**

For Public swimming pool and spa inspection program services:

- Provide services, through Tarrant County Public Health, to all public and semi-public swimming pools, spas, and interactive water features located within the corporate limits of the **CITY**;
- Plan review and conduct Health opening approval inspection, routine inspection, follow-up inspections, complaint investigations;
- Provide certification of establishment for issuance of health permits;
- Notify **CITY** of violations of current rules or rules as amended by the Executive Commissioner of the Health and Human Services Commission for Standards for Public Pools and Spas (Texas Administrative Code, Title 25, Chapter 265, Subchapter L), Public Interactive Water Features and Fountains (Texas Administrative Code, Title 25, Chapter 265, Subchapter M) and Pool Yard Enclosures (Texas Health and Safety Code Chapter 757);
- Provide appropriate signs to be posted at public swimming pool and spa establishment that do not meet the required standards;
- Document program activities within the **CITY** via periodic reports;
- Collect fees from the inspected establishment;
- Inform **CITY**, in writing, of any fee schedule changes immediately following Tarrant County Commissioner's Court approval; and
- When require by law, verify pool operator training certification.

2. **CITY RESPONSIBILITY**

For Food establishment inspection program services

- Adopt the current rules or rules as amended by the Executive Commissioner of the Health and Human Services Commission found in 25 Texas Administrative Code, Chapter 228, regarding the regulation of food establishments;
- Designate the Medical Director of Tarrant County Public Health Department as the Health Authority for the purposes of this agreement;
- Require all food establishments within the corporate limits of the **CITY** to maintain a valid health permit;
- Agree all health permits fees are enforceable within thirty (30) days of approval of the Tarrant County Commissioner's Court;
- Revise **CITY** code/ordinance, where applicable, to adopt changes to the fees;
- Inform Tarrant County Public Health Manager for Environmental Health when code/ordinance are modified and when the updates are complete;
- Assign Tarrant County Public Health authority to collect health permit fees from permit applicants; and
- When required by law, require facilities to have certified food mangers and food handlers.

For Public swimming pool and spa inspection program services

- Adopt the current Texas Health and Safety Code, Title 5, Subtitle A, Chapter(s) 341.064, 341.0645 and 341.0695; Texas Health and Safety Code, Title 1, Chapter 1 Section 1.005, and Texas Health and Safety Code, Title 9, Subtitle A, Chapter 757;
- Adopt the current rules or rules as amended by the Executive Commissioner of the Health and Human Services Commission for Standards for Public Pools and Spas (Texas Administrative Code, Title 25, Chapter 265, Subchapter L), Public Interactive Water Features and Fountains (Texas Administrative Code, Title 25, Chapter 265, Subchapter M) and Pool Yard Enclosures (Texas Health and Safety Code Chapter 757);
- Designate the Medical Director of Tarrant County Public Health as the Health Authority for the purposes of this agreement;
- Require all public and semi-public swimming pools/spas within the corporate limits of the **CITY** to maintain a valid health permit;
- Agree all Health permit fees are enforceable within thirty (30) days of approval of the Tarrant County Commissioner's court;
- Revise **CITY** code/ordinance, where applicable, to adopt changes to the fees;
- Inform Tarrant County Public Health Manager for Environmental Health when code/ordinance are modified and when the updates are complete;
- Assign Tarrant County Public Health authority to collect health permit fees from permit applicants;
- Be responsible for enforcement of the **CITY's** ordinances; and
- When required by law, require facilities to have certified pool/spa operators.

3. CITY ENFORCEMENT

If during an inspection of a food facility, pool or spa, Tarrant County Public Health Department personnel notices a violation of the **CITY's** code, the Tarrant County Public Health Department shall notify the appropriate City official. The **CITY** shall be responsible for the enforcement of the **CITY's** health ordinances. The **COUNTY** shall make available for testimony **COUNTY** personnel whose testimony may be required to support such enforcement action in accordance with the procedures established by CITY MUNICIPAL COURT for the appearance of law enforcement officers.

4. NO WAIVER OF IMMUNITY

This Agreement does not waive **COUNTY** rights under a legal theory of sovereign immunity.

5. THIRD PARTY

This Agreement shall not be interpreted to inure to the benefit of a third party not a party of this Agreement. This Agreement shall not be interpreted to waive

any statutory or common law defense, immunity, or any limitation of liability, responsibility or damage of any party to this Agreement, party's agent or party's employee, otherwise provided by law.

6. EXCLUSION OF INCIDENTAL DAMAGES

Independent of, severable from, and to be enforced independently of any other enforceable or unenforceable provision of this Agreement, NEITHER PARTY WILL BE LIABLE TO THE OTHER PARTY NOR TO ANY PERSON CLAIMING INCIDENTAL, CONSEQUENTIAL, SPECIAL PUNITIVE, OR EXEMPLARY DAMAGES OF ANY KIND, including lost profits, loss of business, or other economic damage and further including injury to property, mental anguish, or emotional distress.

7. JOINT VENTURE & AGENCY

The relationship between the parties to this Agreement does not create a joint venture between the parties. The Agreement does not appoint any party as agent for the other party.

8. GOVERNING LAW AND VENUE

This Agreement shall be interpreted under the laws of State of Texas. The venue for any lawsuit arising out of this Agreement will be in the Fort Worth Division of the Northern District of Texas if the lawsuit arises in Federal Court or Tarrant County, Texas if the matter arises in State Court.

9. ASSIGNMENT

This Agreement shall not be assigned or transferred and that any attempt to assign or transfer this Agreement or any of its rights or obligations shall be null and void.

10. SEVERABILITY

If any court determines any provision in this Agreement is invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force and effect.

11. COMPLIANCE WITH LAWS

In providing the services required by the Agreement, CITY must observe and comply with all applicable federal, state, and local statutes, ordinances, rules and regulations, including, without limitation, worker's compensation laws, minimum and maximum salary and wage statutes and regulations, and non-discrimination laws and regulations. CITY shall be responsible for ensuring its compliance with any laws and regulations applicable to its business, including maintaining any necessary licenses and permits.

12. EFFECTIVE DATE

This Agreement become effective when signed by the last party whose signing makes the Agreement fully executed.

13. TERM

This Agreement shall begin upon the approval of both the City Council and the Tarrant County Commissioner's Court and shall continue until canceled by either party with a minimum of 90 days written notice to the other party.

14. AMENDMENT

No amendment, modification or alternation of the terms of this Agreement shall be binding unless the same is in writing and signed by both parties.

15. TERMINATION

Either party may terminate this Agreement without cause by providing written notice of intent to terminate at least ninety (90) days prior to the intended date of termination. Written notice of intent to terminate shall be sent by certified mail, return receipt requested, to the other party at its address:

Addresses:

Tarrant County Public Health
Attn: Environmental Health Division Manger
1101 S. Main St.
Fort Worth, Texas 76104

City: _____
Attn: _____
Address: _____

Executed this ___ day of _____, 20__.

CITY of _____

STATE OF TEXAS
COUNTY OF TARRANT

By: _____
Name:
Title:

By: _____
Tim O'Hare
County Judge

Date:

Date:

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
Name:
Title:
Date:

By: _____
Name:
Title:
Date:

ATTEST:

ATTEST:

By: _____
Name:
Title:
Date:

By: _____
Name:
Title:
Date:

DESCRIPTION OF SERVICES

EH FEE SCHEDULE

<u>CONSUMER HEALTH</u>	Special Fund: F223
Annual Public Pool & Spa permit fee	\$ 315.00
Pool Plan Review & Opening Inspection**	\$ 200.00
Contractual Inspections - School Districts (avg \$150 per site visit)**	\$ 150.00
Food Service Permit: less than 500 sq. ft.	\$ 400.00
Food Service Permit: >500 =<less than 1500 sq. ft.	\$ 500.00
Food Service Permit: >1500 =<less than 3000 sq. ft.	\$ 600.00
Food Service Permit: >3000=<less than 6000 sq. ft.	\$ 700.00
Food Service Permit: >6000 sq. ft. or above	\$ 800.00
Food Service Permit: Adjunct Food Service	\$ 500.00
Food Service Permit: Adjunct Food Store - <less than 5000 sq. ft.	\$ 500.00
Food Service Permit: Adjunct Food Store - >5000 sq. ft. or above	\$ 600.00
Food Service Permit: Catering Operation	\$ 700.00
Food Service Permit: Child Care Facility	\$ 500.00
Food Service Permit: School Cafeteria w/ Contract	\$ 250.00
Food Service Permit: Commissary (non-prep)	\$ 400.00
Food Service Permit: Commissary (prep.)	\$ 600.00
Food Service Permit: Food Court	\$ 600.00
Food Service Permit: Mobile Unit (prepackaged)	\$ 400.00
Food Service Permit: Mobile Unit (preparation of food)	\$ 600.00
Food Service Permit: Mobile Unit (push cart)	\$ 600.00
Farmers Market	\$ 100.00
Food Store: <less than 5000 sq. ft.	\$ 600.00
Food Store: >5000 sq. ft. or above	\$ 800.00
Food Late Fee: 1-30 days	10% of fee
Food Late Fee: 31-60 days	20% of fee
Food Late Fee: 61-90 days	30% of fee
Plan Review: >1500 sq. ft. or above	\$ 200.00
Plan Review: <1500 sq. ft. or below	\$ 100.00
Temporary Food Establishment 1-5 Days**	\$ 35.00
Temporary Food Establishment 6-14 Days	\$ 70.00
Required/Requested Reinspection	\$ 75.00
<u>MISCELLANEOUS - CONSUMER/ENVIRONMENTAL HEALTH</u>	No Fee Changes, Fund: PH-T04
Duplicate Permits**	\$ 15.00

**indicates no fee increase

City Council Staff Report

SUBJECT: Consider authorizing the city manager to enter into a ten-year contract agreement with Stryker for the purchase of medical equipment

Supporting Documents:

Meeting Date: 9/26/2023

Department: Fire

Reviewed by: Brent Craft

City Manager Review:

Background/Analysis:

The Hurst Fire Department is committed to providing excellent service to citizens and guests within the community. Responding to emergencies with advanced life-saving equipment is the top priority. Replacement of our current diagnostic equipment is imperative, as many are reaching the end of life regarding preventative maintenance. The following equipment will be replaced upon initial contract agreement, then again within five (5) years: three (3) powered ambulance cots, two (2) stair chairs, six (6) LIFEPAK monitors, three (3) Lucas chest decompression systems and three (3) power-load floor systems.

The total cost of the equipment is approximately \$1.9 million. The contract will consist of ten (10) annual payments of \$187,733.

Funding Sources and Community Sustainability:

Funding for the equipment has been identified within FY 2024 Fire Department Capital Budget. The equipment replacement will ensure excellent customer service by meeting the Council's Strategic Priority of **Innovation**.

Recommendation:

Staff recommends City Council **move to authorize the city manager to enter a ten-year contract agreement with Stryker for the replacement and purchase of emergency medical response equipment.**

City Council Staff Report

SUBJECT: Z-2023-00002 Events In Your Budget, first reading, a zoning change from GB to GB-PD with a site plan for Tract 12 A1 William Wallace Survey, A 1607, being .38 acre located at 1305 Yates Drive

Supporting Documents:

Ordinance
Area map
Legal notice
Ownership data
Zoning Exhibit- Exhibit "A"
Site Plan – Exhibit "B"
Tree Preservation – Exhibit "C"
Landscape Plan – Exhibit "D"
Building Elevations – Exhibit "E-H"
Monument sign – Exhibit "I"

Meeting Date: 9/26/2023
Department: Development
Reviewed by: Michelle Lazo
City Manager Review:

Background/Analysis:

An application has been made by Amer Chowdhry with Events In Your Budget for a zoning change from GB (General Business) to GB-PD (General Business Planned Development) with a site plan for Tract 12A1 William Wallace A 1607, being .38 acre located at 1305 Yates Drive.

The applicant is requesting a zoning change with a site plan to convert the existing home to an office with storage for their event planning business. Events In Your Budget will be open to the public by appointment only.

The applicant will relocate the existing driveway and improve the turn radius on Yates Drive. Parking and a concrete driveway will be added and will extend to the rear of the property for access to a proposed storage building.

The applicant is planning on adding a metal storage building with 3,000 square feet on the rear of the property.

The applicant will paint the existing home white and update the porch columns. The interior will meet all ADA standards. A screening fence is not required adjacent to the surrounding properties.

The applicant will be removing 48 caliper inches of trees, but will mitigate on-site. They will be preserving many large Hackberry trees along the north side of the property.

The applicant will be adding two (2) Texas Redbud, one (1) Shumard Oak, three (3) Highrise Live Oak, three (3) Cedar Elm, 25 Dwarf Burford Holly, 15 Dwarf Yaupon Holly, Dwarf Wax Myrtle and Bermuda sod. All new plantings will be irrigated.

The applicant is not requesting building signs. They are requesting one single-tenant monument sign on Yates Dr. This sign will not exceed 4 ft. in height with 20 sq. ft. of sign area per face.

This item was tabled from the September 12, 2023 Council meeting

Funding Sources and Community Sustainability:

There is no fiscal impact. Council’s consideration of this item falls within the Strategic Priority of **Community** and **Economic Vitality**.

Recommendation:

Based on the Planning and Zoning Commission’s vote of 3-2, the recommendation is City Council **move to approve Ordinance 2549, first reading, a Zoning Change with a Site Plan for Events In Your Budget.**

ORDINANCE 2549

AN ORDINANCE ADOPTING A ZONING CHANGE FROM GB TO GB-PD WITH A SITE PLAN FOR TRACT 12 A1 WILLIAM WALLACE SURVEY, A 1607 BEING .38 ACRE LOCATED AT 1305 YATES DRIVE

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 zoning change with a site plan with Exhibits "A-I" for Tract 12 A1 William Wallace Survey, A 1607 being .38 acre located at 1305 Yates Drive.

AND IT IS SO ORDERED.

Passed on the first reading on the 26th day of September 2023 by a vote of _ to _.

Approved on the second reading on the ___ day of October 2023 by a vote of _ to _.

ATTEST:

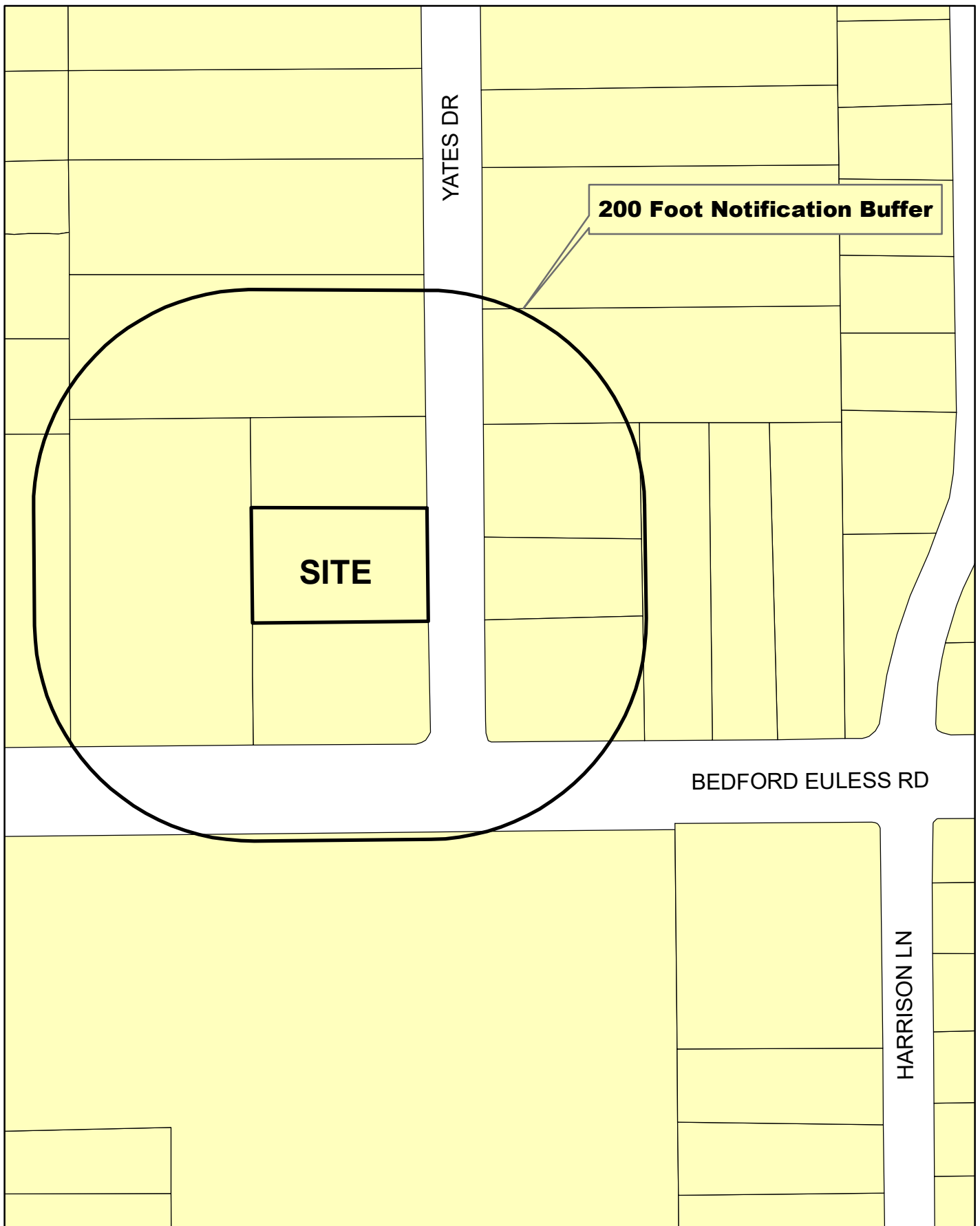
CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

City Attorney



<p>CASE NO:Z-2023-00002 Events In Your Budget</p>	<p>LEGAL DESCRIPTION: Tract 12A1, William Wallace Survey A-1607</p>	<p>AGENDA DATE: 9/12/2023</p>
<p>REQUESTED ACTION: Zoning change from GB- GB-PD</p>	<p>LOCATION: 1305 Yates Dr.</p>	



Z-2023-00002

LEGAL NOTICE

A PUBLIC HEARING WILL BE HELD BY THE HURST CITY COUNCIL ON TUESDAY, SEPTEMBER 12, 2023 AT 6:30 P.M. AT THE HURST CITY HALL AT 1505 PRECINCT LINE ROAD. TO CONSIDER A ZONING CHANGE FROM GB TO GB-PD WITH A SITE PLAN FOR TRACT 12A1 WILLIAM WALLACE SURVEY, A 1607 BEING .38 ACRE LOCATED AT 1305 YATES DRIVE

Events in Your Budget



Z-2023-00002

**APPLICATION FOR SITE PLAN
OWNERSHIP DATA**

TO THE HURST PLANNING AND ZONING COMMISSION:

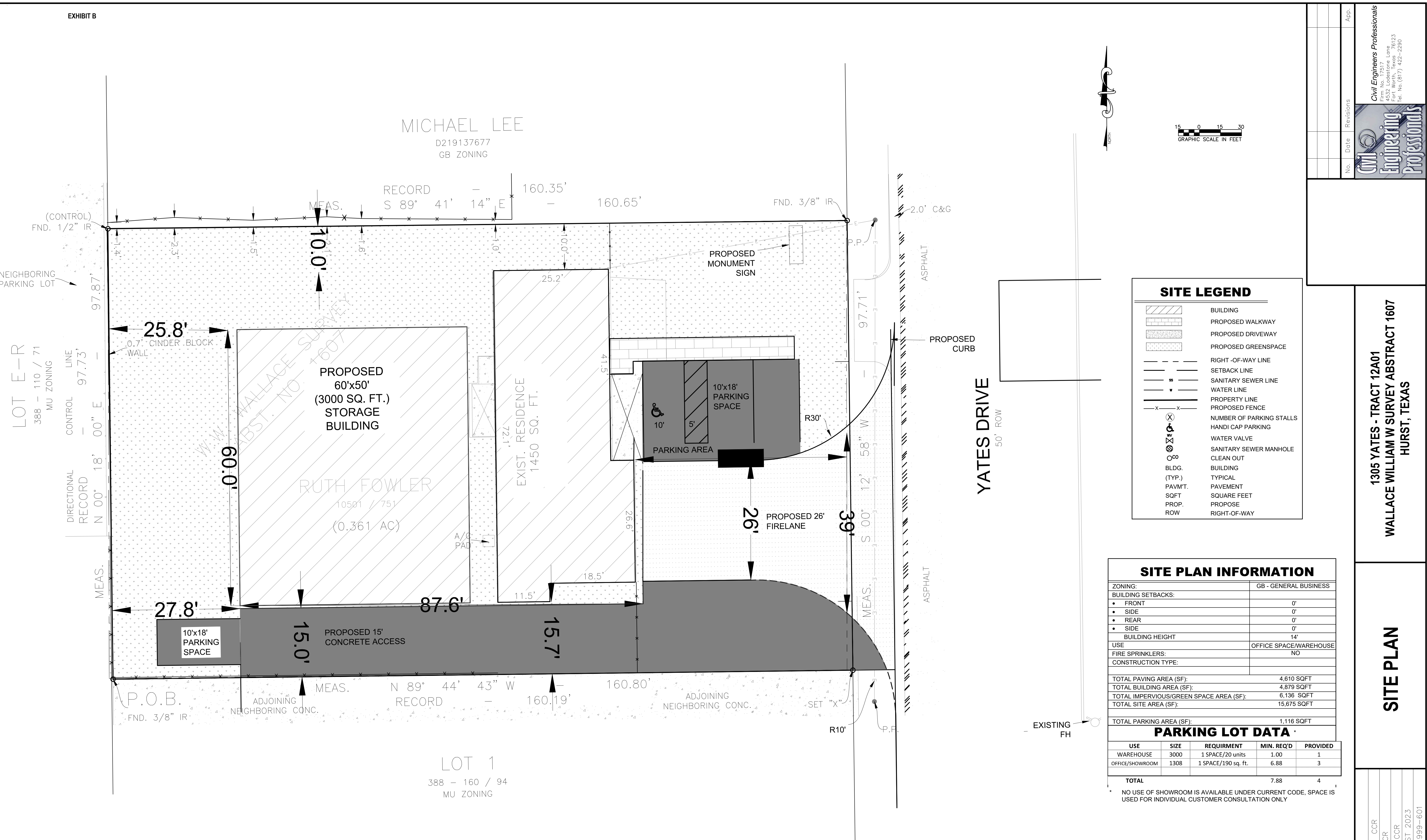
The following described real property is under application for approval of a zoning change with a site plan.

Events In Your Budget
A Zoning Change from GB to GB-PD with a Site Plan
Tract 12 A1 William Wallace Survey A 1607
1305 Yates Dr.

The following is a list of the property owners, legal description of their property, and mailing address of the owners of the property within 200 feet of the above-described property, which is under application for a zoning change with a site plan:

PROPERTY OWNER	LEGAL DESCRIPTION	ADDRESS
TRAMMEL, KATHERINE	YATES ADDITION BLOCK 12A3 LOT 1	1308 YATES DR. HURST, TX 76053
FRIENSEN, ELIZABETH	SHADY OAKS ADDITION BLOCK 16 LOT 6	1316 VALENTINE ST. HURST, TX 76053
HUTCHINSON, JEFFREY	YATES ADDITION BLOCK 12A3 LOT 2	2912 TANGLE OAKS BEDFORD, TX 76021
BECKER, JOSEPH	YATES ADDITION LOT 12A5	1458 W OAKLAWN DR. TERRELL, TX 75160
RODGERS, JOE	YATES ADDITION BLOCK 12A2 LOT 3	208 W BEDFORD EULESS RD. HURST, TX 76053
FLEIGLE, DANIEL	YATES ADDITION BLOCK 12A2 LOT 5	1300 YATES DR. HURST, TX 76053
LEE, MICHAEL	WALLACE, WILLIAM W SURVEY ABSTRACT 1607 TRACT 12A01A	3236 BUTTON BUSH DR. FORT WORTH, TX 76244
I3 INVESTMENTS INC	SHADY OAKS ADDITION BLOCK 16 LOT ER	641 MEMORIAL HILL WAY MURPHY, TX 75094
I3 INVESTMENTS INC	SHADY OAKS ADDITION BLOCK 16 LOT DR	PO BOX 1557 WYLIE, TX 75098
SUMMERS, I RUTH	WALLACE, WILLIAM W SURVEY ABSTRACT 1607 TRACT 12A01	PO BOX 2687 GRAPEVINE, TX 76099
FLEIGLE, DANIEL	YATES ADDITION BLOCK 12A2 LOT 5	1300 YATES DR. HURST, TX 76053
WILDGROVE RE LLC	WALLACE, WILLIAM W SURVEY ABSTRACT 1607 TRACT 12A02A1	6211 W NORTHWEST HWY STE C-250 DALLAS, TX 75225

SAI REED PROPERTIES INC	SHP-FARNELL TWO ADDITION BLOCK 1 LOT 1	PO BOX 541895 GRAND PRAIRIE, TX 75054
PROVISION AT NORTH VALENTINE LP	PROVISION AT N VALENTINE BLOCK A LOT 1	4803 SOUTH NATIONAL AVE SUITE 200 SPRINGFIELD, MO 65810
OCCUPANT	YATES ADDITION BLOCK 12A3 LOT 2	1310 YATES DR, HURST, TX 76053
OCCUPANT	YATES ADDITION LOT 12A5	1309 YATES DR .HURST, TX 76053
OCCUPANT	YATES ADDITION BLOCK 12A2 LOT 5	1304 YATES DR. HURST, TX 76053
OCCUPANT	WALLACE, WILLIAM W SURVEY ABSTRACT 1607 TRACT 12A01A	1307 YATES DR. HURST, TX 76053
OCCUPANT	SHADY OAKS ADDITION BLOCK 16 LOT ER	236 W BEDFORD EULESS RD. HURST, TX 76053
OCCUPANT	SHADY OAKS ADDITION BLOCK 16 LOT DR	240 W BEDFORD EULESS RD. HURST, TX 76053
OCCUPANT	WALLACE, WILLIAM W SURVEY ABSTRACT 1607 TRACT 12A01	1305 YATES DR. HURST, TX 76053
OCCUPANT	WALLACE, WILLIAM W SURVEY ABSTRACT 1607 TRACT 12A02A1	210 W BEDFORD EULESS RD. HURST, TX 76053
OCCUPANT	SHP-FARNELL TWO ADDITION BLOCK 1 LOT 1	212 W BEDFORD EULESS RD. HURST, TX 76053
OCCUPANT	PROVISION AT N VALENTINE BLOCK A LOT 1	225 W BEDFORD EULESS RD. HURST TX 76053



SITE LEGEND

	BUILDING
	PROPOSED WALKWAY
	PROPOSED DRIVEWAY
	PROPOSED GREENSPACE
	RIGHT-OF-WAY LINE
	SETBACK LINE
	SANITARY SEWER LINE
	WATER LINE
	PROPERTY LINE
	PROPOSED FENCE
	NUMBER OF PARKING STALLS
	HANDI CAP PARKING
	WATER VALVE
	SANITARY SEWER MANHOLE
	CLEAN OUT
	BUILDING
	TYPICAL
	PAVEMENT
	SQUARE FEET
	PROPOSE
	RIGHT-OF-WAY

SITE PLAN INFORMATION

ZONING:	GB - GENERAL BUSINESS
BUILDING SETBACKS:	
• FRONT	0'
• SIDE	0'
• REAR	0'
• SIDE	0'
BUILDING HEIGHT	14'
USE	OFFICE SPACE/WAREHOUSE
FIRE SPRINKLERS:	NO
CONSTRUCTION TYPE:	
TOTAL PAVING AREA (SF):	4,610 SQFT
TOTAL BUILDING AREA (SF):	4,879 SQFT
TOTAL IMPERVIOUS/GREEN SPACE AREA (SF):	6,136 SQFT
TOTAL SITE AREA (SF):	15,675 SQFT
TOTAL PARKING AREA (SF):	1,116 SQFT

PARKING LOT DATA

USE	SIZE	REQUIREMENT	MIN. REQ'D	PROVIDED
WAREHOUSE	3000	1 SPACE/20 units	1.00	1
OFFICE/SHOWROOM	1308	1 SPACE/190 sq. ft.	6.88	3
TOTAL			7.88	4

* NO USE OF SHOWROOM IS AVAILABLE UNDER CURRENT CODE, SPACE IS USED FOR INDIVIDUAL CUSTOMER CONSULTATION ONLY

THIS DOCUMENT IS FOR CITY REVIEW AND PERMIT PURPOSES ONLY, AND MAY BE USED FOR BIDDING PURPOSES. IT IS NOT INTENDED FOR THE RELEASE FOR CONSTRUCTION.

CORREEN ROBERTSON, P.E.
DATE: AUGUST 8, 2023
TX, P.E. REG.# 106494

ENGINEER
CIVIL ENGINEERING PROFESSIONALS, LLC
 4532 LODESTONE LANE
 FORT WORTH, TX 76123
 817.422.2290
 CORREEN C. ROBERTSON, P.E.

OWNER/DEVELOPER
RABEEA CHOWDHRY AND AMER CHOWDHRY
 940 N BELT LINE ROAD SUITE 125
 IRVING TX 75061
 PHONE: 214 436 3800

App. _____
 Revisions _____
 No. _____ Date _____

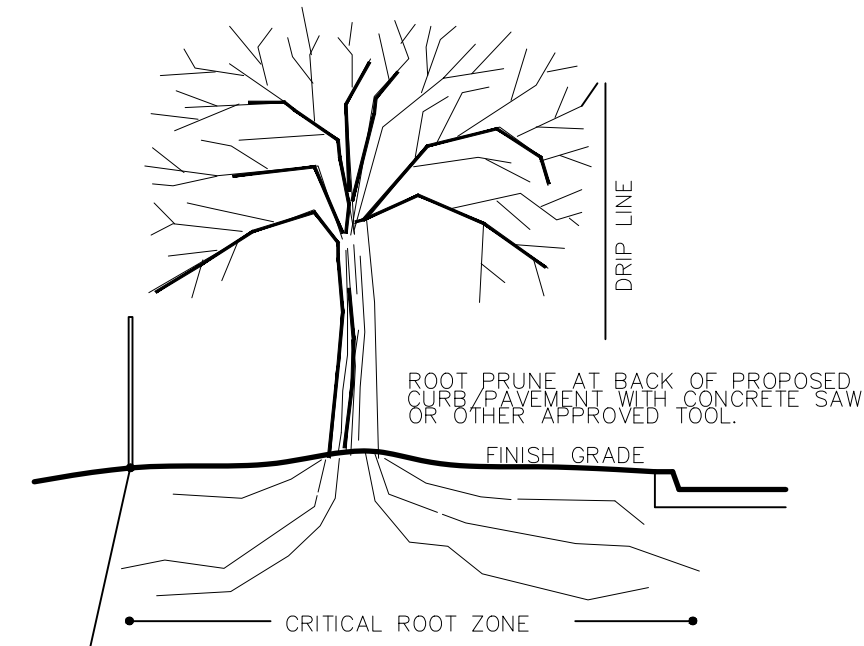
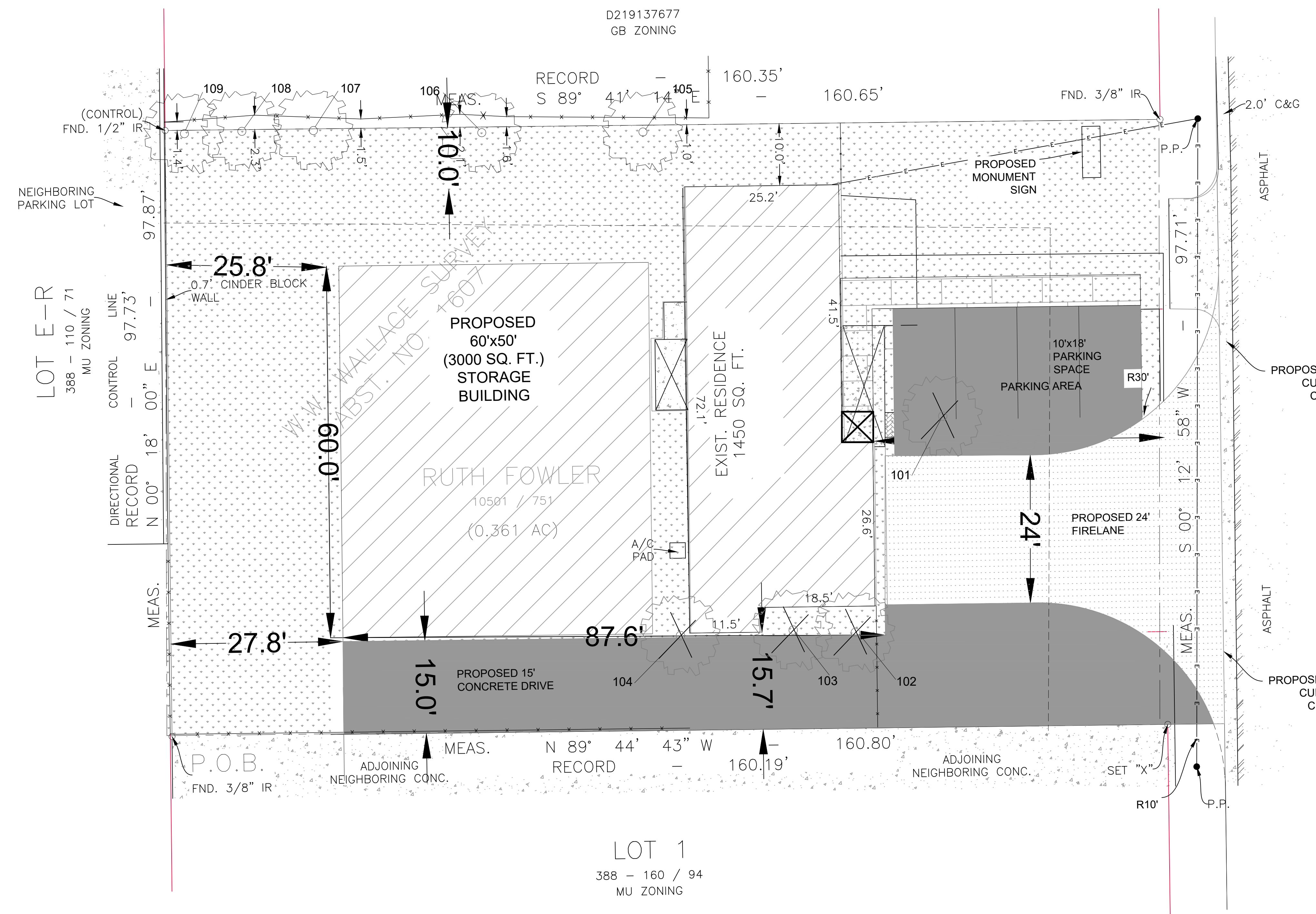
Civil Engineering Professionals
 Firm No. 7517
 4532 Lodestone Lane
 Fort Worth, TX 76123
 Tel. No. (817) 422-2290

1305 YATES - TRACT 12A01
 WALLACE WILLIAM W SURVEY ABSTRACT 1607
 HURST, TEXAS

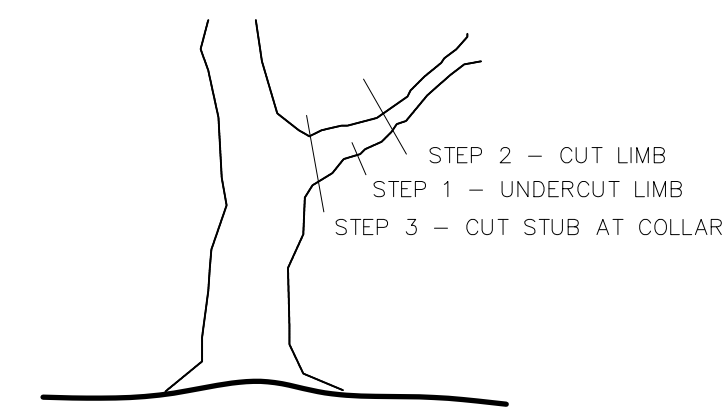
SITE PLAN

Scale: _____
 Designed by: CCR
 Drawn by: CCR
 Checked by: CCR
 Date: AUGUST 2023
 Project No. 999-601

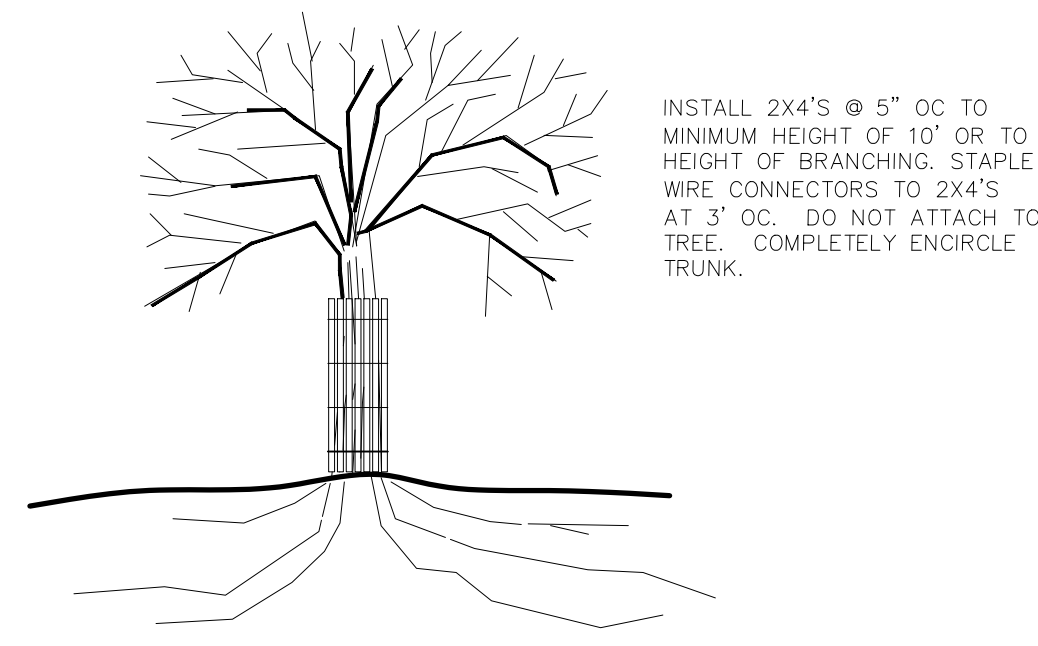
EXHIBIT C



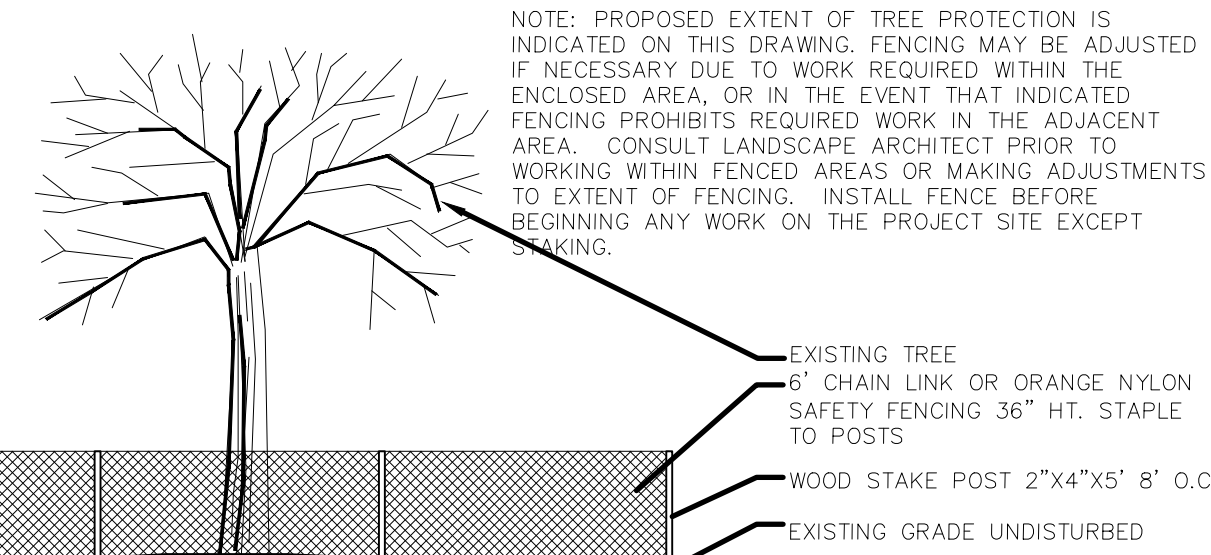
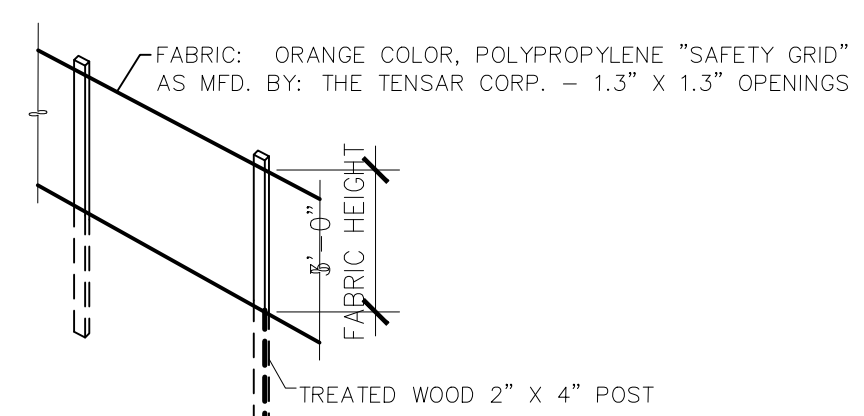
TREE PROTECTION FENCING/PRUNING
 SCALE: NONE



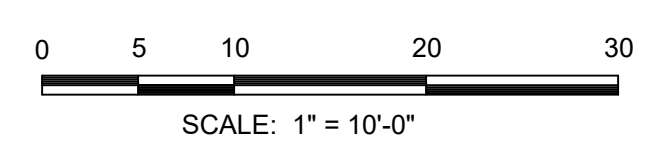
TREE PRUNING
 SCALE: NONE



BARK PROTECTION
 SCALE: NONE



TREE PROTECTIVE FENCING
 SCALE: NONE



TREE SURVEY

NUMBER	SPECIES	COMMENT
101	33" MULBERRY	- REMOVE EXEMPT POOR
102	22" LIVE OAK	- REMOVE EXEMPT
103	2" CRAPE MYRTLE	- REMOVE EXEMPT
104	10" HACKBERRY	- REMOVE EXEMPT
105	14" HACKBERRY	- PRESERVE
106	20" HACKBERRY	- PRESERVE
107	20" HACKBERRY	- PRESERVE
108	20" HACKBERRY	- PRESERVE
109	4" HACKBERRY	- PRESERVE

TREE PRESERVATION TOTALS

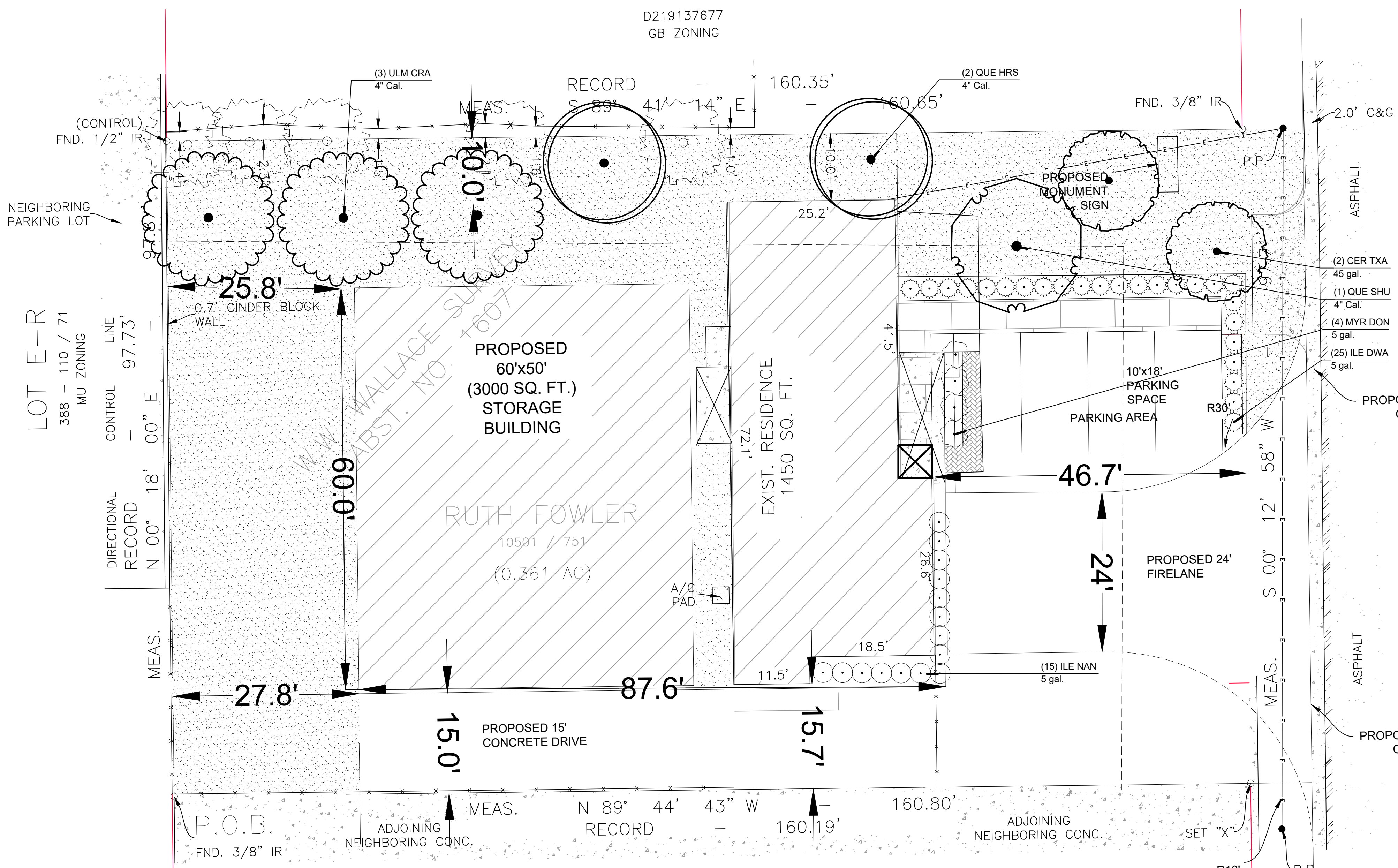
TOTAL CALIPER INCHES ON LOT	133"
TOTAL CALIPER INCHES PRESERVED/EXEMPT	133" (100%)
TOTAL CALIPER INCHES REMOVED	48" (10.9%)

TOTAL MITIGATION REQUIRED: 0" CALIPER INCHES
 MITIGATION PROVIDED: 0 TREES @ 4" CAL = 0"
 TOTAL MITIGATION PROVIDED: 0" CALIPER INCHES

- LEGEND**
- EXISTING TREE TO BE PRESERVED/PROTECTED
 - EXISTING TREE TO BE REMOVED BY PERMIT
 - TREE PROTECTION FENCE

MITIGATION TOTALS:
 0" - 0" = 0" 0" X \$60 = \$0 PAID TO THE CITY'S TREE FUND

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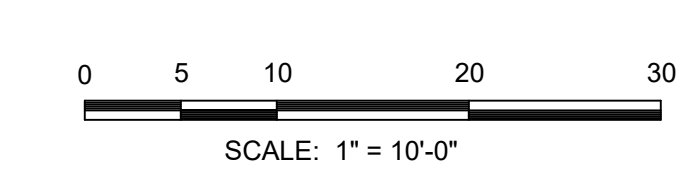
CITY OF HURST LANDSCAPE REQUIREMENTS (LOT 3R)		
REQUIRED SITE LANDSCAPING	15% OF TOTAL SITE TO BE LANDSCAPE AREA	
	REQUIRED	PROVIDED
	15,226 SF X 15% = 2,284 SF	6,150 SF, 40%
REQUIRED LANDSCAPE SETBACK	MINIMUM 15' LANDSCAPE SETBACK	
	REQUIRED	PROVIDED
	15 LF	3 LF
REQUIRED STREET FRONTAGE TREES	1 TREE REQUIRED PER EVERY 50 FT OF FRONTAGE	
	REQUIRED	PROVIDED
	98 LF/5 = 2 TREES	2 TREES
REQUIRED STREET FRONTAGE SHRUBS	1 SHRUB REQUIRED PER EVERY 5 FT OF FRONTAGE	
	REQUIRED	PROVIDED
	98 LF/5 = 20 SHRUBS	44 SHRUBS
REQUIRED PARKING LOT LANDSCAPING	5% LANDSCAPE AREA REQUIRED	
	REQUIRED	PROVIDED
	1,182 SF X 5% = 59 SF	300 SF
REQUIRED PARKING LOT TREES	1 TREE PER EVERY 20 SPACES	
	REQUIRED	PROVIDED
	6 SPACES/20 = 1 TREES	1 TREE
BUFFER YARD REGULATION	15' OF LANDSCAPING BETWEEN DISTRICTS	
	REQUIRED	PROVIDED
	15'	10' EXISTING
BUFFER YARD TREES	1 TREE PER 30 LF, 40% EVERGREEN	
	REQUIRED	PROVIDED
	161 LF/30 = 5 TREES	5 TREES

- NOTE:
- ALL LANDSCAPE AREAS TO BE IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM INSTALLED BY A LICENSED IRRIGATOR. SYSTEM TO INCLUDE RAIN AND FREEZE SENSORS.
 - PARKING LOT SCREENED FROM STREET ROW.
 - TREES REMOVED, BUT NOT IN THE BUILDABLE AREA TO BE MITIGATED INCH PER INCH.
 - SITE WILL BE MAINTAINED IN ACCORDANCE WITH CITY OF HURST LANDSCAPE ORDINANCE, ARTICLE 13 a.

- PLANTING NOTES:
- PLANT SIZE, TYPE, AND CONDITION SUBJECT TO APPROVAL OF OWNER'S REPRESENTATIVE.
 - ALL PLANT MATERIAL TO BE NURSERY GROWN STOCK.
 - CONTRACTOR RESPONSIBLE FOR MAINTENANCE OF ALL PLANT MATERIAL UNTIL PROJECT ACCEPTANCE.
 - ALL CONTAINER GROWN PLANTS TO HAVE FULL, VIGOROUS ROOT SYSTEM, COMPLETELY ENCOMPASSING CONTAINER.
 - ALL PLANTS WELL ROUNDED AND FULLY BRANCHED. ALL TREES WITH SPREAD 2/3 OF HEIGHT.
 - CONTRACTOR TO PROVIDE OWNER WITH PREFERRED MAINTENANCE SCHEDULE OF ALL PLANTS AND LAWNS.
 - MAINTAIN/PROTECT VISIBILITY TRIANGLE WITH PLANT MATERIAL PER CITY STANDARDS AT ALL ENTRANCES TO SITE.
 - PREP ENTIRE WIDTH OF ALL DEFINED PLANTING BEDS WITH MIX AS OUTLINED IN SPECS. WHERE SHRUBS ARE LOCATED ALONG CURB, SET SHRUBS BACK FROM CURB 3 FT.
 - SEE DETAIL SHEET FOLLOWING FOR PLANTING DETAILS.
 - CONTRACTOR RESPONSIBLE FOR LOCATION OF ALL UTILITIES, INCLUDING BUT NOT LIMITED TO TELEPHONE, TELECABLE, ELECTRIC, GAS, WATER AND SEWER. ANY DAMAGE TO UTILITIES TO BE REPAIRED BY CONTRACTOR AT NO COST TO OWNER.
 - IF EXISTING TREES ARE SHOWN TO REMAIN, CONTRACTOR SHALL PRUNE AS DIRECTED BY OWNER'S REPRESENTATIVE. WORK TO INCLUDE REMOVAL OF ALL SUCKER GROWTH; DEAD AND DISEASED BRANCHES AND LIMBS; VINES, BRIARS AND OTHER INVASIVE GROWTH; AND ALL INTERFERING BRANCHES. MAKE ALL CUTS FLUSH TO REMAINING LIMB. RETAIN NATURAL SHAPE OF PLANT. ALL WORK SUBJECT TO APPROVAL OF OWNER'S REPRESENTATIVE.
 - QUANTITIES ARE PROVIDED AS A COURTESY AND NOT INTENDED FOR BID PURPOSES. CONTRACTOR TO VERIFY PRIOR TO PRICING.
 - INSTALL EDGING BETWEEN LAWN AND PLANTING BEDS. REFER TO SPECIFICATIONS. FILE ALL CORNERS SMOOTH.
 - INSTALL CURLEX BLANKET (OR EQUAL) PER MANUFACTURES INSTRUCTIONS ON ALL GROUNDCOVER/SHRUB BEDS WITH A SLOPE OF 4:1 OR GREATER.
 - AT TIME OF PLAN PREPARATION, SEASONAL PLANT AVAILABILITY CANNOT BE DETERMINED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SECURE AND RESERVE ALL B&B PLANTS WHEN AVAILABLE IN CASE ACTUAL INSTALLATION OCCURS DURING THE OFF-SEASON. PURCHASE AND HOLD B&B PLANTS FOR LATE SEASON INSTALLATION.
 - CONTRACTOR SHALL STAKE ALL TREE LOCATIONS FOR OWNER APPROVAL PRIOR TO PLANTING.

NOTE: IN CASE OF CONFLICT WITH OTHER NOTES OR SPECIFICATIONS, CITY REQUIREMENTS OVERULE.

CAUTION!!!
 UNDERGROUND UTILITIES ARE LOCATED IN THIS AREA. 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, CONTACT LINE LOCATES FOR FRANCHISE UTILITY INFO. CALL BEFORE YOU DIG!
 TEXAS EXCAVATION SAFETY SYSTEM (TESS)
 1-800-344-8377
 TEXAS ONE CALL SYSTEMS
 1-800-245-4545
 LONE STAR NOTIFICATION CENTER
 1-800-669-8344 EXT. 5



LANDSCAPE PLAN

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	REMARKS
	CER TXA	2	Cercis canadensis texensis	Texas Redbud	45 gal.	8' Min.		
	QUE SHU	1	Quercus shumardii	Shumard Oak	4" Cal.	12' Height Min		Single Straight Trunk
	QUE HRS	2	Quercus virginiana 'QVTIA'	Highrise Live Oak	4" Cal.	12' Height Min		Single Straight Trunk
	ULM CRA	3	Ulmus crassifolia	Cedar Elm	4" Cal.	12' Height Min		Single Straight Trunk
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	REMARKS
	ILE DWA	25	Ilex cornuta 'Dwarf Burford'	Dwarf Burford Holly	5 gal.	24" min.	36" O.C.	
	ILE NAN	15	Ilex vomitoria 'Nana'	Dwarf Yaupon Holly	5 gal.	18"-24"	36" O.C.	
	MYR DON	4	Myrica cerifera 'Don's Dwarf'	Don's Dwarf Wax Myrtle	5 gal.	24" min.	48" O.C.	
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	REMARKS
	CYN DAC	5,961 sf	Cynodon dactylon	Bermudagrass	Solid Sod			

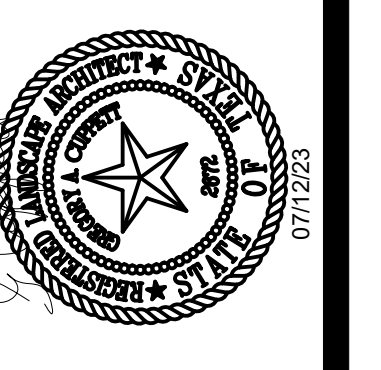
NOTE:
 NO LANDSCAPE PLANTINGS WITHIN 18" OF PARKING LOT CURBS.

TEMPORARY IRRIGATION WILL BE REQUIRED TO ESTABLISH TURF IN ALL DISTURBED AREAS WITHOUT A PERMANENT IRRIGATION SYSTEM. SOD TURF IN ALL DISTURBED AREAS AS IDENTIFIED ON GRADING AND EROSION CONTROL PLANS.

NOTE: IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CONFIRM TREE CALIPER MEASUREMENT HEIGHT ABOVE GRADE AS REQUIRED BY CITY. ALL TREES SHALL HAVE SINGLE/CENTRAL LEADER TO THE TOP OF THE TREE.

Date JUL 12, 2023
 Drawn By GAC
 Checked By GAC
 Revisions

FAN • CUPPET ARCHITECTS, LLC
 10000 E. Cambridge Blvd., Suite 1000
 Aurora, CO 80012
 303.771.7700
 www.fancuppet.com



THIS ELECTRONIC DRAWING FILE IS RELEASED UNDER THE AUTHORITY OF GREG CUPPET, LANDSCAPE ARCHITECT LICENSE NO. 10712225. THE USER OF THIS ELECTRONIC DRAWING FILE AGREES TO HOLD FAN • CUPPET ARCHITECTS, LLC AND GREG CUPPET HARMLESS FROM ANY AND ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE ASSERTED AGAINST FAN • CUPPET ARCHITECTS, LLC OR GREG CUPPET BY ANY PARTY AS A RESULT OF THE USER'S USE OF THIS ELECTRONIC DRAWING FILE. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS, THE BOARD OF ARCHITECTURAL ENGINEERS AND SURVEYORS, AND THE BOARD OF PROFESSIONAL LANDSCAPE ARCHITECTS. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS, THE BOARD OF ARCHITECTURAL ENGINEERS AND SURVEYORS, AND THE BOARD OF PROFESSIONAL LANDSCAPE ARCHITECTS. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS, THE BOARD OF ARCHITECTURAL ENGINEERS AND SURVEYORS, AND THE BOARD OF PROFESSIONAL LANDSCAPE ARCHITECTS.

JAVED CHOWDHRY
 1305 YATES
 HURST, TEXAS

Sheet No.
L-1

EXHIBIT E

1305 Yates Dr Hurst TX 76053

Existing Building Elevations

Front elevation



Front elevation 2



North side elevation



South side elevation



Rear elevation



Rear elevation 2



Storage Building Elevations

Corner view



Left Endwall

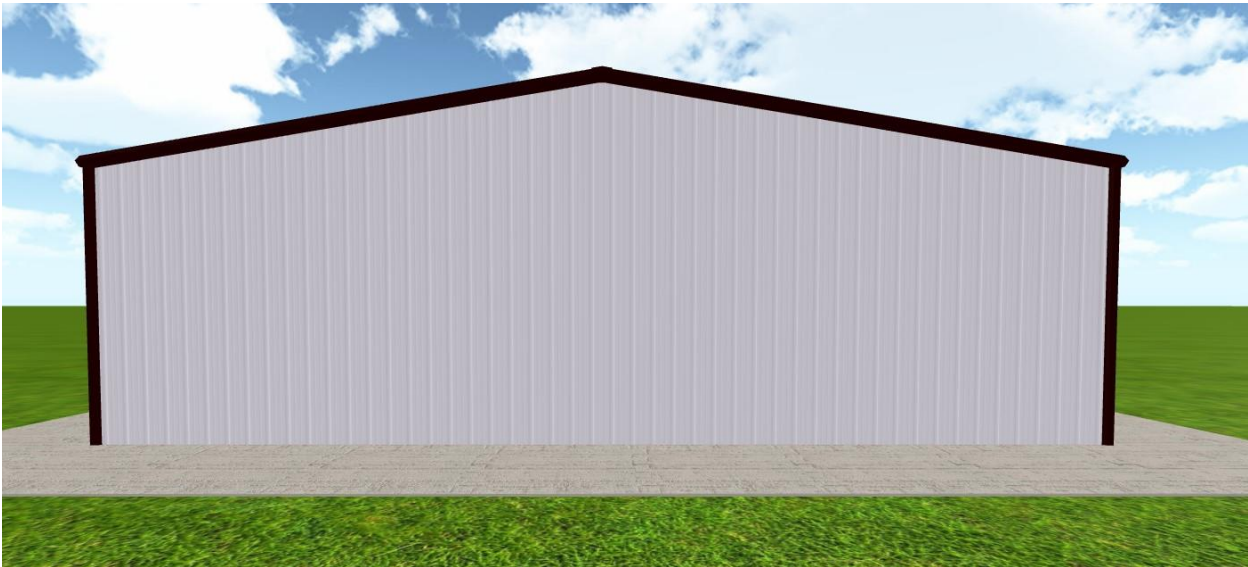


EXHIBIT G

Front sidewall



Right Endwall



Back Sidewall

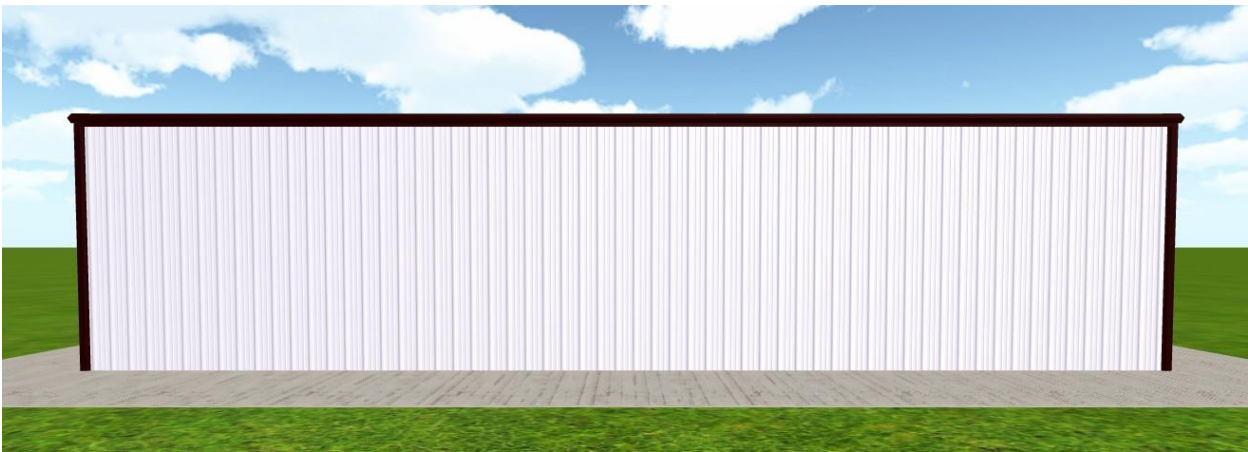
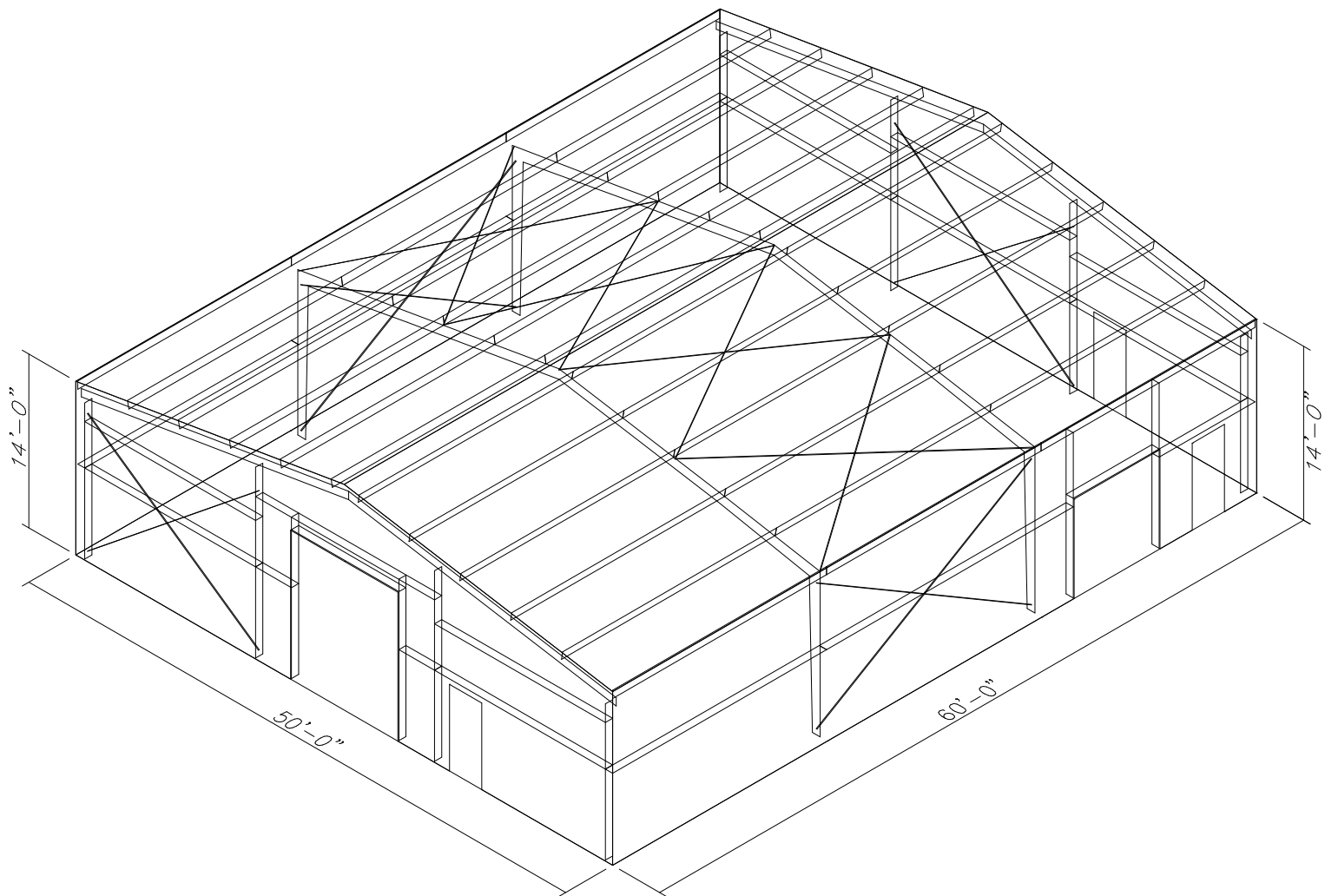
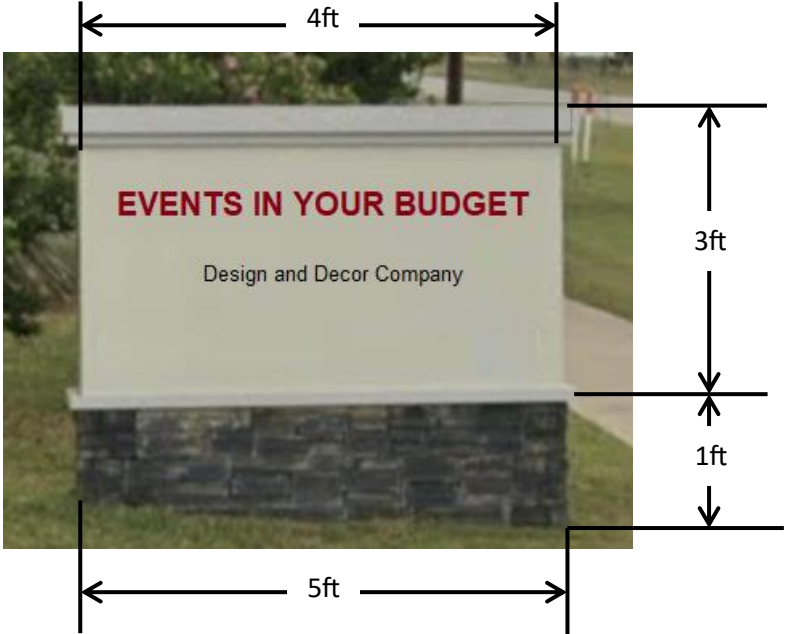


EXHIBIT H



1305 Yates Dr Hurst TX 76053

Monument Sign Elevation



City Council Staff Report

<p>SUBJECT: SP-2023-00008 Rosa’s Tortilla Factory, first reading, a Site Plan Revision on Lot 3A, Block 1 Lowes Addition, being 1.6 acres located at 2200 Precinct Line Road</p>	
<p>Supporting Documents:</p>	
<p>Ordinance Area map Legal notice Ownership data Site plan – Exhibit “A” Traffic plan – Exhibit “B” Landscape plan – Exhibit “C”</p>	<p>Meeting Date: 9/26/2023 Department: Development Reviewed by: Michelle Lazo City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>An application has been made by Andre Sutiono, P.E. with JM Engineering, for a Site Plan Revision on Lot A3, Block 1 Lowe’s Addition, being 1.6 acres located at 2200 Precinct Line Road. The property is zoned GB-PD (General Business Planned Development).</p> <p>The developer is requesting the site plan revision in order to remodel the parking area to add an additional access point on the east side of the property for the drive-thru. Drive-thru patrons will have the option to queue for the drive-thru from Precinct Line Rd. and the shared access adjacent to Raising Cane’s.</p> <p>This property was developed in 1999 and some of the plantings on the original site plan were not planted due to utility easement conflicts.</p> <p>The applicant plans to update the landscape plan by adding eleven (11) Crepe Myrtles, twenty (20) Knock-Out Roses, eighteen (18) Burford Hollies, twelve (12) Red Cannas, nine (9) Red Yucca, Chinese Boxwoods, and Sweet Potato Vines.</p>	
<p>Funding Sources and Community Sustainability:</p>	
<p>There is no fiscal impact. Council’s consideration of this item falls within the Strategic Priority of Community and Economic Vitality.</p>	

Recommendation:

Based on the Planning and Zoning Commission's vote of 5-0, the recommendation is City Council **move to approve Ordinance 2550, a Site Plan Revision for Rosa's Tortilla Factory.**

ORDINANCE 2550

AN ORDINANCE ADOPTING A SITE PLAN REVISION ON LOT 3A, BLOCK 1 LOWE'S ADDITION, BEING 1.6 ACRES LOCATED AT 2200 PRECINCT LINE ROAD

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 Exhibits "A - C" on Lot 3A, Block 1 Lowe's Addition being 1.6 acres located at 2200 Precinct Line Road.

AND IT IS SO ORDERED.

Passed on the first reading on the 26th day of September 2023 by a vote of _
to _.

Approved on the second reading on the ___ day of October 2023 by a vote of
_ to _.

ATTEST:

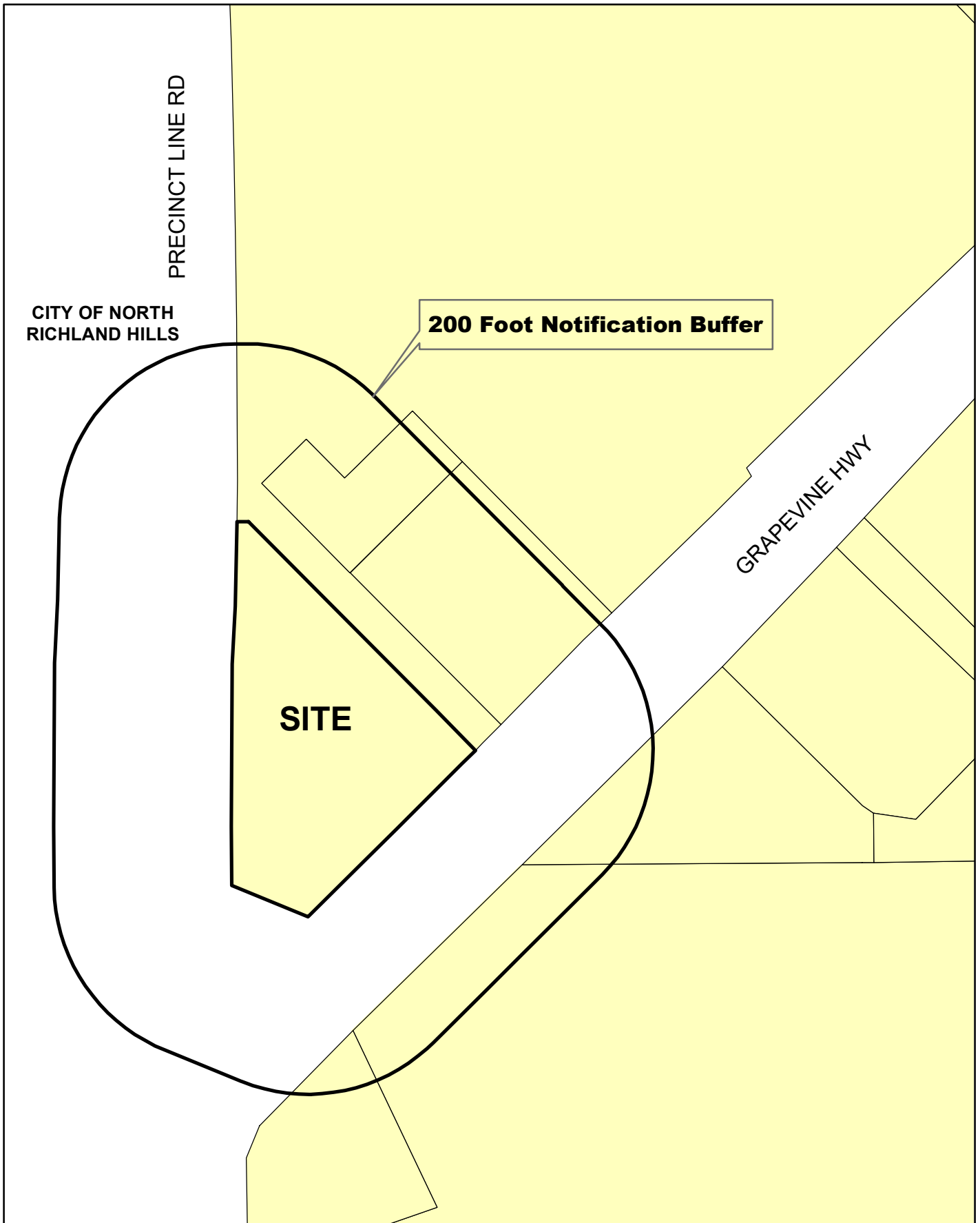
CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

City Attorney



<p>CASE NO:SITE-2023-00008 Rosa's Tortilla Factory</p>	<p>LEGAL DESCRIPTION: Lot 3A, Block 1 Lowe's Addition</p>	<p>AGENDA DATE: 9-5-2023</p>
<p>REQUESTED ACTION: Site Plan Revision</p>	<p>LOCATION: 2200 Precinct Line Rd</p>	



SITE-2023-00008

LEGAL NOTICE

A PUBLIC HEARING WILL BE HELD BY THE HURST CITY COUNCIL ON TUESDAY, SEPTEMBER 26, 2023 AT 6:30 P.M. AT THE HURST CITY HALL AT 1505 PRECINCT LINE ROAD TO CONSIDER A SITE PLAN REVISION LOT 3A, BLOCK 1 LOWES ADDITION, BEING 1.60 ACRES LOCATED AT 2200 PRECINCT LINE ROAD

ROSA'S TORTILLA FACTORY



SITE-2023-00008

**APPLICATION FOR SITE PLAN
OWNERSHIP DATA**

TO THE HURST PLANNING AND ZONING COMMISSION:

The following described real property is under application for approval of a zoning change with a site plan.

Rosa's Cafe
Site Plan Revision
Lot 3A, Block 1 Lowe's Addition
2200 Precinct Line Road

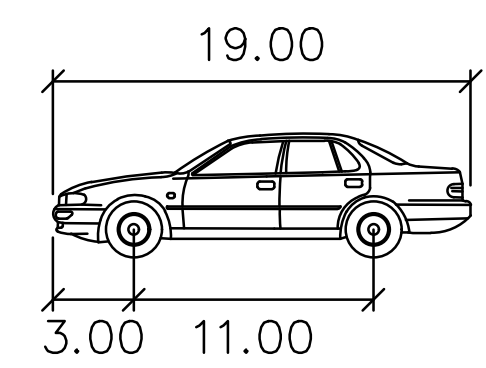
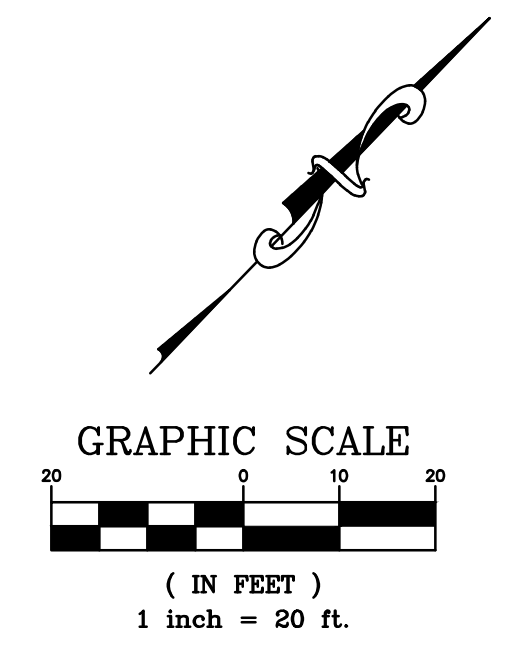
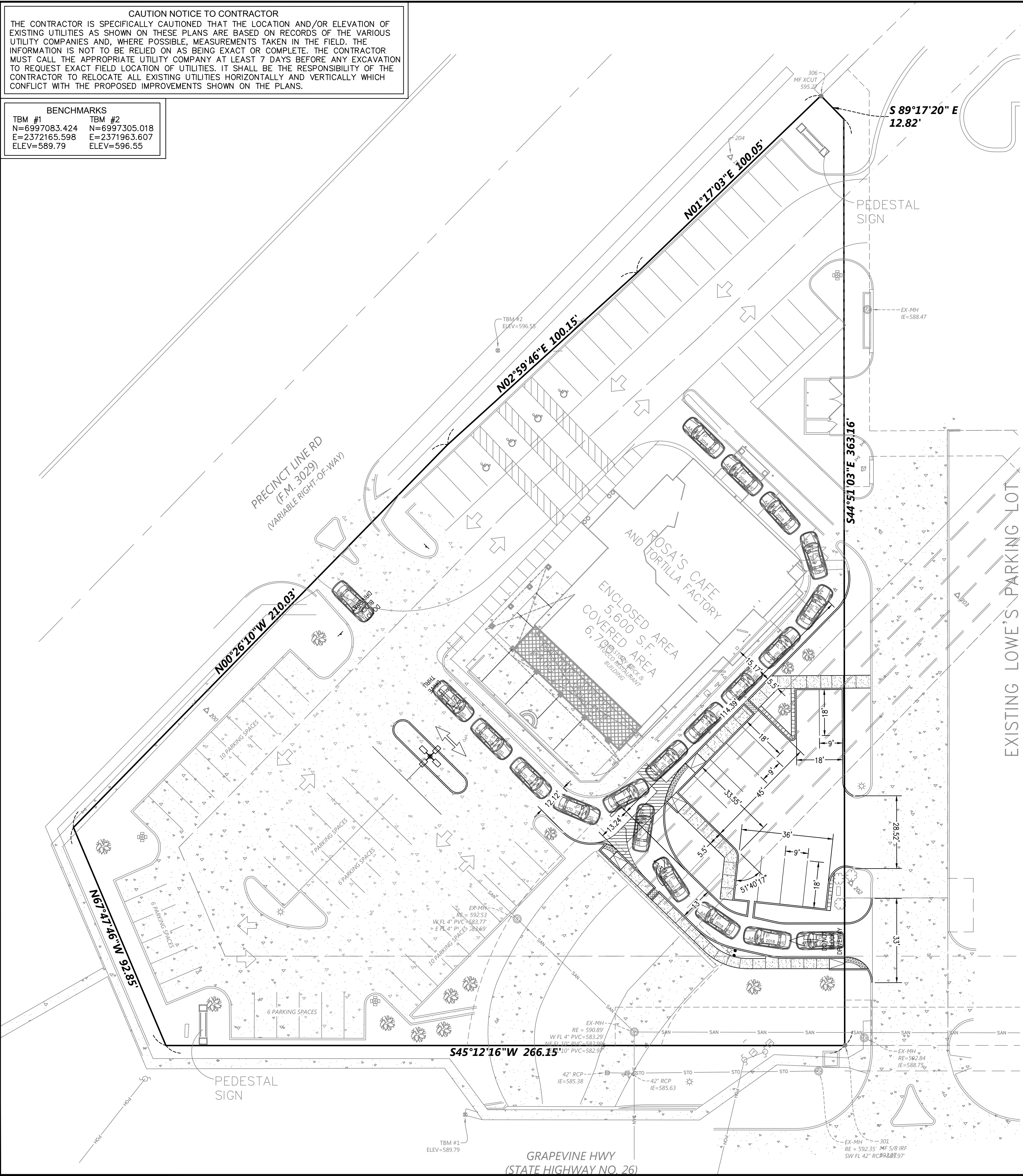
The following is a list of the property owners, legal description of their property, and mailing address of the owners of the property within 200 feet of the above-described property, which is under application for a zoning change with a site plan:

PROPERTY OWNER	LEGAL DESCRIPTION	ADDRESS
BOBBY COX COMPANIES INC.	LOWE'S ADDITION BLOCK 1 LOT 3A	5000 OVERTON PLZ STE 300 FT.WORTH, TX 76109
HURST, CITY OF	HURST ATHLETIC BLOCK 1 LOT 1A1	1505 PRECINCT LINE RD HURST, TX 76054
LOWES HOME CENTERS INC	LOWE'S ADDITION BLOCK 1 LOT 2R1	1000 LOWES BLVD MOORESVILLE,NC 28117
GEORGE R "RANDY" REVOCABLE TRUST	PRECINCT SQUARE LOT 1A	PO BOX 29965 RICHMOND, VA 23242
NATIONAL RETAIL PROPERTIES	LOWE'S ADDITION BLOCK 1 LOT 2R	450 S ORAGE AVE. STE 900 ORLANDO, FL32801
GREGORY MELANSON REVOCABLE TRUST	CRESTVIEW HIGHWAY 26 BLOCK 1 LOT 1	2950 FT. CHARLES DR. NAPLES, FL 54102
MOHR CAPITAL	LOWE'S ADDITION BLOCK 1 LOT 2R2	14643 DALLAS PARKWAY STE 1000 DALLAS, TX 75254
OCCUPANT	LOWE'S ADDITION BLOCK 1 LOT 3A	2200 PRECINCT LINE RD HURST, TX 76054
OCCUPANT	LOWE'S ADDITION BLOCK 1 LOT 2R1	770 GRAPEVINE HWY HURST, TX 76054
OCCUPANT	PRECINCT SQUARE LOT 1A	780 GRAPEVINE HWY HURST, TX 76054
OCCUPANT	LOWE'S ADDITION BLOCK 1 LOT 2R	776 GRAPEVINE HWY

		HURST, TX 76054
OCCUPANT	CRESTVIEW HIGHWAY 26 BLOCK 1 LOT 1	779 GRAPEVINE HWY HURST, TX 76054
OCCUPANT	LOWE'S ADDITION BLOCK 1 LOT 2R2	2250 PRECINCT LINE RD HURST, TX 76054

CAUTION NOTICE TO CONTRACTOR
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 7 DAYS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES HORIZONTALLY AND VERTICALLY WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

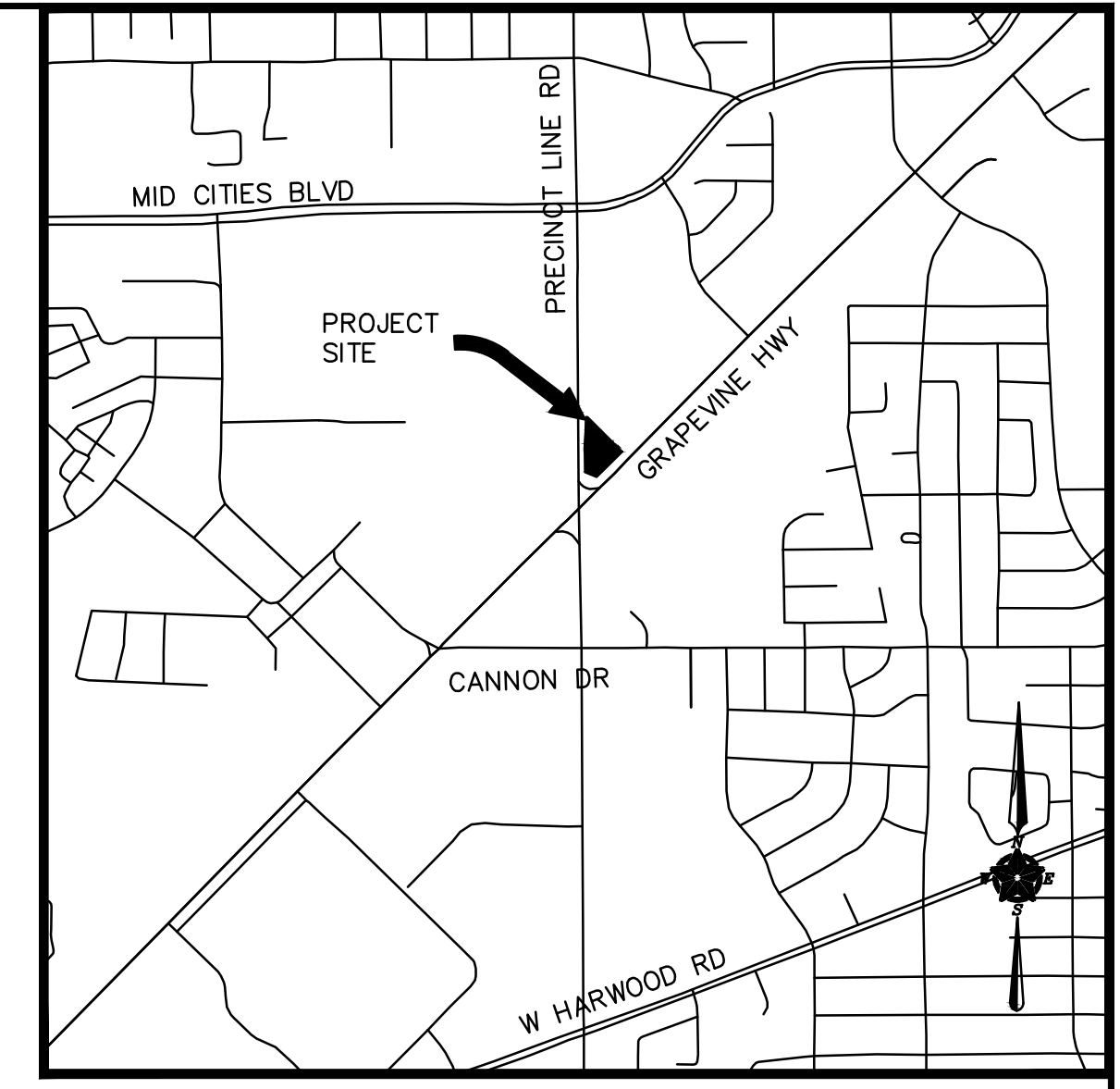
BENCHMARKS	
TBM #1 N=6997083.424 E=2372165.598 ELEV=589.79	TBM #2 N=6997305.018 E=2371963.607 ELEV=596.55



P

Width	: 7.00
Track	: 6.00
Lock to Lock Time	: 6.0
Steering Angle	: 31.6

feet



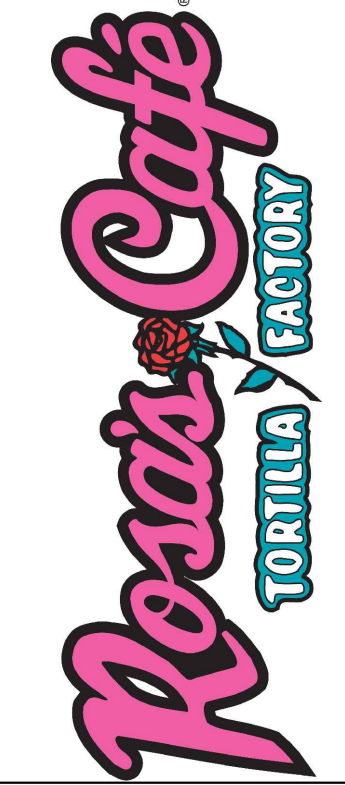
LOCATION MAP
 1 INCH = 1/4MI

GENERAL NOTES:

- STAFF SHALL DIRECT THE MERGING OF TRAFFIC IN THE TWO DRIVE-THRU LANES WHEN AT CAPACITY.

JM CIVIL
 1101 Central Expressway South
 Suite 215
 Allen, TX 75013
 Ph. 214-491-1830
 John Measels, PE
 CIVIL ENGINEER

FIRM NO. F-19504
 FOR REVIEW ONLY.
 THIS DOCUMENT IS
 RELEASED FOR THE
 PURPOSE OF REVIEW ONLY
 UNDER THE AUTHORITY OF
 JOHN MEASELS, P.E.
 (LIC. NO. 93278).
 IT IS NOT TO BE USED
 FOR CONSTRUCTION.
 05/24/2023



ROSA'S CAFE
 2200 PRECINCT LINE RD, HURST, TX 76054
DRIVE-THRU IMPROVEMENT

DATE	DESCRIPTION	NAME	YOUR
05/24/23	INITIAL SUBMITTAL		ML
05/24/23	2ND SUBMITTAL		

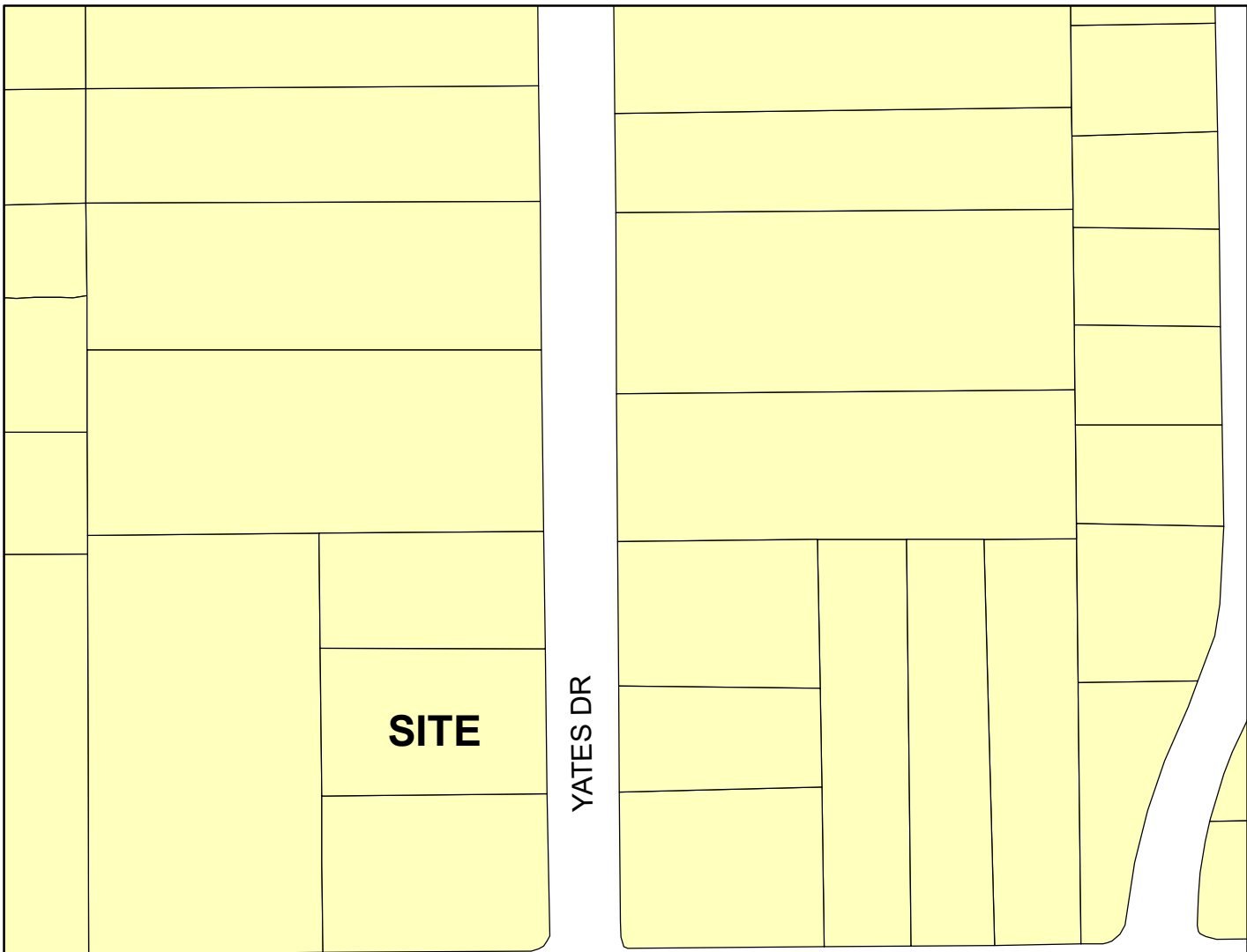
PROJECT NO:	JM-BCC22003
DRAWN BY:	JMCE
CHECKED BY:	JMCE
ISSUE DATE:	05/24/2023



J:\ROSAS CAFE\JM-BCC22003 HURST TX DRIVE THROUGH MODIFICATION MASTER.DWG 5/24/2023 11:24 AM MITCHELL LIGHT

City Council Staff Report

SUBJECT: P-2023-00004 Chowdhry At Yates Addition, a final plat of Tract 12A1, William Wallace Survey A-1607 to Lot 1, Block 1 Chowdhry At Yates, being .36 acre located at 1305 Yates Drive	
Supporting Documents:	
Area map Plat	Meeting Date: 9/26/2023 Department: Development Reviewed by: Michelle Lazo City Manager Review:
Background/Analysis:	
<p>An application has been made by Rabea Chowdhry for a final plat of Tract 12A1, William Wallace Survey A-1607 to Lot 1, Block 1 Chowdhry At Yates, being .36 acre located at 1305 Yates Drive. The property is zoned GB (General Business).</p> <p>The owner is requesting the final plat to remodel an existing structure for an event planner and rental office.</p> <p>Engineering plans have been reviewed and accepted.</p> <p>This item was tabled from the September 12, 2023 Council meeting</p>	
Funding Sources and Community Sustainability:	
There is no fiscal impact. Council's consideration of this item falls within the Strategic Priority of Community and Economic Vitality .	
Recommendation:	
Based on the Planning and Zoning Commission's vote of 4-1, the recommendation is City Council move to approve P-2023-00004, a final plat of Lot 1, Block 1 Chowdhry At Yates Addition.	



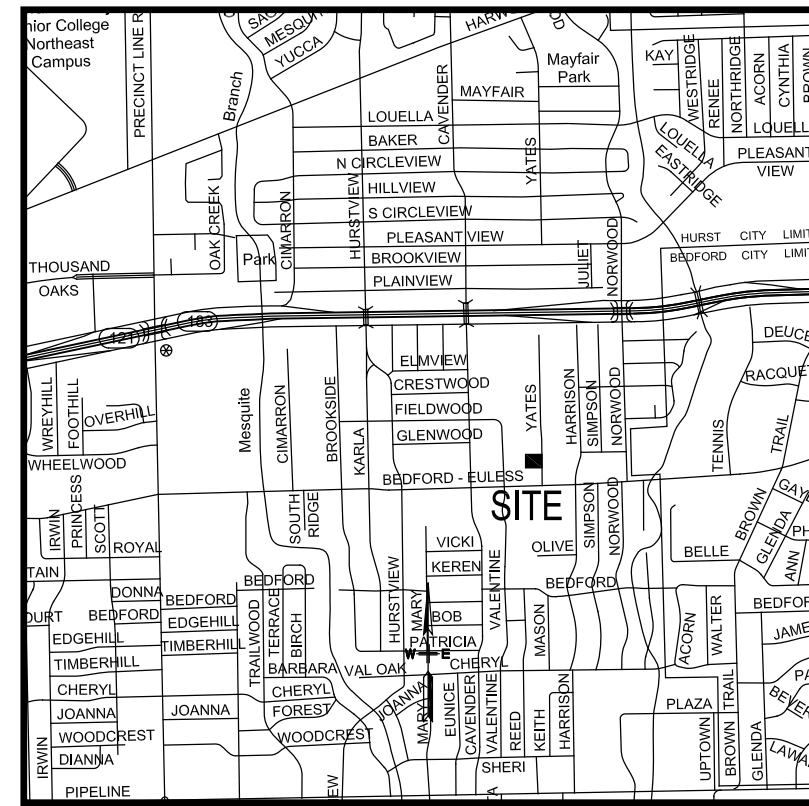
SITE

YATES DR

BEDFORD EULESS RD

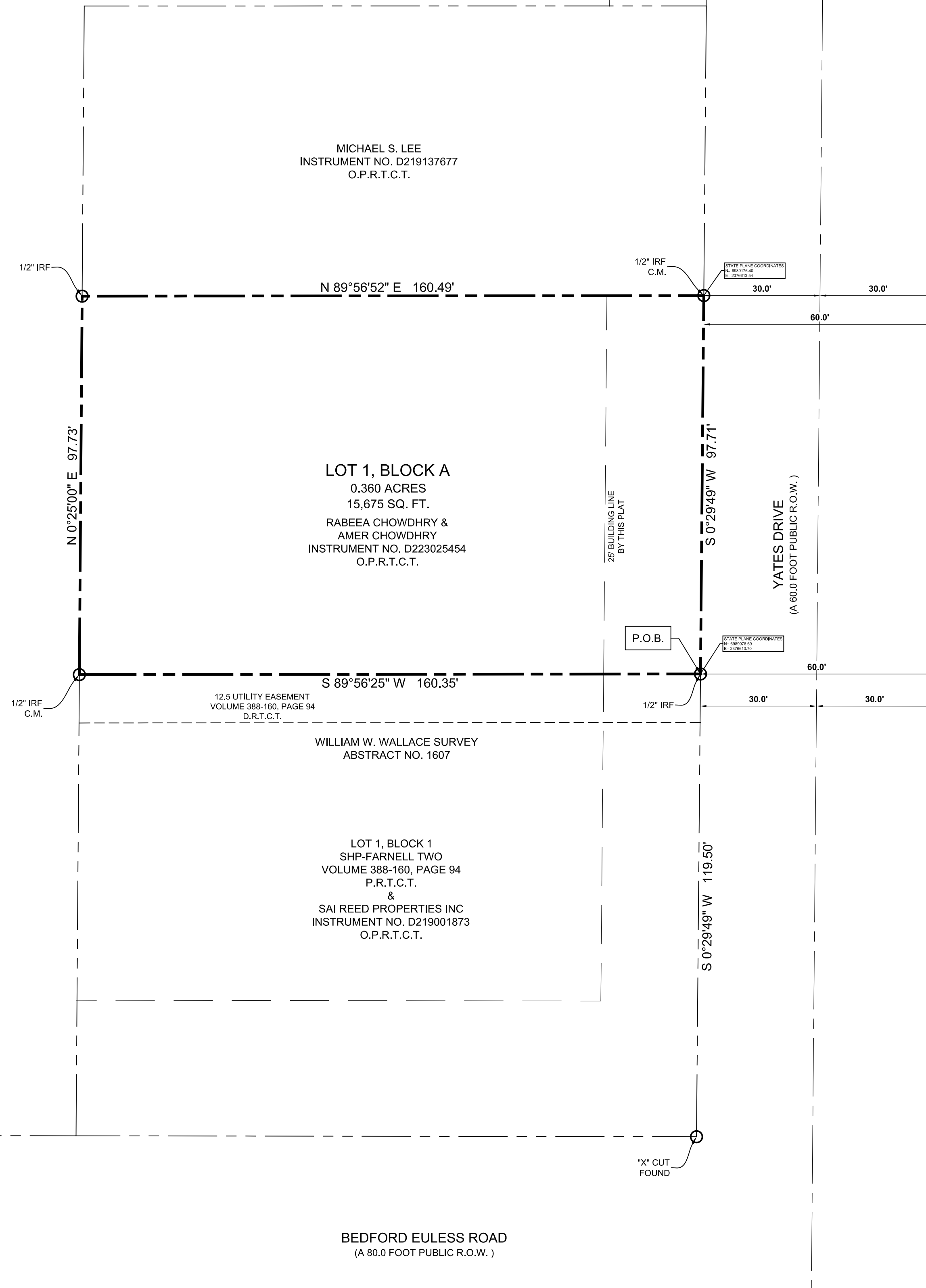
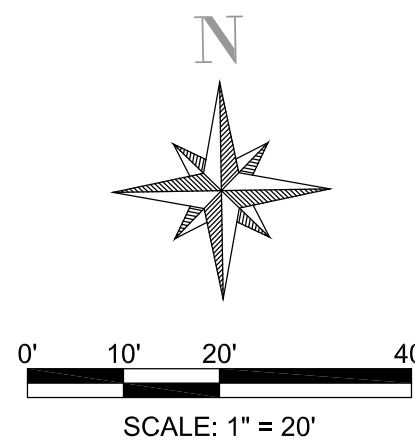
HARRISON LN

<p>CASE NO: P-2023-00004 Chowdhry At Yates</p>	<p>LEGAL DESCRIPTION: Tract 12A1, William Wallace Survey A-1607</p>	<p>AGENDA DATE: 9-12-2023</p>
<p>REQUESTED ACTION: Final Plat</p>	<p>LOCATION: 1305 Yates Dr.</p>	



LOCATION MAP
NTS

LOT E-R, BLOCK 16
SHADY OAKS ADDITION
VOLUME 388-110, PAGE 71
P.R.T.C.T.
&
I3 INVESTMENTS INC
INSTRUMENT NO. D219031803
O.P.R.T.C.T.



MICHAEL S. LEE
INSTRUMENT NO. D219137677
O.P.R.T.C.T.

LOT 1, BLOCK A
0.360 ACRES
15,675 SQ. FT.
RABEEA CHOWDHRY &
AMER CHOWDHRY
INSTRUMENT NO. D223025454
O.P.R.T.C.T.

WILLIAM W. WALLACE SURVEY
ABSTRACT NO. 1607

LOT 1, BLOCK 1
SHP-FARNELL TWO
VOLUME 388-160, PAGE 94
P.R.T.C.T.
&
SAI REED PROPERTIES INC
INSTRUMENT NO. D219001873
O.P.R.T.C.T.

BEDFORD EULESS ROAD
(A 80.0 FOOT PUBLIC R.O.W.)

SURVEYOR'S CERTIFICATE

THIS is to certify that I, Larry Turman, a Registered Professional Land Surveyor of the State of Texas, have platted the above subdivision from an actual survey on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

Larry Turman
Texas Registration No. 1740

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared Larry Turman, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 2023.

Notary Public in and for
The State of Texas

My Commission expires: _____

WHEREAS THE PLANNING AND ZONING COMMISSION OF THE CITY OF HURST, TEXAS VOTED AFFIRMATIVELY ON THIS _____ DAY OF _____, 20____ TO APPROVE THIS FINAL PLAT.

CHAIRMAN, PLANNING AND ZONING COMMISSION

ATTEST: SECRETARY, PLANNING AND ZONING COMMISSION

WHEREAS THE CITY COUNCIL OF THE CITY OF HURST, TEXAS VOTED AFFIRMATIVELY ON THIS _____ DAY OF _____, 20____ TO APPROVE THIS FINAL PLAT FOR FILING OF RECORD.

MAYOR, CITY OF HURST

ATTEST: SECRETARY, CITY OF HURST

LEGEND:

- IRF - IRON ROD FOUND
- IRFC - IRON ROD FOUND CAPPED
- R.O.W. - RIGHT-OF-WAY
- CM - CONTROLLING MONUMENT
- M.R.T.C.T. - MAP RECORDS, TARRANT COUNTY, TEXAS
- D.R.T.C.T. - DEED RECORDS, TARRANT COUNTY, TEXAS
- O.P.R.T.C.T. - OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS
- INST. NO. - INSTRUMENT NUMBER
- P.O.B. - POINT OF BEGINNING
- FND. - FOUND
- ESMT - EASEMENT
- VOL. - VOLUME
- PG. - PAGE

GENERAL NOTES:

1. BASIS OF BEARING - THE BASIS OF BEARING OF THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983
2. THE PURPOSE OF THIS PLAT IS TO CONVERT AN UNPLATTED LOT INTO 1 LOT SUBDIVISION.
3. COORDINATES SHOWN ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

FLOOD CERTIFICATE

As determined by the FLOOD INSURANCE RATE MAPS for Tarrant County, Texas, the subject property Does Not lie within a Special Flood Hazard Area (100 Year Flood), Map date 09-25-2009 Community Panel No. 48439C0210K subject lot is located in Zone X.

If this site is not within an identified flood hazard area, this Flood Statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Flood Statement shall not create liability on the part of the Surveyor.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF TARRANT

WHEREAS, Rabeea Chowdhry and Amer Chowdhry are the sole owners of a 0.360 acre tract of land out of the W.W. Wallace Survey, Abstract No. 1607 in the City of Hurst, Tarrant County, Texas, being that certain tracts of land conveyed to Rabeea Chowdhry by General Warranty Deed as recorded in Instrument No. D223025454, Official Public Records, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner at the southeast corner of said Chowdhry tract, said point being the northeast corner of Lot 1, Block 1, SHP-Farnell Two Addition, an addition to the City of Hurst, according to the plat thereof recorded in Volume 388-160, Page 94, Plat Records, Tarrant County, Texas, same being the west right-of-way line of Yates Drive (a 60.0 foot width right-of-way);

THENCE South 89 degrees 56 minutes 25 seconds East, departing the west right-of-way line of said Yates Drive and the common line of said Chowdhry tract and said Lot 1, Block 1, a distance of 160.35 feet to a 1/2 inch iron rod found for corner, said point being the southwest corner of said Chowdhry tract, same point being the northwest corner of said Lot 1, Block 1, said point also being in the east line of Lot E-R, Block 16, Shady Oaks Addition, an addition to the City of Hurst, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-110, Page 71, Plat Records, Tarrant County, Texas;

THENCE North 00 degrees 25 minutes 00 seconds East, along the common line of said Chowdhry tract and said Lot E-R, Block 16, a distance of 97.73 feet to a 1/2 inch iron rod found for corner, said point being the northwest corner of said Chowdhry tract, same point being the southwest corner of that certain tract of land conveyed to Michael S. Lee by Warranty deed with Vendor's Lien as recorded in Instrument No. D219137677, Official Public Records, Tarrant County, Texas;

THENCE North 89 degrees 56 minutes 52 seconds East, along the common line of said Chowdhry and said Lee tract, a distance of 160.49 feet to a 1/2 inch iron rod found for corner, said point being at the southeast corner of said Lee tract, same point being in the west right-of-way line of said Yates Drive, said point also being the northeast corner of said Chowdhry tract;

THENCE South 00 degrees 29 minutes 49 seconds West, along the west right-of-way line of said Yates Drive, a distance of 97.71 feet to the POINT OF BEGINNING and containing 16,675 square feet and 0.360 acre of computed land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, We Rabeea Chowdhry and Amer Chowdhry, do hereby certify that we are the legal owners of the above described property to be known as LOT 1, BLOCK 1, CHOWDHRY AT YATES ADDITION, an addition to the City of Hurst, Tarrant County, Texas, and does hereby convey and dedicate to the public's use the easements, streets, alleys right-of-ways and any other public area shown on the plat.

Witness my hand this _____ day of _____, 2023

Rabeea Chowdhry, Owner

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared Rabeea Chowdhry, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 2023.

Notary Public in and for
The State of Texas

My Commission expires: _____

Amer Chowdhry, Owner

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared Amer Chowdhry, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 2023.

Notary Public in and for
The State of Texas

My Commission expires: _____

FINAL PLAT
LOT 1, BLOCK 1
CHOWDHRY AT YATES ADDITION
AN ADDITION TO THE CITY OF HURST, TARRANT COUNTY, TEXAS
BEING 0.360 ACRES OF LAND
SITUATED IN THE
WILLIAM W. WALLACE SURVEY, ABSTRACT NO 1607
CITY OF HURST, TARRANT COUNTY, TEXAS

LEGEND			
	GAS METER		FIRE HYDRANT
	GAS VALVE		WATER METER
	TELEPHONE PEDESTAL		BOLLARD
	POWER POLE		WATER VALVE
	DOWN GUY		TRANSFORMER PAD
	S.S. MAN HOLE		ELECTRIC MANHOLE
	CLEAN OUT		STORM DRAIN MAN HOLE
	MONITORING WELL		TRAFFIC SIGNAL POLE
	TRAFFIC SIGNAL BOX		SWB MAN HOLE
	GAS LINE MARKER		VAULT
	TELEPHONE MANHOLE		SIGN
	LIGHT POLE		TYPICAL FENCE
	CONCRETE		TREE
	ELECTRIC BOX		

OWNER:

RABEEA CHOWDHRY
AMER CHOWDHRY
4107 WELLINGTON DRIVE
COLLEYVILLE, TEXAS 76034
PHONE: (214) 436-3800

NO.	DATE	REVISION
1.		
2.		
3.		

CENTRO RESOURCES, LLC	TBPS No. 10193888	JOB NO.: 22----
		DATE: AUGUST 19, 2022
1475 HERITAGE PKWY., STE 217 MANSFIELD, TEXAS 76063	(817) 354-1445 (817) 798-4039 CELL surveygroup@att.net	SCALE: #####
		DRAWN BY: RP

City Council Staff Report

SUBJECT: P-2023-00005 McDaniel Addition, a replat of Lots A & B McDaniel Addition and Lot 11 Bellvue Addition to Lots A-R and B-R McDaniel Addition, being 2.77 acres located at 105 E. Pecan Street

Supporting Documents:

Area map
Plat

Meeting Date: 9/26/2023

Department: Development

Reviewed by: Michelle Lazo

City Manager Review:

Background/Analysis:

An application has been made by Brown Trail Gospel Church for a replat of Lots A & B McDaniel Addition and Lot 11 Bellvue Addition to Lots A-R and B-R McDaniel Addition, being 2.77 acres located at 105 E. Pecan Street. The property is zoned R-1 (Single-Family Residential).

Brown Trail Gospel Church uses the existing home as a parsonage and is requesting the replat in order to increase the size of the residential lot located on 105 E. Pecan Street. There are no plans for any construction at this time. The church plans to sell the remaining vacant land.

Engineering plans will be required with any future development.

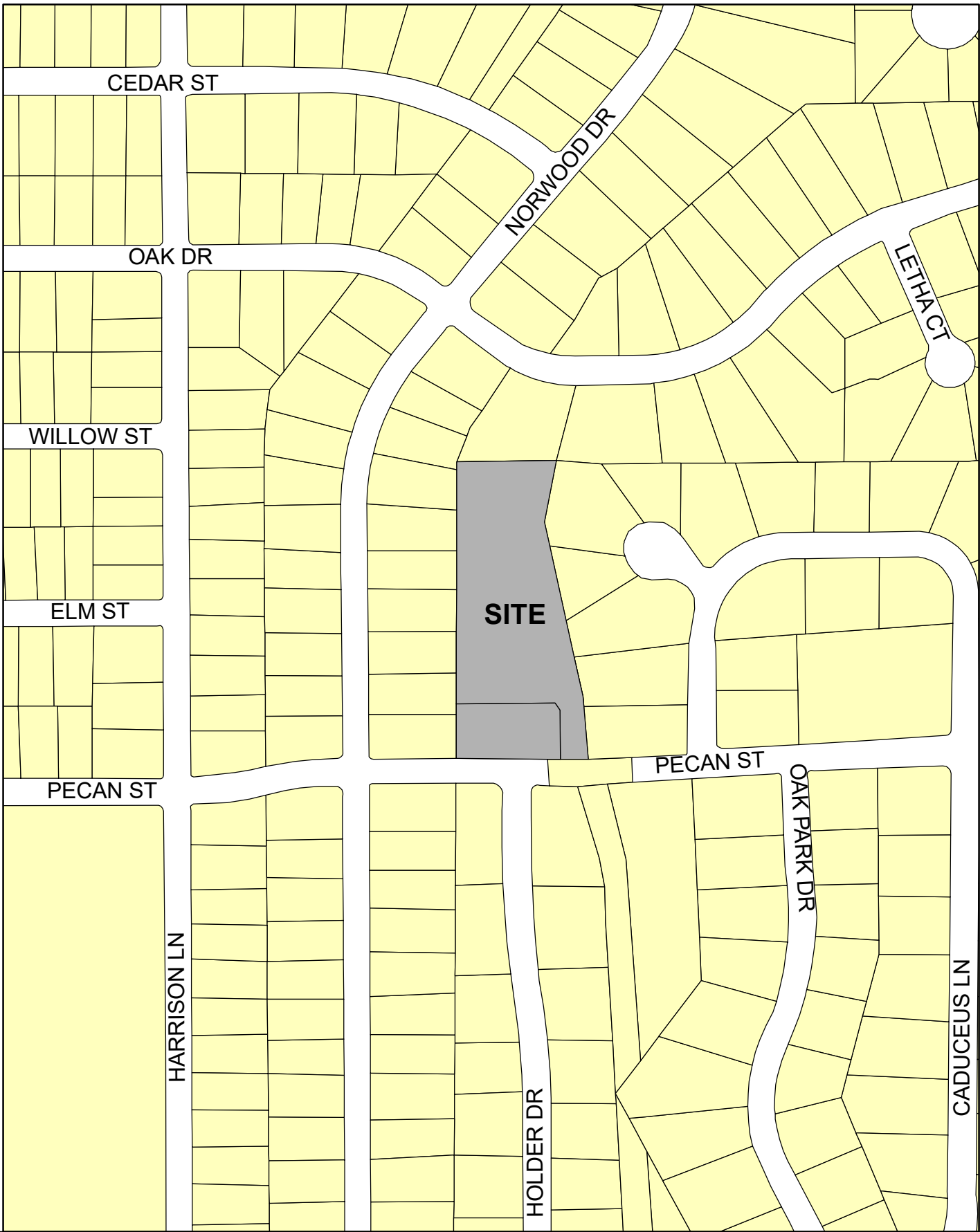
This item was tabled from the September 12, 2023 Council meeting.

Funding Sources and Community Sustainability:

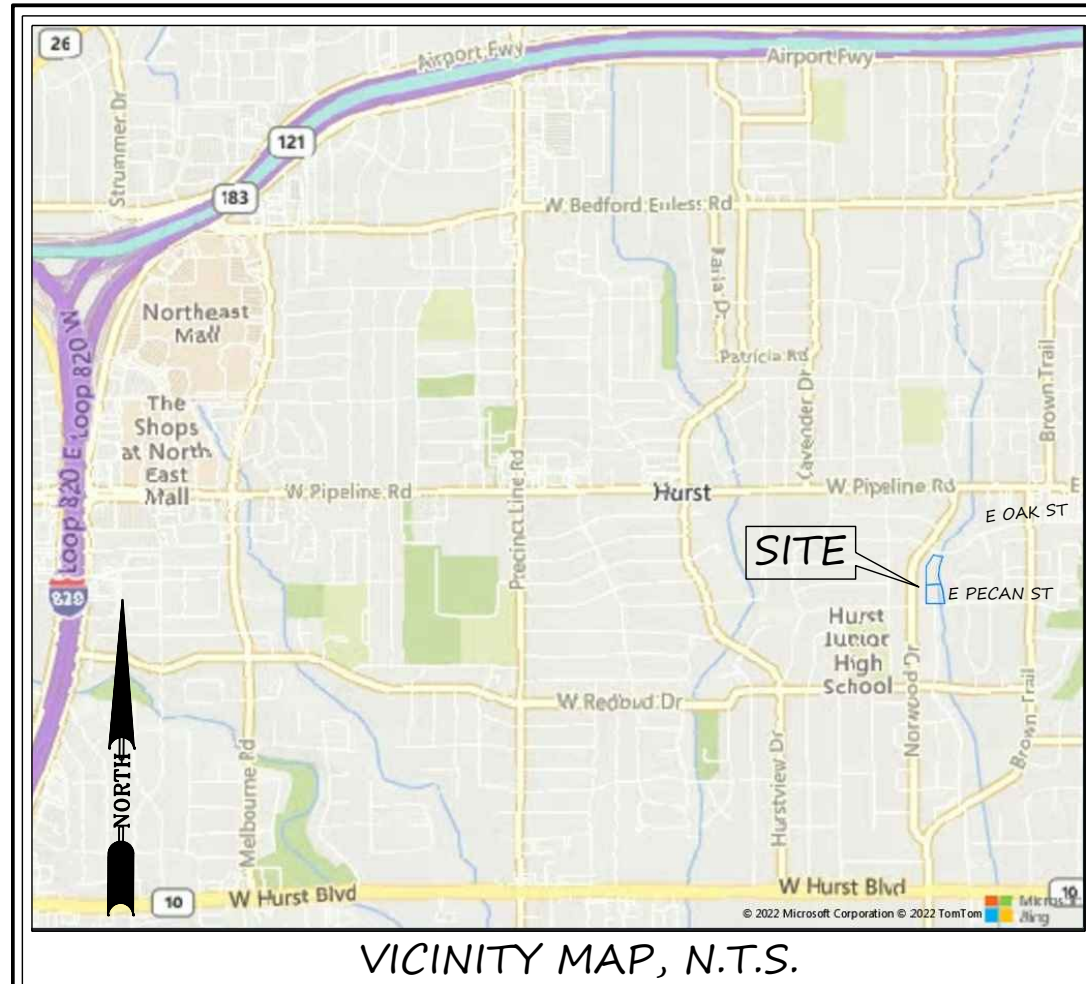
There is no fiscal impact. Council's consideration of this item falls within the Strategic Priority of **Community** and **Economic Vitality**.

Recommendation:

Based on the Planning and Zoning Commission's vote of 5-0, the recommendation is City Council **move to approve P-2023-00005, a replat Lots A-R and B-R McDaniel Addition.**



<p>CASE NO: P-2023-00005 McDaniel Addition</p>	<p>LEGAL DESCRIPTION: Replat of Lot A&B McDaniel and Lot 11, Block 11 Bellvue Addition</p>	<p>AGENDA DATE: 9/12/2023</p>
<p>REQUESTED ACTION: Replat</p>	<p>LOCATION: 105 E. Pecan St.</p>	



VICINITY MAP, N.T.S.

LEGEND:

- BRS: BEARS (LOCATED)
- C.M. - CONTROLLING MONUMENT
- C/L - CENTER LINEFH - FIREHYDRANT
- IRF - IRON ROD FOUND
- ROW - RIGHT-OF-WAY
- P/L - PROPERTY LINE
- MHSS - SAN. SEWER MANHOLE
- SCVB - SPRINKLER CONTROL BOX
- D.R.T.C.T. - DEED RECORDS OF TARRANT COUNTY, TEXAS
- P.R.T.C.T. - PLAT RECORDS OF TARRANT COUNTY, TEXAS

SURVEYORS NOTES:

1. ALL GENERAL NOTES AND ANY OTHER COVENANTS INCLUDED ON THE ORIGINAL PLAT OF McDANIEL ADDITION, RECORDED IN VOLUME 388-46, PAGE 914, and BELLVUE ADDITION, RECORDED IN VOLUME 388-X, PAGE 97, OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS, REMAIN ENFORCED.
2. THE PURPOSE OF THIS RE-PLAT IS TO COMBINE EXISTING TRACT A, TRACT B, and LOT 11, AND DIVIDE INTO TWO SEPARATE LOTS.
3. BEARING BASE:

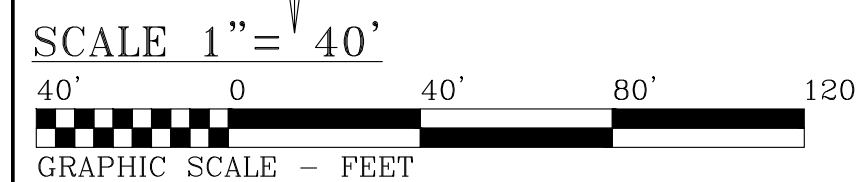
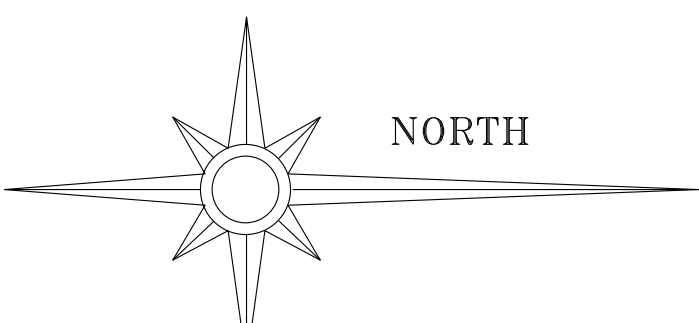
THE BEARINGS SHOWN HEREON ARE BASED ON STATE PLANE NAD83 COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202.

FLOOD NOTE:

EAST PORTION OF THIS PROPERTY LIES WITHIN A 100-YEAR FLOOD HAZARD ZONE, ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAP FOR TARRANT COUNTY, TEXAS, AND INCORPORATED AREAS, COMMUNITY-PANEL NUMBER PANEL# 48439C0210K, REVISED SEPT. 25, 2009.

BEARING BASE:

THE BEARINGS SHOWN HEREON ARE STATE PLANE GRID BEARINGS (NAD 83) FOR THE TEXAS NORTH CENTRAL ZONE (4202) ESTABLISHED USING THE GLOBAL POSITIONING SYSTEM SATELLITES, AND LOCAL CONTINUOUSLY OPERATING REFERENCE STATIONS.



DRAINAGE EASEMENT CALL TEABLE

CALL	Bearing	Distance
D1	N 22°02'06" E	6.35'
D2	N 01°18'46" E	41.99'
D3	N 20°46'06" W	53.49'
D4	N 45°13'38" W	19.84'
D5	N 17°34'21" W	46.20'
D6	N 02°12'01" W	52.04'
D7	N 14°45'29" W	39.29'
D8	N 12°16'48" E	47.13'
D9	N 01°11'14" W	95.94'
D10	N 17°06'24" W	54.41'
D11	N 00°03'14" W	22.02'
D12	N 36°53'49" E	30.03'
D13	N 57°13'31" E	35.95'
D14	N 57°08'51" E	22.27'
D15	N 29°59'31" E	42.14'
D16	N 45°11'16" E	16.92'
D17	N 23°20'46" W	45.52'
D18	N 49°00'47" W	52.58'
D19	N 30°43'50" E	11.24'

PUBLIC DRAINAGE EASEMENT MATES AND BOUNDS.

Beginning at a fence post found, at the Northwest corner of Lot 11, Block 11, BELLVUE ADDITION, according to the Plat recorded in Volume 388-X, Page 97, of the Plat Records, Tarrant County, Texas;

THENCE SOUTHEASTERLY 137.10 feet, with a curve to the left, having a radius of 296.53 feet, a central angle of 26° 29' 26", and a chord bearing S 77° 11' 34" E 135.88 feet, to a point at the end of said curve;

- THENCE S 21° 47' 56" W 134.61 feet, to a point;
- THENCE S 07° 32' 57" W 122.40 feet, to a point;
- THENCE S 17° 57' 50" E 165.18 feet, to a point;
- THENCE S 11° 31' 04" E 129.04 feet, to a point;
- THENCE S 05° 08' 19" E 91.73 feet, to a point;

THENCE SOUTHWESTERLY 86.46 feet, with a curve to the right, having a radius of 1,247.58 feet, a central angle of 03° 58' 15", and a chord bearing S 89° 04' 31" W 86.45 feet, to a point at the end of said curve;

- THENCE N 88° 52' 59" W 49.33 feet, to a point;
 - THENCE N 22° 02' 06" E 6.35 feet, to a point;
 - THENCE N 01° 18' 46" E 41.99 feet, to a point;
 - THENCE N 19° 53' 06" W 38.29 feet, to a point;
 - THENCE N 22° 59' 24" W 15.22 feet, to a point;
 - THENCE N 45° 13' 38" W 19.84 feet, to a point;
 - THENCE N 17° 34' 21" W 46.20 feet, to a point;
 - THENCE N 02° 12' 01" W 52.04 feet, to a point;
 - THENCE N 14° 45' 29" W 39.29 feet, to a point;
 - THENCE N 12° 16' 48" E 47.13 feet, to a point;
 - THENCE N 01° 11' 14" W 95.94 feet, to a point;
 - THENCE N 17° 06' 24" W 54.41 feet, to a point;
 - THENCE N 17° 06' 24" W 54.41 feet, to a point;
 - THENCE N 00° 03' 14" W 22.02 feet, to a point;
 - THENCE N 36° 53' 49" E 30.03 feet, to a point;
 - THENCE N 57° 13' 31" E 35.95 feet, to a point;
 - THENCE N 57° 08' 51" E 22.27 feet, to a point;
 - THENCE N 29° 59' 31" E 42.14 feet, to a point;
 - THENCE N 45° 11' 16" E 16.92 feet, to a point;
 - THENCE N 23° 20' 46" W 45.52 feet, to a point;
 - THENCE N 49° 00' 47" W 52.58 feet, to a point;
 - THENCE N 30° 43' 50" E 11.24 feet, to a point;
- to the Point of Beginning, containing 1.739 acres, (75,741 Square Feet), of land.

**STATE OF TEXAS
COUNTY OF TARRANT**

WHEREAS, **BROWN TRAIL GOSPEL ASSEMBLY**, acting by and through the undersigned, their duly authorized representative, and **GEORGE BRAGG and wife, SHIRLEY BRAGG**, are the owners of 2.7774 acres of land situated in the SUSAN McDANIEL SURVEY, Abstract No. 1108, City of Hurst, Tarrant County, Texas, according to their respective deeds recorded in County Clerk's File No.'s. D209070549 and D223027279, of the Official Public Records of Tarrant County, Texas.

LEGAL DESCRIPTION

BEING 2.7774 acres of land situated in the SUSAN McDANIEL SURVEY, Abstract No. 1108, City of Hurst, Tarrant County, Texas, and being all of Tract A and Tract B, McDaniel Addition, to the City of Hurst, Tarrant County, Texas, according to the plat recorded in Volume 388-46, Page 914, of the Plat Records of Tarrant County, Texas, and all of Lot 11, Block 11, Bellvue Addition, to the City of Hurst, Tarrant County, Texas, according to the plat recorded in Volume 388-X, Page 97, of the Plat Records of Tarrant County, Texas. Said 2.7774 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found at the Southwest corner of said Tract A, of said McDaniel Addition, same point being the Southeast corner of Block 11, of said Bellvue Addition, and said POINT OF BEGINNING also lying in the North right-of-way line of East Pecan Street;

THENCE N 00° 20' 22" W 494.62 feet, along the West boundary line of aforesaid Tract A and Tract B, and the East boundary line of aforesaid Block 11, Bellvue Addition, to a point in the South base of a fence post, at the Northwest corner of said Tract B, same being the Northeast corner of Lot 7, of said Block 11, from which a 1" iron pipe found bears N 85° E 1.6 feet;

THENCE N 30° 43' 50" E 182.54 feet, along the West boundary line of said Lot 11, Block 11, Bellvue Addition, to a metal fence post found at the North corner of said Lot 11, same being the East corner of Lot 10, of said Block 11, Bellvue Addition, and said point also lying in the South right-of-way line of East Oak Drive (a 50 foot wide public right-of-way);

THENCE SOUTHEASTERLY 137.10 feet, along the South right-of-way line of said East Oak Drive and the North boundary line of said Lot 11, with a curve to the left, having a radius of 296.53 feet, a central angle of 26° 29' 26", and a chord bearing S 77° 11' 34" E 135.88 feet, to a point in the concrete drainage channel at the Northeast corner of said Lot 11, from which a ½" iron rod found bears N 88° E 16.66 feet;

THENCE S 21° 47' 56" W 134.61 feet, along the East boundary line of said Lot 11 and the West boundary line of Lot 12, of said Block 11, Bellvue Addition, to a point in the center of said drainage channel, lying at the Southeast corner of said Lot 11, the Southwest corner of said Lot 12, and the Northeast corner of aforesaid Tract B, also being the Northwest corner of Lot 5, Block 2, Oak Park Estates, an addition to the City of Hurst, Tarrant County, Texas, according to the plat recorded in Volume 388-20, Page 91, of the Plat Records of Tarrant County, Texas;

THENCE along the East boundary line of Tract B and the West boundary line of said Block 2, Oak Park Estates, as follows:

1. S 07° 32' 57" W 122.40 feet, to a point in the drainage channel, located at the Southwest corner of aforesaid Lot 5, and the Northwest corner of Lot 4;
2. S 17° 57' 50" E 118.23 feet, to a point on top of a concrete wall, on the east side of said drainage channel, from which a ½" iron rod marked "Brittain & Crawford" set on the West side of said drainage channel bears S 85° 39' 36" W 26.46 feet;
3. S 17° 57' 50" E 46.95 feet, to a point;
4. S 11° 31' 04" E 129.04 feet, to a point;
5. S 05° 08' 19" E 91.73 feet, to a point at the Southeast corner of aforesaid Tract B, lying in the North right-of-way line of East Pecan Street (a 50 foot wide public right-of-way), from which point a fence post found bears S 07° E 1.80 feet;

THENCE along the North right-of-way line of said East Pecan Street, and the South boundary line of aforesaid Tract B and Tract A, as follows:

1. SOUTHWESTERLY 96.46 feet, along a curve to the right, having a radius of 1,247.58 feet, a central angle of 03° 58' 15", and a chord bearing S 89° 04' 31" W 86.45 feet, to a ½" iron rod marked "Brittain & Crawford" set at the end of said curve;
2. N 88° 52' 59" W 55.00 feet, to a ½" iron rod found at the beginning of a curve to the left;
3. WESTERLY 100.28 feet, along said curve to the left, having a radius of 3,237.86 feet, a central angle of 01° 46' 28", and a chord bearing N 89° 53' 48" W 100.28 feet, to the POINT OF BEGINNING containing 2.7774 acres (120,981 Square Feet) of land.

WHEREAS the Planning and Zoning Commission of the City of Hurst, Texas voted affirmatively on this ____ day of _____, 2023, to approve this final plat.

Chairman, Planning and Zoning Commission

Attest: Secretary, Planning and Zoning Commission

WHEREAS the City Council of the City of Hurst, Texas voted affirmatively on this ____ day of _____, 2023, to approve this plat for filing of record.

Mayor, City of Hurst

Attest: City Secretary

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **BROWN TRAIL GOSPEL ASSEMBLY, GEORGE BRAGG and WIFE, SHIRLEY BRAGG**, do hereby adopt this plat of **Lot A-R and Lot B-R, McDaniel Addition**, to the City of Hurst, Tarrant County, Texas, and do hereby dedicate to the Public's use, the easements shown hereon.

WITNESS MY HAND at Fort Worth, Tarrant County, Texas, this the ____ day of _____, 2023.

BROWN TRAIL GOSPEL ASSEMBLY

By: _____

**STATE OF TEXAS
COUNTY OF TARRANT**

BEFORE ME, the undersigned authority, a notary public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that s/he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this ____ day of _____, 2023.

Notary Public in and for the State of Texas

WITNESS OUR HANDS, at Fort Worth, Tarrant County, Texas, this the ____ day of _____, 2023.

GEORGE BRAGG

SHIRLEY BRAGG

**STATE OF TEXAS
COUNTY OF TARRANT**

BEFORE ME, the undersigned authority, a notary public in and for said County and State, on this day personally appeared **GEORGE BRAGG and wife, SHIRLEY BRAGG**, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purpose and consideration therein expressed.

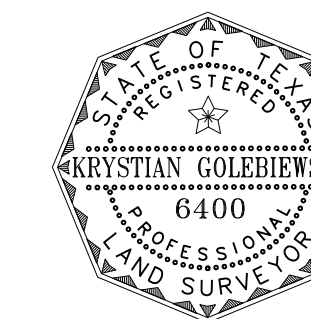
Given under my hand and seal of office this ____ day of _____, 2023.

Notary Public in and for the State of Texas

**STATE OF TEXAS
COUNTY OF TARRANT**

THIS is to certify that I, **KRYSTIAN GOLEBIEWSKI**, a Registered Professional Land Surveyor for the State of Texas, have performed, for this plat, an actual survey on the ground, and that this plat correctly represents that survey made by me or under my direction or supervision.

KRYSTIAN GOLEBIEWSKI
Registered Professional
Land Surveyor
State of Texas No. 6400



DRAWING REVISED:
July 26, 2023

PAGE 2 OF 2

FINAL PLAT OF:
**TRACT A-R, and B-R
McDANIEL ADDITION**
BEING A RE-PLAT OF:
**TRACT A & B, McDANIEL
ADDITION, and LOT 11,
BLOCK 11, BELLVUE ADDITION**
TO THE CITY OF HURST, TARRANT
COUNTY, TEXAS, 2.7774 ACRES
MAP PREPARED: MAY 2nd, 203

(K.G.) G:\KRYSTIAN\PROJECTS\McDANIEL LOT A&B\McDANIEL LOT A&B_PLAT.dwg **P-2023-00005**

City Council Staff Report

SUBJECT: Consider Resolution 1843 approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2023 rate review mechanism filing	
Supporting Documents:	
Resolution 1843	<p>Meeting Date: 9/26/2023</p> <p>Department: Fiscal and Strategic Services</p> <p>Reviewed by: Clayton Fulton</p> <p>City Manager Review:</p>
Background/Analysis:	
<p>The City of Hurst, along with 181 other Mid-Texas Cities served by Atmos Energy Corporation, Mid-Tex Division (“Atmos”), is a member of the Steering Committee of Cities Served by Atmos (“ACSC”). In 2007, the ACSC and Atmos settled a rate application filed by the Atmos pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute.</p> <p>The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members in 2018. On or about March 31, 2023, Atmos filed a rate request pursuant to the RRM Tariff adopted by ACSC members. Atmos claimed that its cost-of-service in a test year ending December 31, 2022, entitled it to additional system-wide revenues of \$156.1 million. Application of the standards set forth in ACSC’s RRM Tariff reduced the request to \$130.9 million. After several meetings, the parties have agreed to settle the case at \$142 million, and reduction of \$24.9 million from the original request. The settlement also includes \$19.5 million for the securitization of regulatory assets related to Winter Storm Uri. This was previously approved by the Texas Legislature and the Railroad Commission.</p> <p>The impact of the settlement on average residential rates is an increase of \$6.47 on a monthly basis, or 7.31%. The increase for average commercial usage will be \$24.72 or 5.19%. Atmos provided bill impact comparisons containing these figures.</p> <p>Given Atmos Mid-Tex’s claim that its historic cost of service should entitle it to recover \$165.9 million in additional system-wide revenues, the RRM settlement at \$142 million for ACSC members reflects substantial savings to ACSC cities.</p>	

Settlement at \$142 million is fair and reasonable. The ACSC Executive Committee consisting of city employees of 18 ACSC members urge all ACSC members to pass the resolution before September 30, 2023. New rates become effective October 1, 2023.

This item was tabled from the September 12, 2023 Council meeting

Funding Sources and Community Sustainability:

No funding is required for this item. We believe this item fits well within our **Strategic Priorities** and the **Hurst Way**. Through approving the RRM, the City will maintain its ability to influence the actions of Atmos and provide greater **public service** to our community by ensuring proposed rate changes get fully reviewed.

Recommendation:

Staff recommends City Council **move to adopt Resolution 1843 approving the negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division.**

RESOLUTION NO. 1843

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HURST, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2023 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

WHEREAS, the City of Hurst, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”)

process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about March 1, 2023, Atmos Mid-Tex filed its 2023 RRM rate request with ACSC Cities based on a test year ending December 31, 2022; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2023 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$142 million on a system-wide basis with an Effective Date of October 1, 2023; and

WHEREAS, ACSC agrees that Atmos' plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications; and

WHEREAS, the RRM Tariff includes Securitization Interest Regulatory Asset amount of \$19.5 million;

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

Section 1. That the findings set forth in this Resolution are hereby in all things approved.

Section 2. That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$142 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2023 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3. That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

Section 4. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$142 on a system-wide basis, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section 5. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

Section 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2023 RRM filing.

Section 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

Section 8. That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 10. That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after September 30, 2023.

Section 11. That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HURST TEXAS, BY A VOTE OF __ TO __, ON THIS THE 26TH DAY OF SEPTEMBER, 2023.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 22.25 per month
Rider CEE Surcharge	\$ 0.05 per month ¹
Total Customer Charge	\$ 22.30 per month
Commodity Charge – All <u>Ccf</u>	\$0.48567 per Ccf ²

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2023.

²The commodity charge includes the base rate amount of \$0.46724 per Ccf and Securitization Regulatory Asset amounts related to financing costs in the amount of \$0.01843 per Ccf until recovered.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 72.00 per month
Rider CEE Surcharge	(\$ 0.02) per month ¹
Total Customer Charge	\$ 71.98 per month
Commodity Charge – All Ccf	\$ 0.18280 per Ccf ²

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Presumption of Plant Protection Level

For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at mdtx.plantprotection@atmosenergy.com.

¹ Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2023.

²The commodity charge includes the base rate amount of \$0.16437 per Ccf and Securitization Regulatory Asset amounts related to financing costs in the amount of \$0.01843 per Ccf until recovered.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 200 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 200 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 1,382.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.7484 per MMBtu ¹
Next 3,500 MMBtu	\$ 0.5963 per MMBtu ¹
All MMBtu over 5,000 MMBtu	\$ 0.2693 per MMBtu ¹

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailement Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees

¹ The tiered commodity charges include the base rate amounts of \$0.5684, \$0.4163, and \$0.0893 per MMBtu, respectively, plus Securitization Regulatory Asset amounts related to financing costs in the amount of \$0.1800 per MMBtu until recovered.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

Presumption of Plant Protection Level

For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at mdtx.plantprotection@atmosenergy.com.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 1,382.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.5684 per MMBtu
Next 3,500 MMBtu	\$ 0.4163 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0893 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Curtailement Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf
- R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.
- HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class
- NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- ADD = billing cycle actual heating degree days.
- BL_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the j th customer in i th rate schedule is computed as:

$$WNA_i = WNAF_i \times q_{ij}$$

Where q_{ij} is the relevant sales quantity for the j th customer in i th rate schedule.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	9.51	0.1415	88.91	0.7010
Austin	8.87	0.1213	213.30	0.7986
Dallas	12.54	0.2007	185.00	0.9984
Waco	8.81	0.1325	125.26	0.7313
Wichita Falls	10.36	0.1379	122.10	0.6083

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Post-Employment Benefit Plan	Supplemental Executive Benefit Plan	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Benefits Benchmark - Fiscal Year 2023 Willis Towers Watson Report as adjusted (1) (2) (3)	\$ 1,434,339	\$ (518,336)	\$ 2,336,419	\$ (2,678,818)	\$ 267,917	
2	Allocation Factor	44.92%	44.92%	78.74%	78.74%	100.00%	
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	\$ 644,336	\$ (232,848)	\$ 1,839,667	\$ (2,109,267)	\$ 267,917	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4)	\$ 644,336	\$ (232,848)	\$ 1,839,667	\$ (2,109,267)	\$ 267,917	\$ 409,804
6							
7	O&M Expense Factor (WP_F-2.3, Ln 2)	78.60%	78.60%	39.63%	39.63%	11.00%	
8							
9	Summary of Costs to Approve (1):						
10	Total Pension Account Plan	\$ 506,464		\$ 729,006			\$ 1,235,469
11	Total Post-Employment Benefit Plan		\$ (183,024)		\$ (835,840)		(1,018,864)
12	Total Supplemental Executive Benefit Plan					\$ 29,471	29,471
13	Total (Ln 10 + Ln 11 + Ln 12)	\$ 506,464	\$ (183,024)	\$ 729,006	\$ (835,840)	\$ 29,471	\$ 246,076

City Council Staff Report

SUBJECT: Consider appointments to the Boards, Commissions and Committees	
Supporting Documents:	
	Meeting Date: 9/26/2023 Department: City Secretary Reviewed by: Rita Frick City Manager Review:
Background/Analysis:	
This item provides for consideration of appointments to the Boards, Commissions and Committees.	
Funding and Sources and Community Sustainability:	
There is no fiscal impact. The appointments are part of the Council's community value of Inclusiveness , providing opportunity for the public to share in guiding the future direction of Hurst.	
Recommendation:	
There is no staff recommendation.	

MINUTES

CITY OF HURST PLANNING AND ZONING COMMISSION TUESDAY, SEPTEMBER 5, 2023

On the 5th day of September 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
Andrea Taylor)
Mark Cyrier)
Will Blackburn)
Larry Wilson)
Michelle Lazo	) Director, Planning and Development
Tina Powell	) Plans Examiner
Sharon Brown	) Planning and Zoning Assistant

With the following Board members absent: Howard Shotwell and Weldon Martin; 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 Ms. Taylor.

1. Mr. Wilson moved to approve the minutes for the June 19, 2023 meeting. Mr. Blackburn seconded the motion. The motion prevailed by a vote of 5-0.
2. Z-2023-00002 – Events in Your Budget, a zoning change from GB to GB-PD with a site plan, for Tract 12 A1 William Wallace Survey, A 1607 bging .38 acre located at 1305 Yates Dr.

Mrs. Rabeea Chowdhry, spoke about plans for the development.

Mr. Aman opened the Public Hearing for Z-2023-00002

The following persons attended the meeting and were in favor of the proposal: Rabeea Chowdhry, Amer Chowdhry, and Javed Chowdhry

Resident Janie McKenzie at 1324 Yates Drive spoke in opposition of the proposal. Ms. McKenzie mentioned that the City conducted a survey that shows an abundance of retail space in the city and asked why there is a need to move the business to a residential street. Ms. McKenzie also stated that if business fails their neighborhood would lose a single-family residence.

Resident Lisa Barley at 1320 Yates Dr., spoke in opposition of the proposal and spoke as the representative for the neighborhood. Ms. Barley stated that she did a quick survey of the City and that there are many other office locations for lease that

are not on a single-family street. Ms. Barley then gave a brief overview of office spaces for lease and amenities they offered.

Ms. Barley stated she has lived on Yates Dr. for over 20 years and that she does not feel this use is in the best interest of the neighborhood. Ms. Barley also mentioned concerns regarding the signage, parking, the negative impact on property values, and other businesses that could potentially operate at this location if this business fails.

Additional residents did not wish to speak, but wanted their opposition recorded:

Resident Bernadette Emery at 1311 Yates Dr.
Resident Jeff Hutchinson at 1310 Yates Dr.
Resident Joe Dickerson at 1317 Yates Dr.
Resident Maria and John Upton at 1316 Yates Dr.
Resident Billy Field at 1321 Yates Dr.
Resident John Upton at 1313 Yates Dr.
Resident John Upton at 1316 Yates Dr.
Resident Deann Harvey at 1327 Yates Dr.
Resident Kenneth Brown at 1329 Yates Dr.
Resident Anthony Cirrincione at 1325 Yates Dr.

The following person/persons were not in attendance at the meeting but submitted emails of opposition:

Residents Cindy Decker and Anita Brown at 1331 Yates Dr.
Resident Deann Harvey at 1327 Yates Dr.
Residents Kenneth and Mary Brown at 1329 Yates Dr.
Resident Joe Robertson at 1304 Yates Dr.

There being no one else to speak, Mr. Cyrier made a motion to close the public hearing. Mr. Blackburn seconded the motion. The motion prevails by vote of 5-0.

Mr. Blackburn asked staff what the property is zoned. Ms. Lazo stated that the property was zoned General Business.

Mr. Blackburn asked staff if the property would require rezoning to return to a single-family use. Ms. Lazo stated yes, and that the single-family use is currently legal non-conforming.

Ms. Taylor asked staff what size sign was permitted in this zoning district. Ms. Lazo stated that single tenant monument signs may not exceed 6 feet in height and are permitted 50 square feet of sign area per face.

Chairman Aman asked the applicant how many box trucks they owned. Mr. Chowdhry stated that we do not own any box trucks.

Mr. Chowdhry further explained that this is a small family business that sets-up events for customers. The majority of events are held at hotels.

Ms. Taylor asked applicant how many years they have operated. Mr. Chowdhry stated that they have been operating for 15 years and are currently leasing space in Irving, Texas.

Mr. Blackburn asked the applicant what the typical office hours are. Mr. Chowdhry stated they operate during the typical day time hours and that when they have an event they are normally at the location by noon.

Ms. Taylor asked the applicant what time they drop off supplies after an event. Mr. Chowdhry stated that they typically drop off supplies the next day.

Mr. Blackburn asked staff if residents do not agree with the Planning and Zoning Commission decision what are the resident's options. Ms. Lazo stated the case will go to City Council next Tuesday, September 12, 2023 at 6:30 p.m. and that residents are welcome to attend and will have an opportunity to speak.

Chairman Aman stated Planning and Zoning Commission is a recommending body to City Council.

There being no one else to speak, Mr. Cyrier made a motion to recommend denial of Z-2023-00002 Events in Your Budget, a zoning change from GB to GB-PD with a site plan, for Tract 12 A1 William Wallace Survey, a 1607 being .38 acre located at 1305 Yates Dr.

The motion failed due to the lack of a second.

Chairman Aman opened the floor for a secondary motion.

Ms. Taylor made a motion to recommend approval of Z-2023-00002 Events in Your Budget, a zoning change from GB to GB-PD with a site plan, for Tract 12 A1 William Wallace Survey, a 1607 being .38 acre located at 1305 Yates Dr.

Mr. Blackburn seconded he motion. The motion prevailed by a vote of 3-2 with Chairman Aman and Mr. Cyrier voting in opposition.

3. SP-2023-00008 – Rosa's Tortilla Factory, a site plan revision on Lot 3A, Block 1 Lowe's Addition, being 1.6 acres located at 2200 Precinct Line Rd.

Mr. Ken Taft, Architect presented the case.

Mr. Aman opened the Public Hearing for SP-2023-00008

There being no one to speak in favor or in opposition, Mr. Wilson made a motion to close the public hearing. Ms. Taylor seconded the motion. The motion prevailed by a vote of 5-0.

Chairman Aman asked the applicant if there are concerns regarding additional congestion in the parking lot. Mr. Taft stated the existing drive thru lane will remain the same and that the goal is to alleviate congestion.

Ms. Taylor asked the applicant how many cars may stack in the proposed drive-thru lane. Mr. Taft stated that five cars may stack in the proposed drive-thru lane prior to merging with the existing lane. Mr. Taft also mentioned that Rosa's increased the landscaping and is prepared to make a sizeable reinvestment on this property.

Mr. Blackburn asked if the applicant considered a double stacking lane from Precinct Line Rd. Mr. Taft stated that Rosa's has considered many options, but they chose the option with the least impact on the existing parking area.

Mr. Taft stated that cars will naturally merge in the drive-thru and that other locations have the same set-up with no merging issues.

There being no one else to speak, Mr. Blackburn made a motion to recommend approval of SP-2023-00008 Rosa's Tortilla Factory, a site plan revision on Lot 3A, Block 1 Lowe's Addition, being 1.6 acres located at 2200 Precinct Line Rd.

Mr. Wilson seconded the motion. Motion prevailed by vote of 5-0.

4. P-2022-00004 Chowdhry At Yates Addition, a final plat of Tract 12 A1 William Wallace Survey, A-1607 to Lot 1, Block 1, Chowdhry at Yates Addition being .36 acre located at 1305 Yates Dr.

Mr. Amer Chowdhry, applicant, spoke about the plat.

Ms. Taylor, asked staff if the property currently platted. Ms. Lazo stated that this lot is not platted.

Being no further discussion, Mr. Blackburn made a motion to recommend approval of P-2023-00004 Chowdhry at Yates Addition a final plat of Tract 12 A1 William Wallace Survey, A-1607 to Lot 1, Block 1, Chowdhry at Yates Addition being .36 acre located at 1305 Yates Dr.

Mr. Wilson, seconded the motion. Motion prevailed by a vote of 4 to 1 with Mr. Cyrier voting in opposition.

5. P-2023-00005 – McDaniel Addition a replat of Tract A & B McDaniel Addition and Lot 11, Bellvue Addition to Lots A-R & B-R McDaniel Addition, being 2.77 acres located at 105 E. Pecan Street.

Krystian Golebiewski, Land Surveyor, spoke about the plat.

Mr. Cyrier asked staff if there was enough area outside of the flood plain to build a structure. Ms. Lazo stated a flood plain permit and possible flood study may be required to develop the property.

Chairman Aman asked staff if the property is platted. Ms. Lazo stated that the property was platted.

Being no further discussion, Mr. Cyrier made a motion to recommend approval of P-2023-00005 McDaniel Addition a replat of Tract A & B McDaniel Addition and Lot 11, Bellvue Addition to Lots A-R and B-R McDaniel Addition, being 2.77 acres located at 105 E. Pecan St.

Ms. Taylor seconded the motion. The motion prevailed by vote of 5-0.

There being no further business, The Chair declared the meeting adjourned at 7:53 p.m.

APPROVED this the _____ day of _____, 2023

ATTEST:

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

Recording Secretary

CITY OF HURST

COUNTY OF TARRANT

STATE OF TEXAS

On the 7th day of September 2023, at 5:00 p.m., the Hurst Community Arts and Historic Landmark Preservation Committee of the City of Hurst, Texas, convened in Special Meeting at the Library, 901 Precinct Line Road, Hurst, Texas, with the following members present:

Billye Runnels-Jones	)	Chair
Janice Pyles-Trostle	)	Members
Mary Wismann		
Cyndi Evans		
Nell DeLaughter		
Anne Stimmel		
Kyle Gordon	)	Executive Director of Community Services
Hannah Ditgen	)	Community Services Management Assistant
Jesse Loucks	)	Library Director
Paige Lutz	)	Recreation Administrative Assistant

with the following members absent: Dallas Snow, constituting a quorum, at which time the following business was transacted:

I. Call to Order

Billye Runnels-Jones called the meeting to order at 5:01 p.m.

II. Roll Call of Members

Paige Lutz conducted the Roll Call of Members.

III. New Business

A. Utility Box Art Project – Art Selections: Hannah Ditgen displayed photos of the ten selected designs and noted their locations as follows:

- Pipeline Rd. and Bellaire Dr.
- Intersection of TX-26 and Chick-fil-A
- W Hurst Blvd. and Bellaire Dr.
- W Hurst Blvd. and Hurstview Dr.
- Precinct Line Rd. and Donna Dr.
- TX-26 and Hurstview Dr.
- Brown Trail and Pleasantview Dr.
- Hurstview Dr. and Airport Freeway
- E Bedford Euless Rd. and Brown Trail
- Hurst Blvd. and Bell Flight Blvd.

Anne Stimmel made a motion to approve the Utility Box Art Project artwork selections. Motion seconded by Janice Pyles-Trostle. The motion prevailed by the following vote:

Ayes: Stimmel, Trostle, Wismann, Evans, Runnel-Jones, Delaughter

No: None

IV. Informational Items

- A. Hurst Oral History Project Update:** Kyle Gordon shared that the City's retired Fire Chief, David Palla, is not available to be involved in the Oral History Project at this time. Staff will proceed with the completion of Phase VI and revisit David Palla's participation in the future.

Jesse Loucks gave a brief update on the Oral History Project, stating that the City's videographer will not have Allan Heindel's video ready by the Committee's next regularly scheduled meeting. Staff estimates the City videographer will complete Mr. Heindel's video to show at the Committee's January meeting. Staff plans to show former Councilmember David Booe's video in October.

- B. Next Regular Meeting Date:** Kyle Gordon reminded the Committee of the next regularly scheduled meeting on October 27th.

V. Board Member and Citizen Comments

Cyndi Evans inquired about the upcoming TxDOT project involving TX-26 and if the construction will impact the selected utility boxes along that corridor. Kyle Gordon stated that the project should not impact the Utility Box Art Project in the near future.

VI. Adjournment

There being no further business, the meeting was adjourned by Chair Billye Runnels-Jones at 5:18 p.m.

APPROVED this the _____ day of _____, 2023.

APPROVED:

ATTEST:

CHAIR

RECORDING SECRETARY

Future Events Calendar

September 26, 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, October 7, 2023	Extra Bulk Collection, Residents NORTH of HWY 121
Saturday, October 14, 2023	Extra Bulk Collection, Residents SOUTH of HWY 121
Saturday, October 14, 2023 8:00 a.m.	Household Hazardous Waste Event, Service Center