PLANNING & ZONING COMMISSION MEETING
TUESDAY, MAY 17, 2022, 6:30 P.M.

JUSTIN CITY HALL
415 NORTH COLLEGE STREET

CALL TO ORDER

Invocation and Pledge of Allegiance

I. WORK SHOP SESSION:

1. Discuss HB 2439 (Materials Bill).

2. Discuss the Future Land Use Plan.

3. Briefing regarding the April 26th and May 10th Council Meetings.

4. Discuss Regular Agenda Items.

II. PUBLIC COMMENT:

In order to the business flow and provide all citizens the opportunity to speak, the Planning & Zoning Commission Chair may impose a three-minute limit on any person addressing the Commission. Speaker slips must be completed prior to speaking.

To allow the public the ability to participate in the public comment portion and not attend the meeting in person, the City allows the following: email comments may be submitted with name and address to the Director of Planning and Development Services by 5:00 pm on Tuesday, May 17, 2022 to mcyr@cityofjustin.com. Staff will read any received email to Commission during the discussion of this item. **Please identify the agenda item to discuss.**

III. PUBLIC HEARING:

1. A Public Hearing to consider a recommendation to City Council for a Specific Use Permit for a Temporary Batch Plant legally described as A0419A W.A. FERRIS, TR 1, 27.25 ACRES, OLD DCAD TR 4 (Property ID 68212) and A0285A WM CABLE, TR 1(PT), 80.5650 ACRES (Property ID 68118) located south of FM 407.

IV. ACTION ITEMS:

2. Consider a recommendation to City Council to extend Taco Bell's Specific Use Permit legally described Lot 3, Block 1 of the Hardeman Centre Addition Phase I located on the southwest corner of FM 156 and Centre Blvd.

3. Consider a recommendation to City Council for a Specific Use Permit for Twice the Ice (Kiosk use) legally described as A1127A ROBERTS, TR 10A(PT), 0.542 ACRES addressed as FM 407/ HWY 156 (Denton County Parcel # 158751) located south of FM 407.

4. Appoint a new Chairperson.

V. CONSENT ITEMS:

5. Consider approval of the minutes for April 19, 2022.

VI. FUTURE AGENDA ITEMS:

6. Brookson Cottages.

VII. ADJOURNMENT:

I, the undersigned authority, do hereby certify that the above notice of the meeting of the City Planning & Zoning Commission of the City of Justin, Texas, is a true and correct copy of the said notice that I posted on the official bulletin board at Justin Municipal Complex, 415 North College Street, Justin, Texas, a place of convenience and readily accessible to the general public at all times.

Said notice has been posted this 13th Day of May 2022 by 5:00 p.m., at least 72 hours preceding the scheduled meeting time.

Attest:

Matthew Cyr

Matthew Cyr, Director of Planning and Development Services

NOTE: THE CITY OF JUSTIN COUNCIL CHAMBERS ROOM IS ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY DEVELOPMENT SERVICES DEPARTMENT OFFICE AT 940-648-2541 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED BY CITY OFFICES.

H.B. 2439 (2019)
Legal Q&A
Scott Houston

1. **What is H.B. 2439?**

H.B. 2439 by Representative Dade Phelan (R – Beaumont) is effective September 1, 2019, and generally provides – with some exceptions – that a governmental entity, including a city, may not adopt or enforce a rule, charter provision, ordinance, order, building code, or other regulation that: (1) prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or (2) establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building. *See* TEXAS GOV'T CODE Section 3000.002(a)(1) & (2).

A rule, charter provision, ordinance, order, building code, or other regulation adopted by a city that conflicts with the bill is void. 3000.002(e).

2. **Why was the bill needed?**

According to the Texas House Business and Commerce Committee Report:

> There have been concerns raised regarding the elimination of consumer and builder choice in construction through overly restrictive local municipal zoning ordinances, building codes, design guidelines, and architectural standards. Critics argue that these restrictive ordinances, codes, guidelines, and standards create monopolies, increase the cost of construction, and ultimately price thousands of Texans out of the housing market. C.S.H.B. 2439 seeks to address these concerns and eliminate the ability of a governmental entity to enact overly restrictive, vendor-driven building regulations.

In other words, the undertone was that cities were enacting ordinances that required builders to use products available from only one or a few sources to benefit those vendors. Of course, the bill goes much, much further than that. Legislators are already hearing from city officials about the bill's detrimental affects.

3. **What is meant by a city regulation that "prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building?"**

The best way to understand this core provision of the bill is to break it down into two elements:

- The bill clearly applies only to residential or commercial "buildings." 3000.002(a)(1). Those terms are not defined, so their normal meaning applies. 311.011. That means it is safe to say that single- and multi-family homes, as well apartments, are subject to the bill's limitations. Commercial buildings typically include retail and warehouses, but not industrial or more intense uses. A city can define the terms by ordinance, but shouldn't be unreasonable. In other words, it doesn't make sense to classify a single-family home as an industrial use.

  "Construction, renovation, maintenance, or other alteration" appears to cover just about any type of change to a building.

- A "building product or material [that] is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building." 3000.002(a)(1).

  Most agree that the language above references the International Code Council model codes and a handful of others. Currently, cities should normally be operating under: (1) the International Residential Code (IRC) for residential construction; (2) the National Electrical Code (NEC) for electrical construction in both residential and commercial construction; and (3) the International Energy Conservation Code (IECC) and the International Building Code (IBC) for all construction other than single-family residential. With regard to plumbing codes, a city may be operating under the plumbing provisions of the IRC and/or either the plumbing provisions of the Uniform Plumbing Code (UPC) or International Plumbing Code (IPC). Other ICC Codes includes the International Fire Code (IFC), the International Fuel Gas Code (IFGS), the International Property Maintenance Code, and several more.

  The ICC code cycles update every three years. The last three code cycles as of 2019 are 2018, 2015, and 2012.

  Examples of materials allowed by the 2018 IRC for home exteriors include, among others: (1) concrete, stone, or masonry; (2) fiber cement siding; (3) horizontal aluminum; (4) vinyl siding; or (5) wood siding. *See* Table R703.3(1). A city that has, through an IRC amendment or any other regulation, mandated a percent masonry requirement is thus preempted. A builder can now use vinyl siding or wood siding if he or she chooses because those are a "building product or material [that] is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building."

  The bills prohibitions aren't limited to aesthetic building products or materials. Any city that has amended any ICC or other code should review those amendments with their building official and legal counsel to determine if an amendment runs afoul of the bill's prohibitions.

4. **What is meant by a city regulation that "establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building?"**

Most agree that any city regulation requiring that a building look a certain way (i.e., above-and-beyond an appearance that comes about through compliance with minimum national model code standards) is prohibited. 3000.002(a)(2). For example, architectural features, front elevation requirements, roof pitch, window size, and similar requirements that go beyond what is required by a base international model code are presumably preempted.

5. **Can a city continue to adopt amendments to its building codes?**

Yes, but they can't conflict with the prohibitions in the bill. A city that adopts a building code governing the construction, renovation, maintenance, or other alteration of a residential or commercial building may amend a provision of the building code to conform to local concerns if the amendment does not conflict with the prohibitions discussed in questions 3 and 4, above. 3000.002(b). The prohibition against amendments that conflict with the bill overrides authority in other law to make amendments. *See, e.g.*, TEX. LOC. GOV'T CODE 214.212(c); 214.214(b); 214.216(c).

6. **May a city use private deed restrictions to require certain materials or methods?**

Probably not. State law authorizes the City of Houston and any city that doesn't have zoning to enforce certain private deed restrictions. TEX. LOC. GOV'T CODE Subchapter F. (an authorized city may enforce a deed restriction that "regulates architectural features of a structure"). However, the language in H.B. 2439 arguably preempts such a regulation because it would be "establishing a standard or limiting a product." Of course, private deed restrictions between property owners are still enforceable.

7. **Does a city have any option at all with regard to controlling building materials or construction methods?**

That's debatable, but the obvious method is by agreement. A city can enter into an agreement wherein a person voluntarily agrees to abide by certain standards. For commercial construction, the incentivizing tool would be a Local Government Code "Chapter 380 agreement." For residential and commercial, it would be a "neighborhood empowerment zone" under Chapter

378 of the Local Government Code. Property and/or sales tax abatements could be other options.

8. Are some structures exempt from the prohibitions in the bill?

Yes. The prohibitions in questions 3 and 4, above, do not apply to:

1. a program established by a state agency that requires particular standards, incentives, or financing arrangements in order to comply with requirements of a state or federal funding source or housing program;
2. a requirement for a building necessary to consider the building eligible for windstorm and hail insurance coverage;
3. an ordinance or other regulation that: (i) regulates outdoor lighting for the purpose of reducing light pollution; and (ii) is adopted by a city that is certified as a Dark Sky Community by the International Dark-Sky Association as part of the International Dark Sky Places Program;
4. an ordinance or order that: (i) regulates outdoor lighting; and (ii) is adopted under the authority of state law; or
5. a building located in a place or area designated for its historical, cultural, or architectural importance and significance that a city may regulate through zoning, if the city: (i) is a certified local government under the National Historic Preservation Act; or (ii) has an applicable landmark ordinance that meets the requirements under the certified local government program as determined by the Texas Historical Commission (a city that doesn't meet (i) or (ii) can adopt or enforce a regulation in questions 3 and 4, above, that applies to a building located in a place or area designated on or after April 1, 2019, by the city for its historical, cultural, or architectural importance and significance, if the city has the voluntary consent from the building owner);
6. a building located in a place or area designated for its historical, cultural, or architectural importance and significance by a city, if designated before April 1, 2019;
7. a building located in an area designated as a historic district on the National Register of Historic Places;
8. a building designated as a Recorded Texas Historic Landmark;
9. a building designated as a State Archeological Landmark or State Antiquities Landmark;
10. a building listed on the National Register of Historic Places or designated as a landmark by a city;
11. a building located in a World Heritage Buffer Zone; or
12. a building located in an area designated for development, restoration, or preservation in a main street city under the main street program.

3000.002(c)(1)-(12); 3000.002(d). In addition, the bill does not affect provisions regarding the installation of a fire sprinkler protection system under Section 1301.551(i), Occupations Code. 3000.004. Section 1301.551(i) provides that:

> Notwithstanding any other provision of state law, after January 1, 2009, a municipality may not enact an ordinance, bylaw, order, building code, or rule requiring the installation of a multipurpose residential fire protection sprinkler system or any other

fire sprinkler protection system in a new or existing one- or two-family dwelling. A municipality may adopt an ordinance, bylaw, order, or rule allowing a multipurpose residential fire protection sprinkler specialist or other contractor to offer, for a fee, the installation of a fire sprinkler protection system in a new one- or two-family dwelling.

9. How are the bill's prohibitions enforced?

The attorney general or an aggrieved party may file an action in district court to enjoin a violation or threatened violation of the bill. 3000.003. The attorney general may recover reasonable attorney's fees and costs incurred in bringing an action under the bill, and sovereign and governmental immunity to suit is waived and abolished to the extent necessary to enforce the bill. *Id*.

JUSTIN
1887

PLANNING & ZONING COMMISSION MEETING
Staff Report
May 17, 2022

STAFF CONTACT: Matt Cyr, Director of Planning and Development Services

PROJECT: A Public Hearing to consider a recommendation to City Council for a Specific Use Permit for a Temporary Batch Plant legally described as A0419A W.A. FERRIS, TR 1, 27.25 ACRES, OLD DCAD TR 4 (Property ID 68212) and A0285A WM CABLE, TR 1(PT), 80.5650 ACRES (Property ID 68118) located south of FM 407.

EXECUTIVE SUMMARY: The Applicant is proposing a Temporary Batch Plant for the Preserve to mitigate the potential traffic for delivery of materials and construction.

DETAILS: The Preserve Plat Phase I was approved by City Council on March 22, 2022.

The Applicant is requesting to utilize site pad of approximately 42,000 square-feet as a Temporary Batch Plant for phase I. According to the Code of Ordinances a Temporary Batch Plant requires approval from City Council (Sec. 10-26).

The plant would have a setback of at least 1,000 feet in all directions and would be operation for approximately 5-7 weeks pending on good weather. The estimated start time would be sometime in late September/October and will operate as late from 7AM-7PM.

The Applicant has received approval from TCEQ to start in December, but anticipates TCEQ to approve moving the startup date to late September/ early October.

TRAFFIC: The Applicant estimates approximately twenty trucks making runs throughout the day at staggered times.

STAFF ANALYSIS: Staff has no major concerns with the request based on the setbacks from the nearest residential use, the mixing equipment to mitigate dust, and the ability to mitigate traffic.

ACTION CONSIDERED:

1) Make a recommendation to City Council to approve, approve with conditions, table with clarification and intent, or deny.

STAFF RECOMMENDATION:

Staff recommends consideration based on the request.

ATTACHMENTS:

1. Supporting Documentation
2. Section 10-26 Ordinance

JUSTIN
1887

ZONING CHANGE

SELECT APPLICATION TYPE

☐ Zoning Change ☑ Special Use Permit ☐ Planned Development

DEVELOPMENT

Project Address SW corner of Boss Range Road & FM 407

Project Name The Preserve - Phase I

Legal Description _____ Acreage 196

Current Zoning SF Proposed Zoning –

Current Use under development Proposed Use –

OWNER INFORMATION

Company/Name Justin 197 Partners, LP

Contact Name Fred Phillips

Address 5055 Keller Springs Rd. Ste. 500 City Addison State TX Zip 75001

Phone 214.914.9809 Email fredp@trezcapital.com

For additional owners, please include additional copies of this page. The property owner MUST sign the application or submit a notarized letter of authorization.

REPRESENTATIVE/AGENT INFORMATION

Company L.H. Lacy Construction Contact Name Matt Terry

Address 1880 Crown Dr City Dallas State TX Zip 75234

Phone 214 535 4804 Email mterry@lhlacy.com

CERTIFICATION

I certify that the above information is correct and complete to the best of my acknowledge and ability, and that I will be fully prepared to present the proposal at a Planning and Zoning Commission and City Council public hearing. I reserve the right to withdraw this proposal at any time by filing a written request with the Development Services Department.

Owner Signature	3-30-22 Date	Frederick Phillips Owner Name (Print)
Agent Signature	4/5/22 Date	James M Terry Agent Name (Print)

CIVIL CONSTRUCTION AS PLANNED WWW.LHLACY.COM

March 11, 2022

Ms. Patricia Chen
Region 4 – Dallas/Fort Worth
Texas Commission on Environmental Quality
2309 Gravel Drive
Fort Worth, TX 76118-6951

Re: Plant Relocation Request for The Preserve
Justin, Denton County, Texas
CN# 600491294
RN# 102738788
Permit No. 53037 (LHL Plant #11-014)

Dear Ms. Chen:

We request permission to construct and operate the permitted portable concrete batch plant referenced above for the completion of the public works project. The estimated start date of operation for this plant is December 3, 2022. A site map with details is included.

The location of the portable concrete batch plant for The Preserve, Justin, Denton County, Texas is as follows: Approximately 1180' south of F.M. 407 and 2880' west of Boss Range Road in Justin, Texas.

Once the concrete batch plant is officially moved, I will forward the Updated Information for the Movement of a Portable Facility to your attention in a timely manner.

If I can be of any further assistance, please do not hesitate to contact me directly.

Sincerely,

Joshua D Lowry
L.H. Lacy Company, Ltd.
Office: 24.357.0146
Cell: 940.390.2085

5863

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 1, 2022

Mr. Josh Lowry, Field Administrator
LH Lacy Company
PO Box 541297
Dallas, Texas 75354-1297

Re: Relocation Request for a Concrete Batch Plant; NSR Permit No. 53037L001; 1180' south of FM 407 and 2880' west of Boss Range Rd (The Preserve), Justin, Denton County, Texas;
TCEQ ID Nos.: RN102738788; CN600491294

Dear Mr. Lowry:

This is in response to your relocation application concerning the proposed construction of the above listed concrete batch plant at the above listed location. Based on the information presented, the TCEQ DFW Regional Office Air Program has determined that the proposed authorization can be granted as of the date of this letter to construct and operate the concrete batch plant referenced above at the proposed site, since it is located in or contiguous to the right-of-way of a public works project or related project segments.

The TCEQ DFW Regional Office understands that the concrete batch plant will remain at this site until the completion of the project. This authorization is contingent upon continued compliance with the conditions listed in your permit and with all representations made in your relocation request. Any changes to the representations must have prior written approval from a delegated representative of the executive director.

In addition, you are reminded that all future applications for relocation **must be submitted at least 12 business days prior to your estimated move date** as required by your permit and written authorization must be obtained prior to locating onsite. Failure to do so may result in denial of your relocation request or formal enforcement action.

After completion of construction or modification, start-up notification is required in accordance with 30 TAC 116.115(b)(2)(B)(i). Enclosed is a notification form for you to complete and send in prior to your construction or site move.

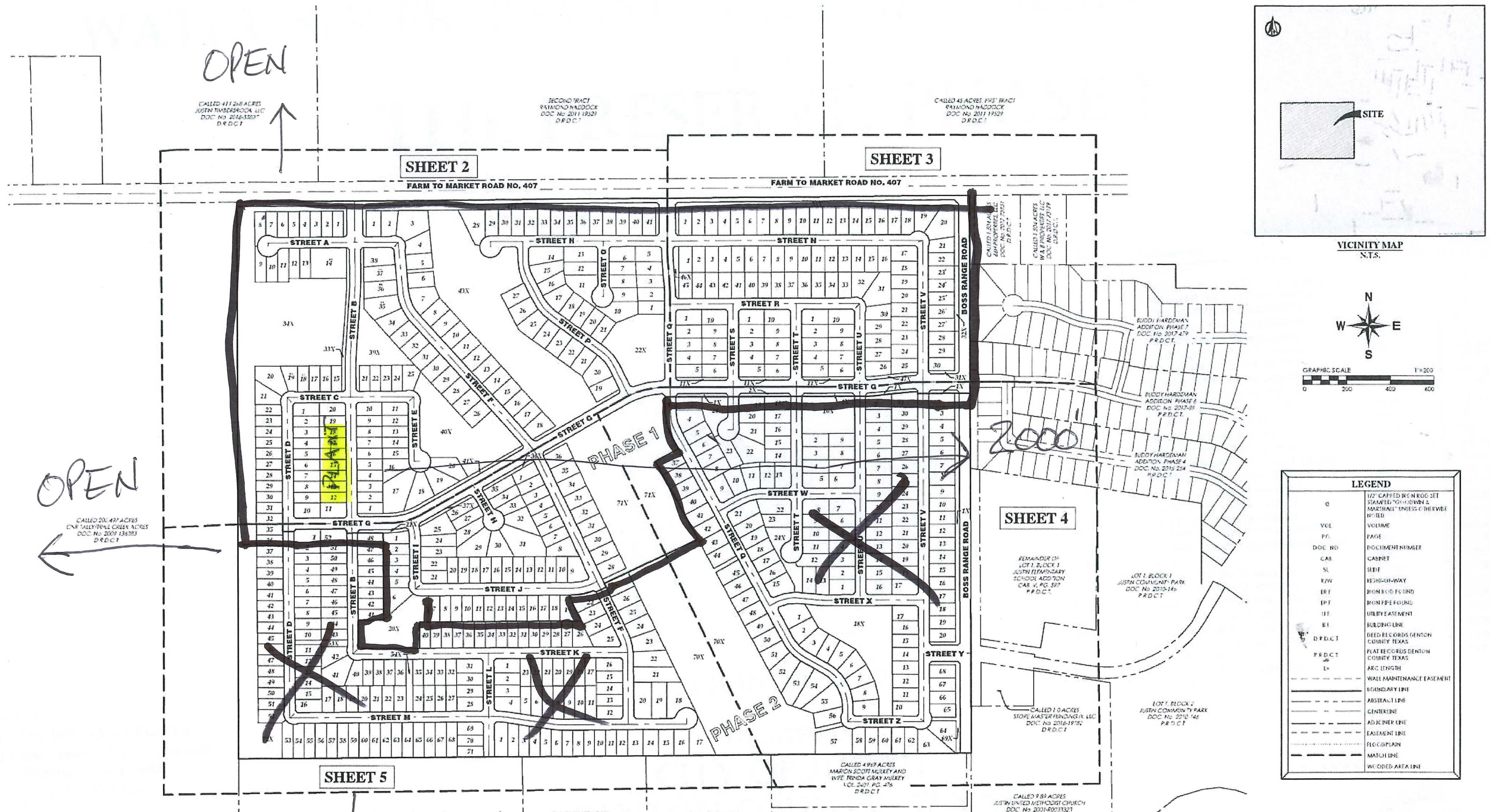
You are reminded that regardless of whether a permit is required, these facilities must be in compliance with all regulations of the TCEQ and the U.S. Environmental Protection Agency at all times. If you need further information or have any questions, please contact Ms. Patricia Chen at 817-588-5850.

Sincerely,

Kimberli Fowler, Air Section Manager
Dallas-Fort Worth Region Office
Texas Commission on Environmental Quality

KSF/PXC/jxs

Enclosure: *Updated Information for the Movement of a Portable Facility*



SITE DATA TABLE		
	SQ. FT.	ACRES
GROSS AREA	8,568,756	196.712
PUBLIC RIGHT-OF-WAY	1,715,729	39.342
NET AREA	6,853,057	157.370
AREA OF OPEN SPACE (X LOTS)	2,016,828	46.300
AREA OF RESIDENTIAL LOTS	4,838,228	111.070
TOTAL RESIDENTIAL LOTS		637
TOTAL NON-RESIDENTIAL LOTS (X LOTS)		35
RESIDENTIAL DENSITY		3.24 LOTS/AC.
TOTAL NUMBER OF LOTS		672

"Preliminary Plat"

"Approved By Planning and Zoning Commission" Date________

Chair, Planning and Zoning Commission

Attest: City of Justin

"Approved by the City Council"________ Date________

Mayor of Justin

Attest: City Secretary

OWNER/DEVELOPER:
JUSTIN PRESERVE, LLC
5055 KELLER SPRINGS RD., S. 300
ADDISON, TEXAS 75001
PH: (817) 680-1061
CONTACT: MATT GOODWIN

* - Denotes lots that are to be dedicated to the City of Justin for future use but are reserved for residential land use as shown should that dedication not occur.
** - Denote lots that have atypical rear yard setback due to gas well setback.

PREPARED BY:
GOODWIN AND MARSHALL INC.
CIVIL ENGINEERS ~ PLANNERS ~ SURVEYORS
2405 Mustang Drive, Grapevine, Texas 76051
(817) 329-4373
TxEng Firm # F-2944 - TxSurv Firm # 10021700

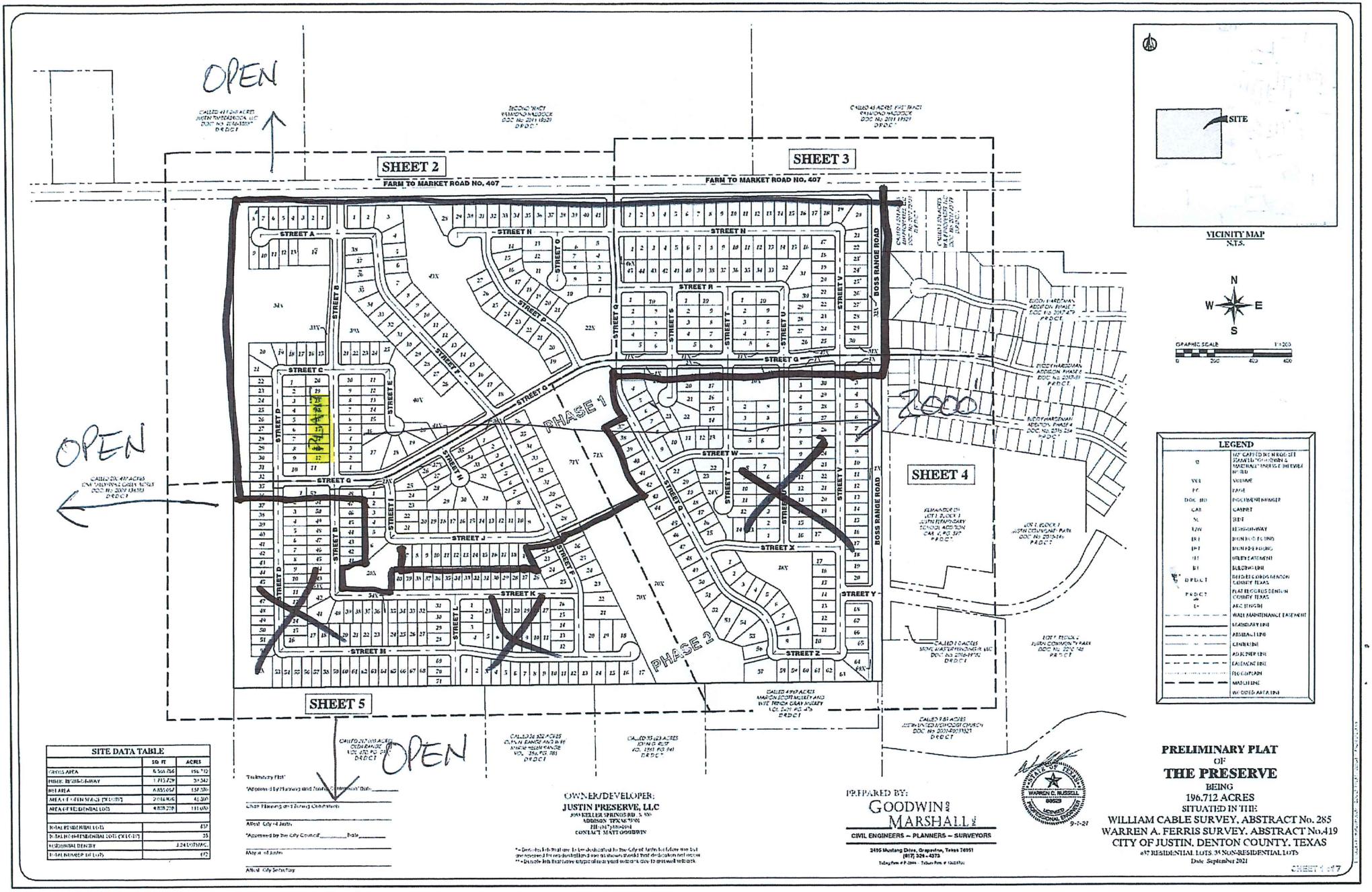
9-1-21

PRELIMINARY PLAT
OF
THE PRESERVE
BEING
196.712 ACRES
SITUATED IN THE
WILLIAM CABLE SURVEY, ABSTRACT No. 285
WARREN A. FERRIS SURVEY, ABSTRACT No. 419
CITY OF JUSTIN, DENTON COUNTY, TEXAS
637 RESIDENTIAL LOTS, 35 NON-RESIDENTIAL LOTS
Date: September 2021

SHEET 1 of 7


1000'+ Open
1000'+ Open
1000'+ Open
1000'+ Open
290' Job
Boundry
The Preserve
Justin, Denton County, TX
Batch Plant Site
407
407
City of Justin
The Rock
Church of Justin
Justin Park
W 4th St
W 3rd St
W 3rd St
N College Ave
Harmonson
Homeland
Leuty Ave
Pafford Ave
2nd St
W 2nd St
Justin Family
Medical, PA
Ace Hardware
W 1st St
W 1st St
Dollar General
H&R Block
Boss Range Rd
S College Ave
Dorothy
S Denton Ave
S Jackson Ave
Ovaletta Dr
Mae Dr
Pine Crest Dr
Hilltop Dr
Justin Elementary School
Hardeman Park
Hilltop Dr
Windmill Dr
Justin Youth
Sports Association
Mint Mobile Detaili
Cedar Crest Dr
Hardeman Blvd
Trail Creek
Trail Creek
Wilkerson Ln
Hillcrest Cir
Lakeway Ln
Reatta Dr
Ranch Rd
Boss Range Rd
Google My Maps


1000'+ Open
1000'+ Open
1000'+ Open
1000'+ Open
The Preserve
Justin, Denton County, TX
Batch Plant Site
City of Justin
The Rock
Church of Justin
Justin Park
W 4th St
W 3rd St
N College Ave
Harmonson
Homeland
2nd St
W 2nd St
Leuty Ave
Pafford Ave
Ace Hardware
W 1st St
H&R Block
Dollar General
Boss Range Rd
S College Ave
S Denton Ave
Dorothy
Ovaletta Dr
Pine Crest Dr
Hilltop Dr
Justin Elementary School
Hardeman Park
Windmill Dr
Justin Youth
Sports Association
Mint Mo
Cedar Crest Dr
Hardeman Bl
Trail Creek
Wilkerson Ln
Hillcrest Cir
Lakeway
Reatta Dr
Google My Maps



SITE DATA TABLE		
	SQ. FT.	ACRES
GROSS AREA	8,566,766	196.712
PUBLIC ROW/ROADWAY	1,715,729	39.382
HOA AREA	6,850,967	157.330
AREA OF OPEN SPACE (PUBLIC)	2,016,906	46.309
AREA OF RESIDENTIAL LOTS	4,833,298	111.000
TOTAL RESIDENTIAL LOTS		657
TOTAL NON-RESIDENTIAL LOTS (RESERVES)		35
RESIDENTIAL DENSITY		3.24 LOTS/AC.
TOTAL NUMBER OF LOTS		692

Preliminary Plat

"Approved by Planning and Zoning Commission" Date_____

Chairman, Planning and Zoning Commission

Attest: City Secretary

"Approved by the City Council" _____ Date_____

Mayor

Attest: City Secretary

* - Denotes lot that is to be dedicated to the City of Justin but are retained for use by the HOA and are shown as such that dedication not occur.

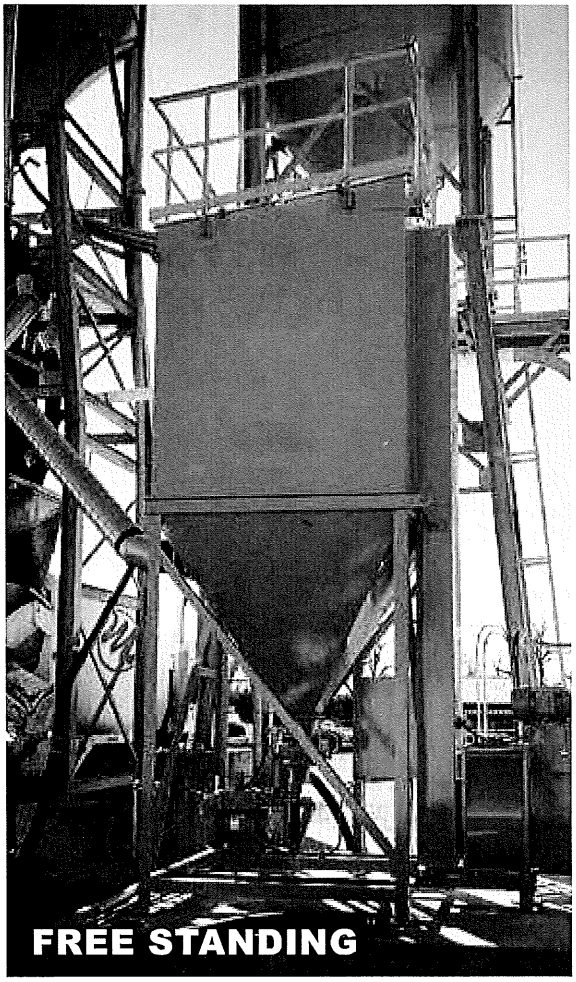
** - Denotes lots that have atypical rear yard setbacks due to irregular lot.


Lacy
Lacy
Lacy

VINCE HAGAN

CONCRETE BATCHING EQUIPMENT

JET PULSE DUST COLLECTION SYSTEMS



FREE STANDING



IN-TRUSS

SILO TOP

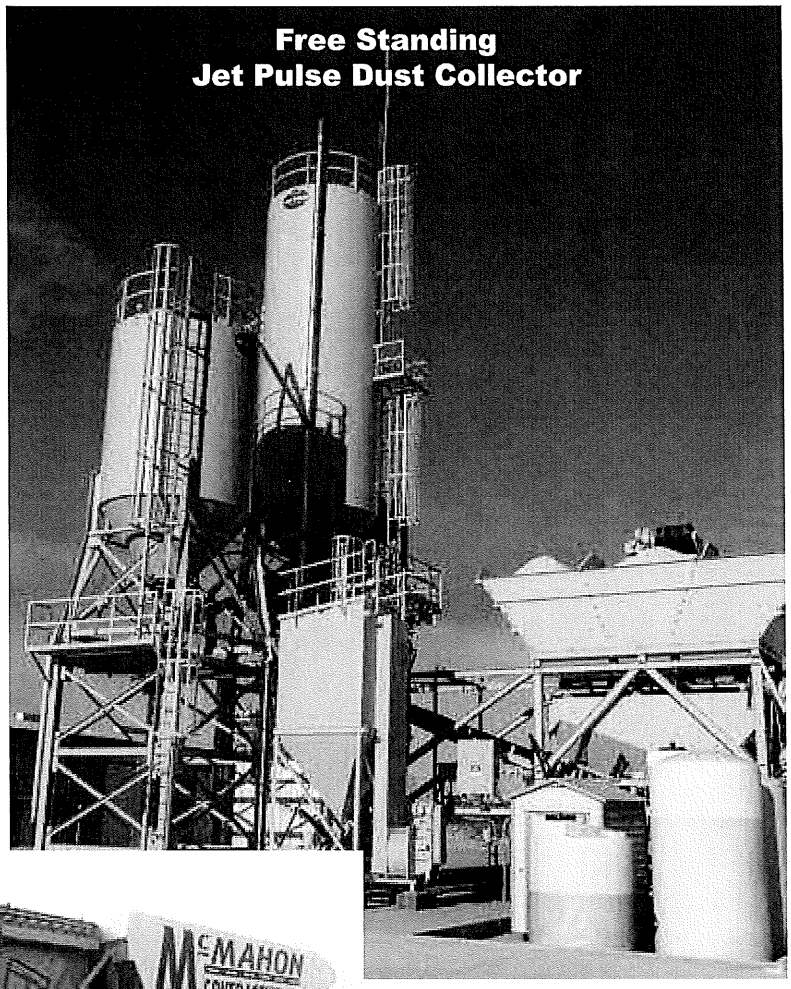


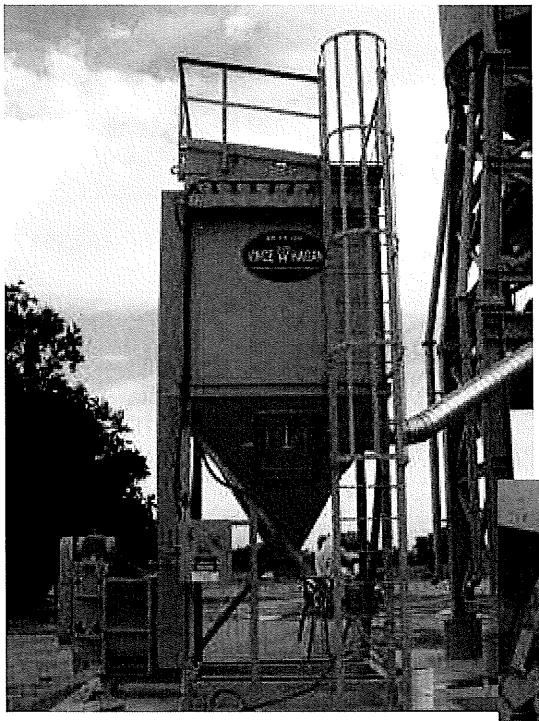
ENVIRONMENTAL INNOVATION... Since 1956 the Vince Hagan Company has been dedicated to innovation in keeping the environment safe and clean. Innovation that has led to the patented design of a horizontal mixer used in hazardous sludge remediation, reclaimers used to keep concrete job sites clean, and dust control systems for every application which are keeping the air we all breathe a whole lot cleaner.

WWW.VINCEHAGAN.COM

"A dust control solution for any concrete batch plant from the inventor of the mobile concrete plant."

Let the Vince Hagan Company solve your concrete batch plant dust control problems with a free-standing, in-truss, or portable collector. Hagan can take any existing plant, stationary or portable, and retro-fit a dust collection system. Then let an optional fully automatic dust reclaim system pay for your collector by recycling the dust into the fly ash.





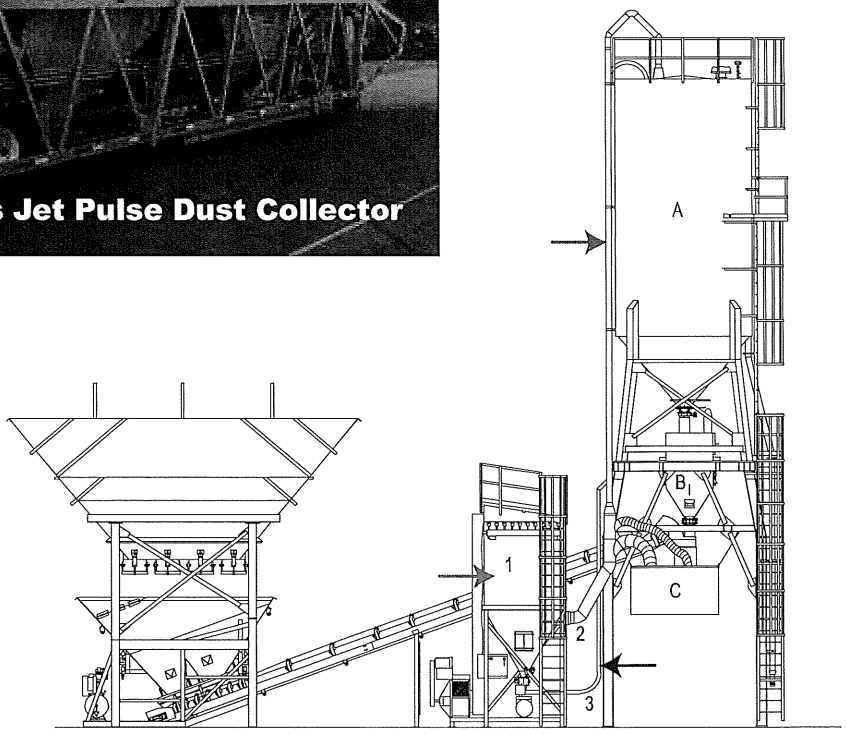


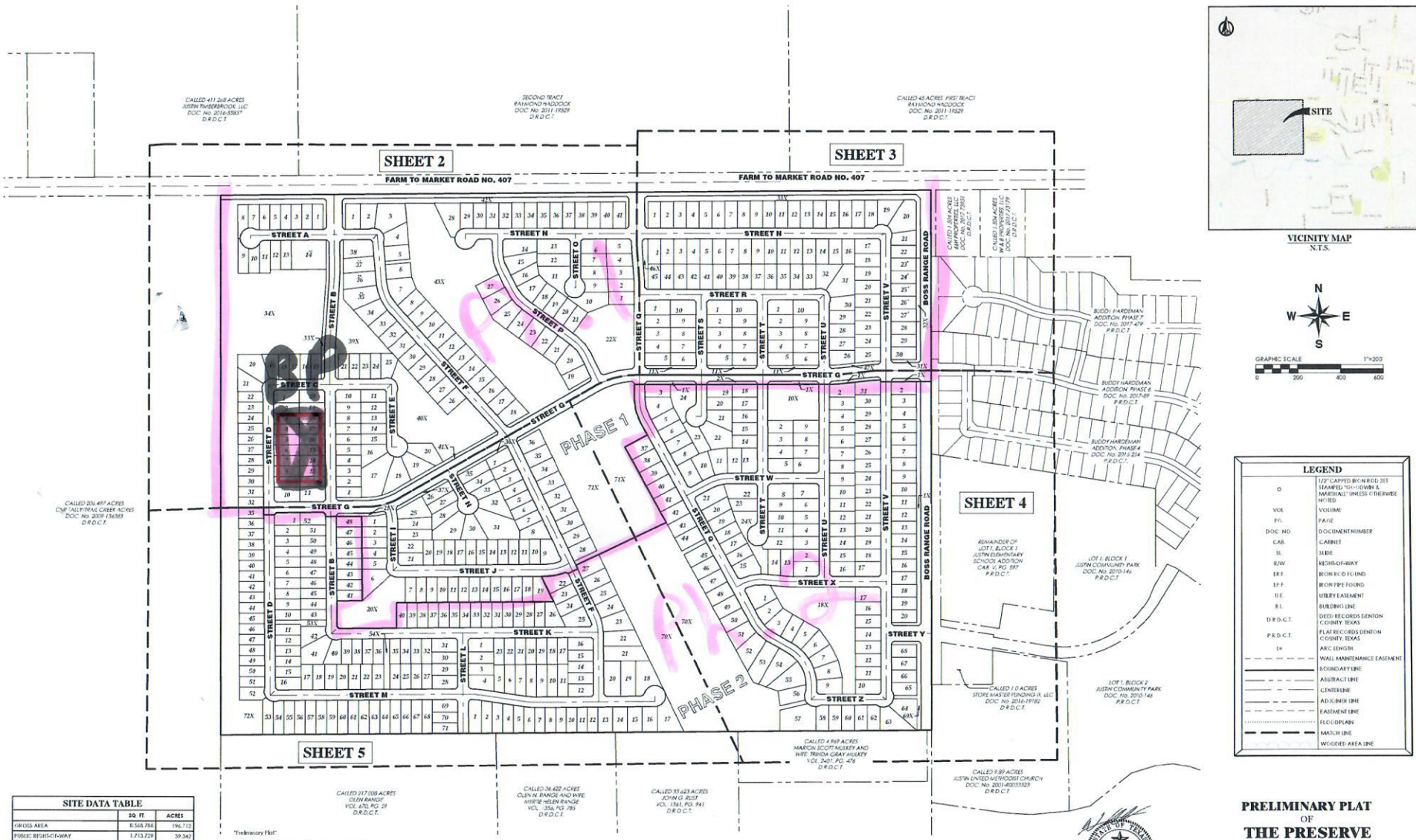
DUST CONTROL

1 - FREE STANDING JET PULSE DUST COLLECTOR
2 - DUCTWORK
3 - DUST RETURN LINE

EXISTING PLANT

A - CEMENT SILO
B - WEIGH BATCHER
C - DUST SHROUD TRUCK FEED POINT





VICINITY MAP
N.T.S.

N
W E
S

GRAPHIC SCALE 1"=200'
0 200 400 600

LEGEND	
○	1/2" CAPPED IRON ROD SET STAMPED "GOODWIN & MARSHALL" UNLESS OTHERWISE NOTED
VOL.	VOLUME
PG.	PAGE
DOC. NO.	DOCUMENT NUMBER
CAB.	CABINET
SL.	SLIDE
R/W	RIGHT-OF-WAY
I.R.F.	IRON ROD FOUND
I.P.F.	IRON PIPE FOUND
U.E.	UTILITY EASEMENT
B.L.	BUILDING LINE
D.R.D.C.T.	DEED RECORDS DENTON COUNTY, TEXAS
P.R.D.C.T.	PLAT RECORDS DENTON COUNTY, TEXAS
L=	ARC LENGTH
	WALL MAINTENANCE EASEMENT
	BOUNDARY LINE
	ABSTRACT LINE
	CENTERLINE
	ADJOINER LINE
	EASEMENT LINE
	FLOODPLAIN
	MATCH LINE
	WOODED AREA LINE

SITE DATA TABLE		
	SQ. FT	ACRES
GROSS AREA	8,568,786	196.712
PUBLIC RIGHTS-OF-WAY	1,713,729	39.342
NET AREA	6,855,057	157.370
AREA OF OPEN SPACE (X LOTS*)	2,016,838	46.300
AREA OF RESIDENTIAL LOTS	4,838,218	111.070
TOTAL RESIDENTIAL LOTS		637
TOTAL NON-RESIDENTIAL LOTS (X LOTS*)		35
RESIDENTIAL DENSITY		3.24 LOTS/AC.
TOTAL NUMBER OF LOTS		672

"Preliminary Plat"

"Approved By Planning and Zoning Commission" Date_____

Chair, Planning and Zoning Commission

Attest: City of Justin

"Approved by the City Council"_____ Date_____

Mayor, of Justin

Attest: City Secretary

OWNER/DEVELOPER:
JUSTIN PRESERVE, LLC
8055 KELLER SPRINGS RD., S. 300
ADDISON, TEXAS 75001
PH: (817) 880-1896
CONTACT: MATT GOODWIN

* = Denotes lots that are to be dedicated to the City of Justin for future use but are reserved for residential land use as shown should that dedication not occur.
** = Denote lots that have atypical rear yard setback due to gas well setback.

PREPARED BY:
GOODWIN AND MARSHALL, INC.
CIVIL ENGINEERS ~ PLANNERS ~ SURVEYORS
2405 Mustang Drive, Grapevine, Texas 76051
(817) 329 - 4373
TxEngFirm # F-2344 - TxSurvFirm # 10011700

STATE OF TEXAS
WARREN C. RUSSELL
88628
LICENSED
PROFESSIONAL ENGINEER
9-1-21

PRELIMINARY PLAT
OF
THE PRESERVE
BEING
196.712 ACRES
SITUATED IN THE
WILLIAM CABLE SURVEY, ABSTRACT No. 285
WARREN A. FERRIS SURVEY, ABSTRACT No.419
CITY OF JUSTIN, DENTON COUNTY, TEXAS
637 RESIDENTIAL LOTS, 35 NON-RESIDENTIAL LOTS
Date: September 2021

Sec. 10-26. - Temporary concrete batching plant.

(a) Upon application, including a site plan, the city council may, if it finds that the public interest requires it to reduce construction traffic, street damage and/or cost, authorize the issuance of a temporary concrete batching plant permit, for a location on or adjacent to a major construction site in the city, for a period not to exceed six months. The temporary permit may be extended by the city council for additional periods not exceeding six months each.

(b) The permit may be issued with appropriate, reasonable conditions determined by the city council, including conditions for control of traffic, view from public or adjacent property, dust, light, noise, ingress and egress, and hours of operation.

(Code 1994, § 3.107; Ord. No. 485, § 1, 1-11-2010)

JUSTIN
1887

PLANNING & ZONING COMMISSION MEETING
Staff Report
May 17, 2022

STAFF CONTACT: Matt Cyr, Director of Planning and Development Services

PROJECT: Consider a recommendation to City Council to extend Taco Bell's Specific Use Permit legally described Lot 3, Block 1 of the Hardeman Centre Addition Phase I located on the southwest corner of FM 156 and Centre Blvd.

EXECUTIVE SUMMARY: The Applicant was required to obtain and secure a building permit within six-months of approval according to Sec. 52-63 (e) of the Code of Ordinances. The SUP was approved with conditions by City Council on September 22, 2021.

Due to some delays, the Applicant was not able to secure a building permit within this time-frame. Therefore, they are required to ask for an extension.

ADJACENT ACTION CONSIDERED:

1) Make a recommendation to City Council to approve, approve with conditions, table the item with clarification and intent or deny.

STAFF RECOMMENDATION:

Staff recommends approving the extension of the permit until a date specified that is mutually agreeable with Council and the Applicant.

ATTACHMENTS:

1. Taco Bell Approved Ordinance
2. Sec. 52-63 Ordinance

ORDINANCE NUMBER 709-21

AN ORDINANCE OF THE CITY OF JUSTIN, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR A DRIVE-THROUGH A GENERAL BUSINESS DISTRICT AT THE SOUTHWEST CORNER OF FM 156 AND CENTRE BLVD HAVING THE LEGAL DESCRIPTION OF LOT 3, BLOCK 1 OF THE HARDEMAN CENTRE ADDITION PHASE I, DENTON COUNTY, TEXAS; PROVDING AN INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE/REPEALER CLAUSE, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the landowners of property located Centre Street, having the legal description of Lot 3, Block 1 of the Hardeman Centre Addition Phase I, Justin, Denton County, TX, request a Specific Use Permit for a drive-through restaurant in a General Business Zoning District; and

WHEREAS, the Planning and Zoning Commission of the City of Justin (the "Commission"), in compliance with the laws of the State of Texas, gave the requisite notices by publication and otherwise, and held public hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard; and

WHEREAS, having reviewed the request for the residential development the Commission determined that the change of the proposed SUP was compatible with surrounding uses and the City's Future Land Use Plan and recommended approval of this Ordinance; and

WHEREAS, the City Council of the City of Justin, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, having held public hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard, and having considered the recommendation of the Planning and Zoning Commission, has determined that the proposed SUP for a drive-through in General Business with the following conditions outlined below is approved and made a part of this ordinance;

1. The west access drive shall be relocated south to align with the Pizza Hut drive
2. The Applicant shall plant five additional understory trees on the west landscape buffer

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

Section 1. **Incorporation of Premises**. That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

Section 2. That the Zoning Ordinance of Justin, Texas, regulating property at the southwest corner of FM 156 and Centre Street with the legal description of Lot 3, Block 1 Hardeman Centre Addition Phase I, Justin, Denton County, Texas, is amended to establish a Specific Use Permit for a drive-through restaurant (fast food) in General Business Zoning as further described in the attached documents.

Section 3. **Applicable Regulations/Zoning Ordinance and Zoning Map Amended.** Development and use of the property shall follow this ordinance, including all Exhibits thereto as

amended hereby, the Code of Ordinances of the City of Justin, Texas, and all applicable state and federal law.

Section 4. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of state or federal law and all ordinances of the City of Justin, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

Section 5. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portions of this ordinance, or the Comprehensive Zoning Ordinance, Chapter 52 of the City of Justin Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 6. Effective Date. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

CITY OF JUSTIN, TEXAS

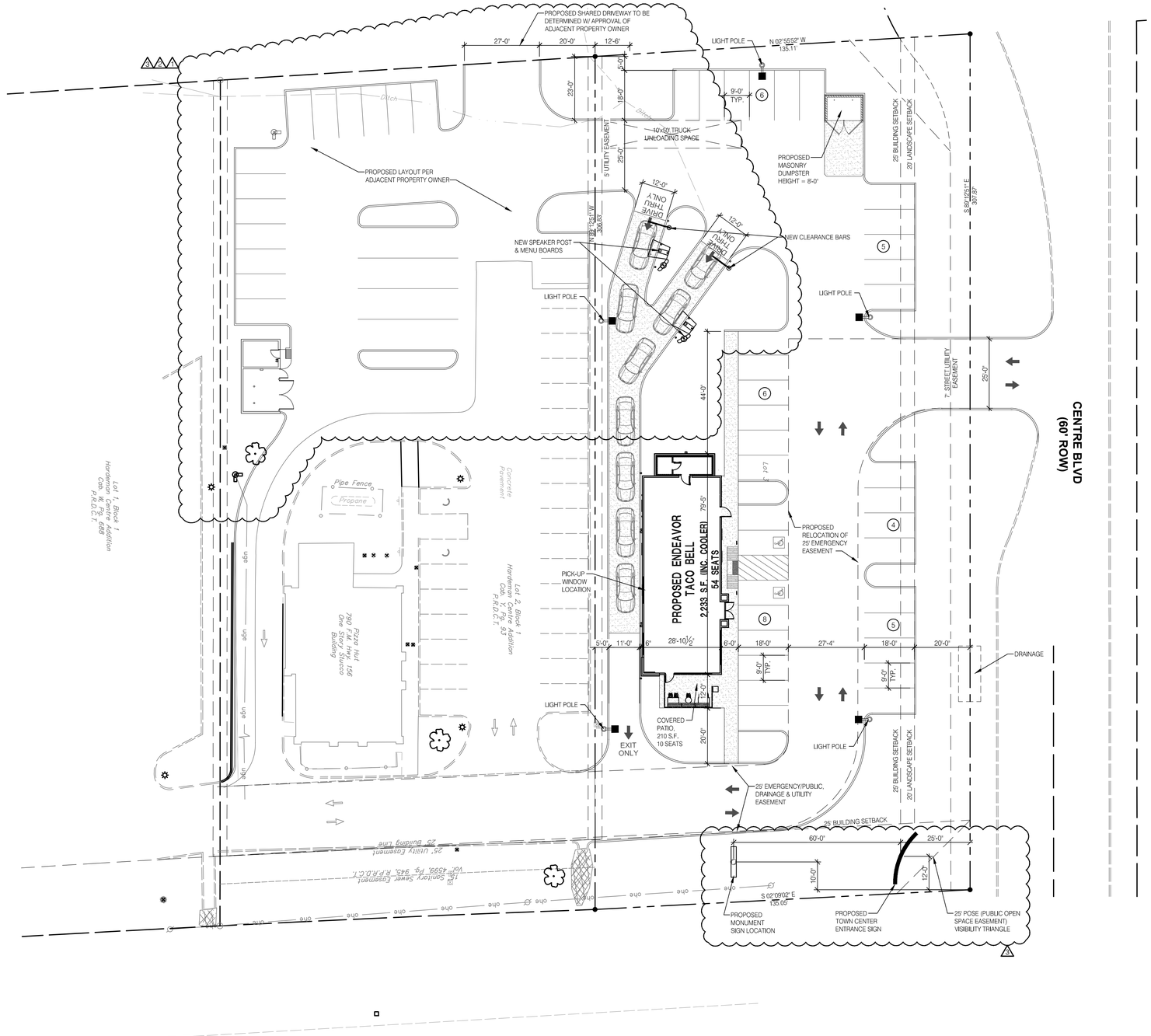
Elizabeth Woodall, Mayor

ATTEST:

Brittany Andrews, City Secretary

Approved as to form:

City Attorney



SPECIAL USE PERMIT SITE PLAN

SCALE: 1" = 20'-0"

0 20 40 60 80

GRAPHIC SCALE

Revised
05/03/2022 8:39:07 AM

APPLICANT
SOUTHERN MULTI-FOODS
101 EAST CHEROKEE ST.
JACKSONVILLE, TX 75766
CONTACT: MIKE STANSBERRY
PHONE: (903) 586-1524

APPLICANT INFORMATION

△ (#) PARKING SPACES PROVIDED = 34
PARKING SPACES REQUIRED = 25

PARKING

SITE AREA = 40,510 S.F. (0.93 ACRE)
BUILDING AREA = 2,233 S.F.
BUILDING AREA COVERAGE RATIO = 5.5%
PROPOSED USE = GB W/ SUP
BUILDING HEIGHT AT TALLEST PARAPET = 23'-0"
ROOFTOP UNITS SHALL BE SCREENED.

SITE / BUILDING INFORMATION

LONNIE SMITH
ARCHITECT
phone 859.624.3755
fax 859.624.3745
2130 Lexington Road, Suite H
Richmond, KY 40475

	DATE	REMARKS
1	10-01-21	CITY REVISION
2	10-06-21	OWNER REVISION
3	10-21-21	OWNER REVISION

PLAN DATE: 07-28-21
BUILDING TYPE: END. MED40
PLAN VERSION: MARCH 2021
BRAND DESIGNER:
SITE NUMBER: ###
STORE NUMBER: ###
PA/PM: LS
DRAWN BY.: WCS
JOB NO.: 21752

TACO BELL
HARDEMAN CENTRE ADDITION
PHASE 1, BLK 1
LOT 3 - FM156
JUSTIN, TX 76247

ENDEAVOR 2.0
SPECIAL USE PERMIT SITE PLAN

SK-E

GIGNAC LANDSCAPE ARCHITECTURE

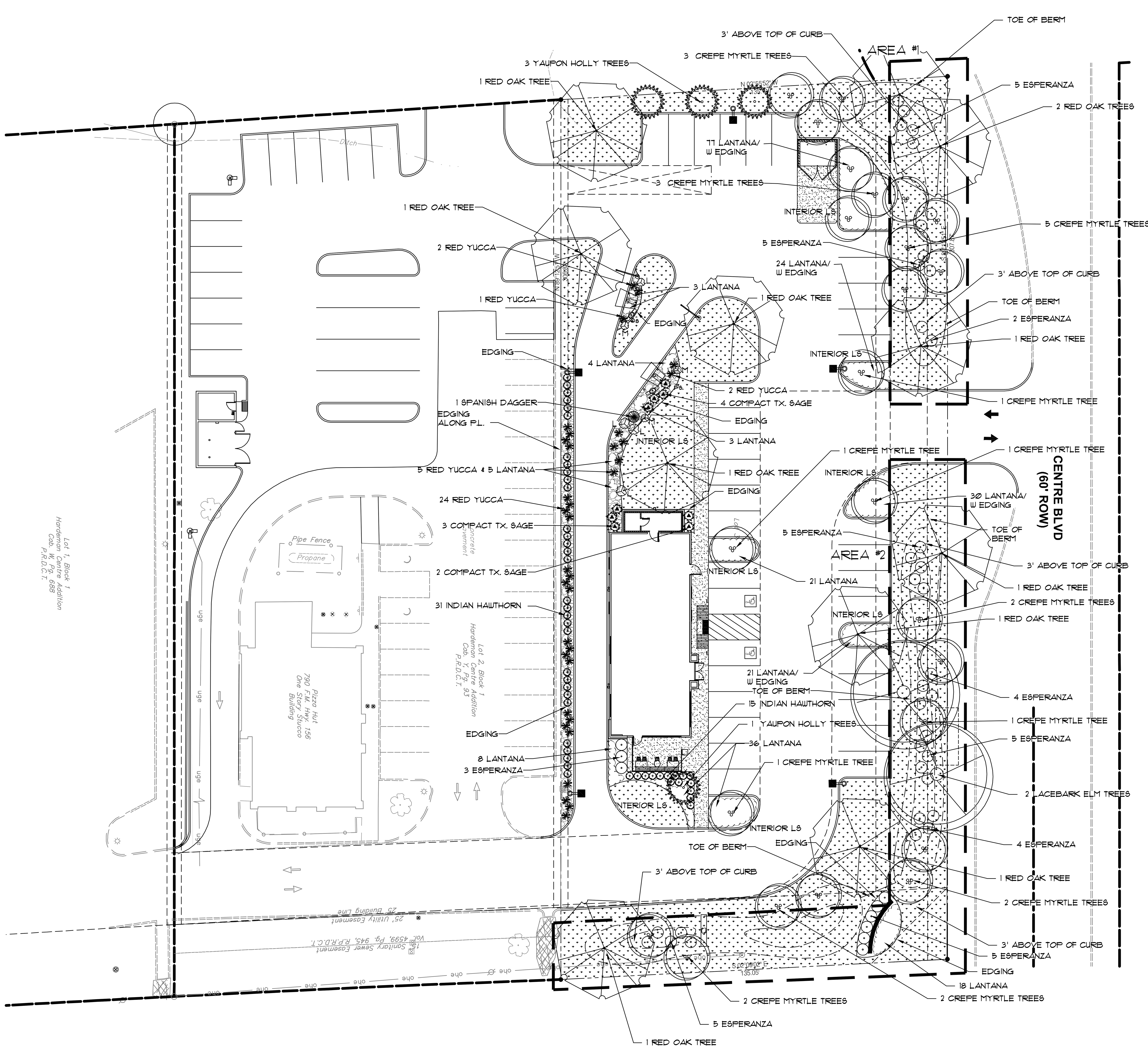
Robert Gignac,ASLA, RLA #1559
gignaclandscape@aol.com 361.853.0795
3833 S. Staples,Ste.N-119 Corpus Christi, Tx 78411

FOR INTERIM REVIEW
THESE DOCUMENTS ARE FOR INTERIM REVIEW AND ARE NOT INTENDED FOR BIDDING, PERMIT, OR CONSTRUCTION PURPOSES.

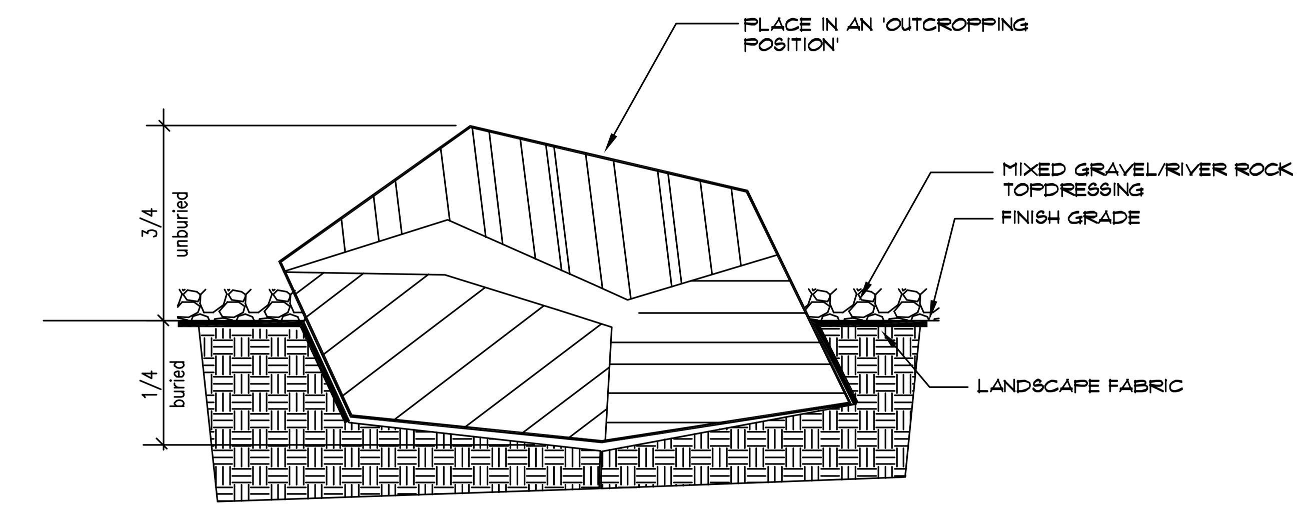
ROBERT E. GIGNAC # 1559
EXP. DATE: 2/28/22

REVISED

03/07/2022



ALTERNATE LANDSCAPE PLAN
SCALE: 1"=20'



ACCENT BOULDER DETAIL
N.T.S.

LEGEND

BROWN ACCENT BOULDER
L-LARGE- 3' X 2' X 2'
M-MEDIUM- 2' X 1' X 2'

SOLID BERMUDA SOD W/ 3" OF TOPSOIL

4" OF 1"- 1 1/2" RIVER ROCK ON A LANDSCAPE FABRIC - (ALL PLANTING BEDS)

BERM — BERM HEIGHT TO BE 3' ABOVE TOP OF CURB

	DATE	REMARKS
1	7-28-2021	AS PER CITY COMMENTS

PLAN DATE: 12-27-21
BUILDING TYPE: END. MED40
PLAN VERSION: MARCH 2021
BRAND DESIGNER:
SITE NUMBER: ###
STORE NUMBER: ###
PA/PM: LS
DRAWN BY.: C.T.
JOB NO.: 21752

TACO BELL
LOT 3 - FM156
JUSTIN, TX 76247

ENDEAVOR 2.0

ALTERNATE LANDSCAPE PLAN

L1.0

LANDSCAPE NOTES :

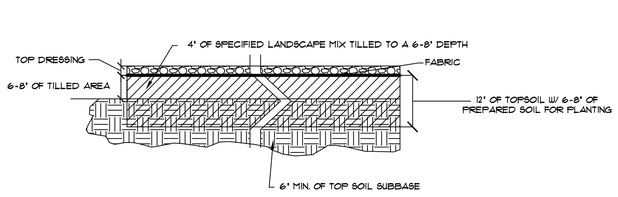
1. CONTRACTOR SHALL EXAMINE THE SITE & FAMILIARIZE HIMSELF w/ ALL CONDITIONS PERTINENT TO THIS WORK.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR w/ ALL UNDERGROUND UTILITIES, PIPES & LINE RUNS. CONTRACTOR SHALL LOCATE & ESTABLISH ALL EXISTING UTILITIES IN THE CONSTRUCTION AREA BEFORE ANY EXCAVATION SHALL OCCUR.
3. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH IRRIGATION AND SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH ALL LANDSCAPE OPERATIONS.
4. CONTRACTOR IS RESPONSIBLE FOR ALL FINE & FINISHED GRADING. ALL ROUGH & SOIL WORK IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR INSTALLER SHALL PROVIDE PROPER & POSITIVE DRAINAGE IN ALL LAWN & PLANTING BEDS. COORDINATE SITE WORK W/ G.C.
5. ALL TREES & SHRUBS SHALL BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR.
6. PREPARE ALL PLANTING BEDS BY TILLING 5" OF SPECIFIED PLANTING MIX ⅓ COMPOST, ⅓ BARK MULCH, & ⅓ TOPSOIL TO A TOTAL DEPTH OF 8". CONTRACTOR MAY BACKFILL ALL BEDS WITH 6" OF PLANTING MIX IN LIEU OF SITE TILLING COORDINATE W/ SITE CONTRACTOR.
7. TOPDRESS ALL BEDS W/ 1 ½" MIXED GRAVEL (4" DEPTH) ON A DEWITT PRO 5 FABRIC. SUBMIT SAMPLE FOR APPROVAL.
8. BACKFILL MATERIALS FOR ALL TREES SHALL BE IN THE FOLLOWING PROPORTIONS : TREE - 2/3 NEW TOP SOIL & 1/3 PEAT HUMUS PLACE "AGRIFORM" TABLETS IN ALL BACKFILL MIX
9. STAKE & GUY ALL TREES w/ 3 or 4 8' 'T' POSTS. FLAG ALL GUY W/ ¾" ARBORTIE.
10. SOIL SCHEDULE TO BE 4" TOPSOIL FOR ALL LAWN AREAS & 12" OF TOPSOIL WITH A PLANTING MIX COMBINATION. CONTRACTOR TO MATCH ALL NEW GRADES & ELEVATIONS WITH TOPSOIL.
11. FINISHED SOIL LEVEL AFTER BED PREPARATION TO BE 4" BELOW TOP OF WALK OR CURB OR FLATWORK.
12. EDGING TO BE A 1" x 4" BROWN STEEL EDGE. INSTALL AS PER MANUFACTURER'S INSTALLATION INSTRUCTIONS.
13. ALL REQUIRED LANDSCAPING WILL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES UNTIL FINAL ACCEPTANCE FROM OWNER. THIS WILL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING, AND OTHER ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. LANDSCAPE AREAS WILL BE KEPT FREE OF TRASH, LITTER, WEEDS, AND OTHER MATERIAL NOT A PART OF THE LANDSCAPING. PROVIDE OWNER WITH A TYPE-WRITTEN MAINTENANCE PROGRAM FOR A CONTINUOUS ONE YEAR MAINTENANCE.
14. PLACE ALL BOULDERS IN A 'OUT CROPPING' POSITION. BOULDRES TO BE BROWN TO CREAM IN COLOR.

IRRIGATION NOTE:

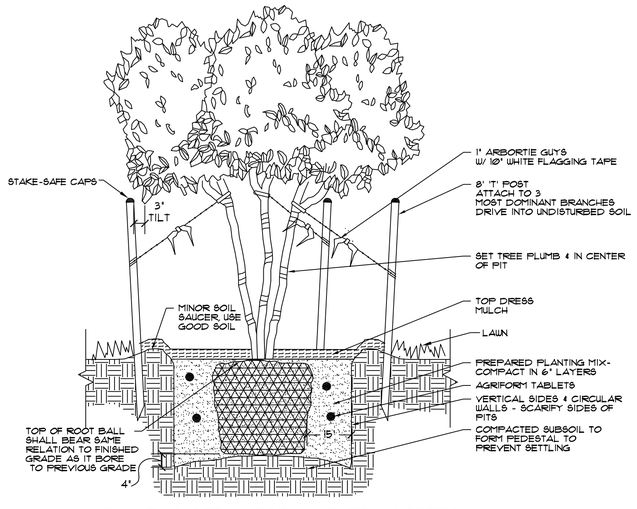
PROVIDE A IRRIGATION SYSTEM THAT WILL PROVIDE 100% COVER. PRODUCT TO BE HUNTER VALVES, CONTROLLER, RAIN SENSOR, SPRAY HEADS, ROTARY HEADS & BACKFLOW DEVICE WINTERIZED. DRIP ALL BEDS WITH .09 NETAFIM DRIP. SUBMIT SKETCH FOR APPROVAL.

PLANT LIST

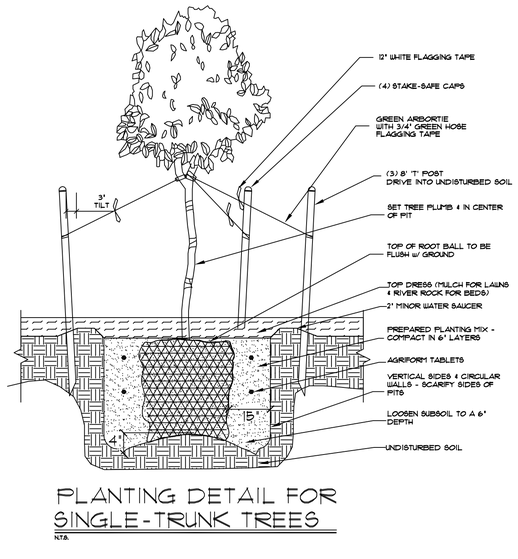
QTY.	NAME	SIZE	COMMENTS	SPACING
9	Compact Texas Sage Leucophyllum frutecens 'compacta'	3 Gallon	30" ht., 18" sprd., full pots	4' Apart
40	Esperanza Tecoma stans	3 Gallon	Good Color 30" Ht., 24" Sprd.	4' O.C.
34	Red Yucca Hesperaloe parviflora	5 Gallon	3 Plant Minimum Full Pots, 15" Ht.	4' Apart or As Shown
250	Lantana Lantana horrida	1 Gallon	Rooted. 12" Sprd., Blooms	32" O.C.
67	Indian Hawthorn Rhaphiolepis indica	3 Gallon 'Snow White'	15" Ht. & Sprd., full, not leggy	32" O.C.
11	Red Oak Tree Quercus shumardii	3" Caliper Container	7'-9' Ht., 5'-6' Sprd.	As Shown
4	Yaupon Holly Tree Ilex vomitora	4" Caliper	6'-8' Ht., Female, Multi Trk.	As Shown
1	Spanish Dagger Yucca rostrata	5'-6' Container	Specimen, Multi, Bayonets	As Shown
24	Crepe Myrtle 'Basham' Lagerstroemia indica	3" Caliper Container	7'-9' Ht., 4-5' Sprd., multi. trk., 4 trk max	As Shown
2	Lacebark Elm Tree Ulmus parvifolia	3" Caliper Container	Str. Trk., 5'-6' Sprd., 8'-10' Ht.	As Shown



SOIL SECTION FOR PLANTING BED
N.T.S.



PLANTING DETAIL FOR MULTI-TRUNK TREES
N.T.S.



PLANTING DETAIL FOR SINGLE-TRUNK TREES
N.T.S.

LANDSCAPE CALCULATIONS

AREA#1

20' BUFFER E REQUIRED 20' BUFFER E PROVIDED	2,172 S.F.
LINEAR FOOTAGE	109 L.F.
CANOPY TREES REQUIRED 1.09 X 4 TREES CANOPY TREES PROVIDED	 4.36 TREES 3 TREES
UNDERSTORY TREES REQUIRED 1.09 X 4 TREES UNDERSTORY TREES PROVIDED	 4.36 U.TREES 5 TREES
MINIMAL OF 10 SCREENING SHRUBS REQUIRED 1.09 X 10 SCREENING SHRUBS SCREENING SHRUBS PROVIDED	 11 SHRUBS 12 SHRUBS
3'-4' BERM REQUIRED PROVIDED A 3' BERM	

AREA#2

20' BUFFER E REQUIRED 20' BUFFER E PROVIDED	5,709 S.F.
LINEAR FOOTAGE	267 L.F.
CANOPY TREES REQUIRED 2.67 X 4 TREES CANOPY TREES PROVIDED	 10.68 TREES 4 TREES
UNDERSTORY TREES REQUIRED 2.67 X 4 TREES UNDERSTORY TREES PROVIDED	 11 U.TREES 7 TREES
MINIMAL OF 10 SCREENING SHRUBS REQUIRED 2.67 X 10 SCREENING SHRUBS SCREENING SHRUBS PROVIDED	 26.7 SHRUBS 46 SHRUBS
3'-4' BERM REQUIRED PROVIDED A 3' BERM	

INTERIOR LANDSCAPE AREA	4,985 S.F.

(1) CANOPY TREE PER 600 S.F.
8.3 CANOPY TREES REQUIRED
6 CANOPY TREES PROVIDED

(1) UNDERSTORY TREE PER 300 S.F.
16.6 UNDERSTORY TREE REQUIRED
16 UNDERSTORY TREE PROVIDED

(1) SHRUB PER 60 S.F. REQUIRED 83 SHRUBS REQUIRED
SHRUBS PROVIDED (265)
GROUND COVER AREA 25% (1,246 GROUND COVER AREA REQUIRED
GROUND COVER AREA PROVIDED 1,378 S.F.

LANDSCAPE CERTIFICATION
I, ROBERT GIGNAC, A PROFESSIONAL LANDSCAPE ARCHITECT, DO HEREBY CERTIFY THAT THESE PLANS SATISY THE REQUIREMENTS OF CITY OF JUSTIN LANDSCAPE & BUFFER REQUIREMENTS.

DATE: 12/27/21 REV. SIGNATURE: _____

REVISED
03/07/2022

GIGNAC LANDSCAPE ARCHITECTURE
Robert Gignac,ASLA, RLA #1559
gignaclandscape@aol.com 361.853.0795
3833 S. Staples,Ste.N-119 Corpus Christi, Tx 78411

FOR INTERIM REVIEW
THESE DOCUMENTS ARE FOR INTERIM REVIEW AND ARE NOT INTENDED FOR BIDDING, PERMIT, OR CONSTRUCTION PURPOSES.

ROBERT E. GIGNAC # 1559
EXP. DATE: 2/28/22

DATE	REMARKS

PLAN DATE:	12-27-21
BUILDING TYPE:	END. MED40
PLAN VERSION:	MARCH 2021
BRAND DESIGNER:	
SITE NUMBER:	###
STORE NUMBER:	###
PA/PM:	LS
DRAWN BY.:	C.T.
JOB NO.:	21752

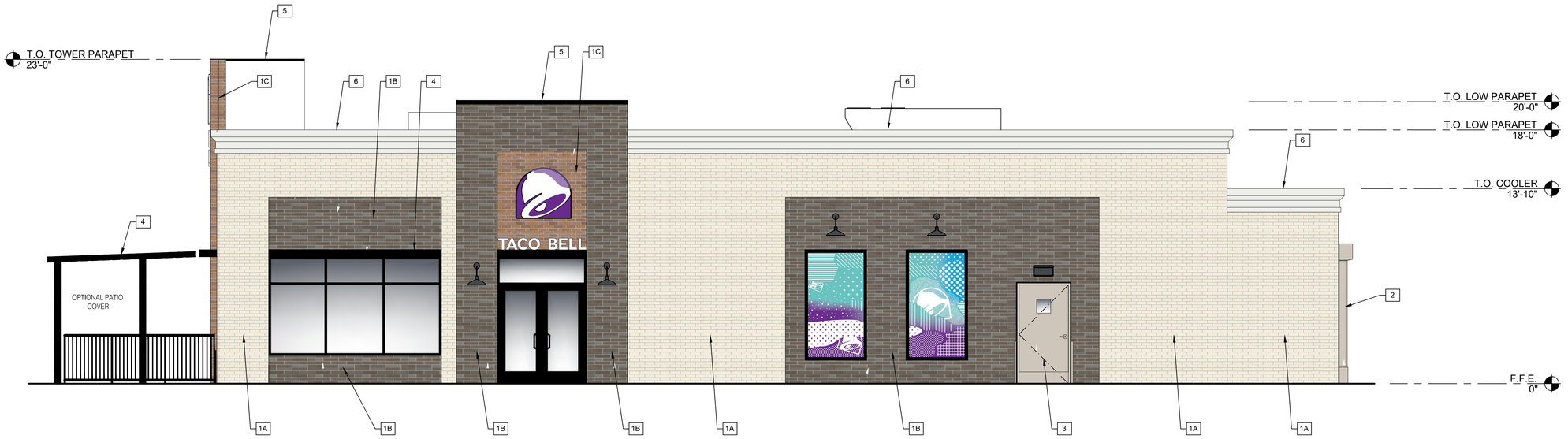
TACO BELL

LOT 3 - FM156
JUSTIN, TX 76247

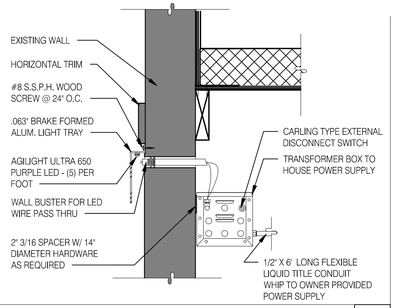
ENDEAVOR 2.0

LANDSCAPE NOTES & DETAILS

L1.1



FRONT ELEVATION 1/4" = 1'-0" **1**



LED WALL WASHER DETAIL **F**

TYPE MARK	QTY	ITEM DESCRIPTION	LOC
TOWER			
V-09.14W	2	14" WHITE CHANNEL LETTERS VERTICAL	A4.1
SIDE ENTRY			
V-04.42	2	42" SWINGING BELL PURPLE LOGO FACE LIT	A4.1
V-200.EN	1	SIDE ENTRY AWNING 6' 4" X 6' 3" BLACK	A4.0
V-11.10W	1	TB 10' LETTER - FLAT CUT OUT - LINEAR - AWNING MOUNTED - UP LIT - WHITE	A4.0
DRIVE THRU			
V-101.DT	1	DT AWNING (OVER DT) 9' 0" X 4' 0" BLACK	A4.1
EYEBROW AWNINGS			
V-202.EN	1	FRONT EYEBROW (WINDOW) 16' 7" X 6" H X 1' 4" D BLACK	A4.1
V-203.EN	1	DT EYEBROW (WINDOW) 7' 8" L X 6' H X 1' 4" D BLACK	A4.1
V-201.EN	1	SIDE ENTRY EYEBROW (WINDOW) 12' L 6" H X 1' 4" D BLACK	A4.0

SIGNAGE **E**

MISCELLANEOUS
A. SEE SHEET A1.1 "WINDOW TYPES" FOR WINDOW ELEVATIONS.

SEALERS (REFER TO SPECS)
A. SEALANT AT ALL WALL AND ROOF PENETRATIONS.
B. SEALANT AT ALL WINDOW AND DOOR FRAMES AND JAMB. DO NOT SEAL SILL @ WINDOWS.
C. APPLY NEOPRENE GASKET (CONT.) BETWEEN BUILDING AND CANOPY.

CRITICAL DIMENSIONS
A. REQUIRED CLEAR OPENING WIDTH TO ENSURE COORDINATION WITH STANDARD SIGNAGE/BUILDING ELEMENTS DIMENSIONS.

NOTE: NO EXTERIOR SIGNS ARE WITHIN THE SCOPE OF WORK COVERED BY THE BUILDING PERMIT APPLICATION. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE INSTALLATION OF ALL EXTERIOR SIGNS AND INSTALLATION OF REQUIRED BLOCKING AND ELECTRICAL CONNECTIONS FOR FINAL APPROVED SIGNS.

GENERAL NOTES **C**

PAINTING
APPLICATOR MUST DO THEIR DUE DILIGENCE WITH PREPARATION.
PRIMER: 1 COAT SW A24W8300
FINISH: 2 COATS SW A82-100 SERIES, MATCH COLORS FROM MATERIAL SCHEDULE.
A-100 EXTERIOR LATEX SATIN.

PAINT NOTES **A**

SYMBOL	ITEM/MATERIAL	MANUFACTURER	MATERIAL SPEC	COLOR	CONTACT INFORMATION
1A	BRICK	INTERSTATE BRICK		ALMOND	
1B	BRICK	INTERSTATE BRICK		MIDNIGHT BLACK	
1C	BRICK	INTERSTATE BRICK		COPPERSTONE	
2	SCUPPERS & DOWNSPOUTS	-	-	WORLDLY GRAY (SW7043). SEMI-GLOSS	
3	HOLLOW METAL DOOR		-	SW PURPLE TB2603C, SEMI-GLOSS	
4	AWNINGS	SIGNAGE VENDOR		BLACK BY THE SIGNAGE VENDOR	
5	METAL PARAPET CAP	-	24GA GALVANIZED	CYBERSPACE (SW7076) KYNAR 500 COATING	
6	CORNICE & METAL PARAPET CAP	SHERWIN WILLIAMS		EXTRA WHITE (SW7006)	

EXTERIOR FINISH SCHEDULE **D**

401 BUILDING SIGN BY VENDOR. REQUIRES ELECTRICAL, SEE ELECTRICAL PLANS.
407 METAL CANOPIES BY VENDOR. REQUIRES ELECTRICAL, SEE ELECTRICAL PLANS.
408 CO2 FILLER VALVE & COVER.
416 HOSE BIB BOX AT 18" A.F.F.
419 EXTERIOR LIGHT FIXTURE. SEE ELECTRICAL DRAWINGS.
422 PURPLE LIGHT WALL WASHER, PROVIDED BY SIGNAGE VENDOR.

KEY NOTES **B**

LONNIE SMITH
ARCHITECT
phone 859.624.5755
fax 859.624.5745
2130 Lexington Road, Suite H
Richmond, KY 40475

	DATE	REMARKS

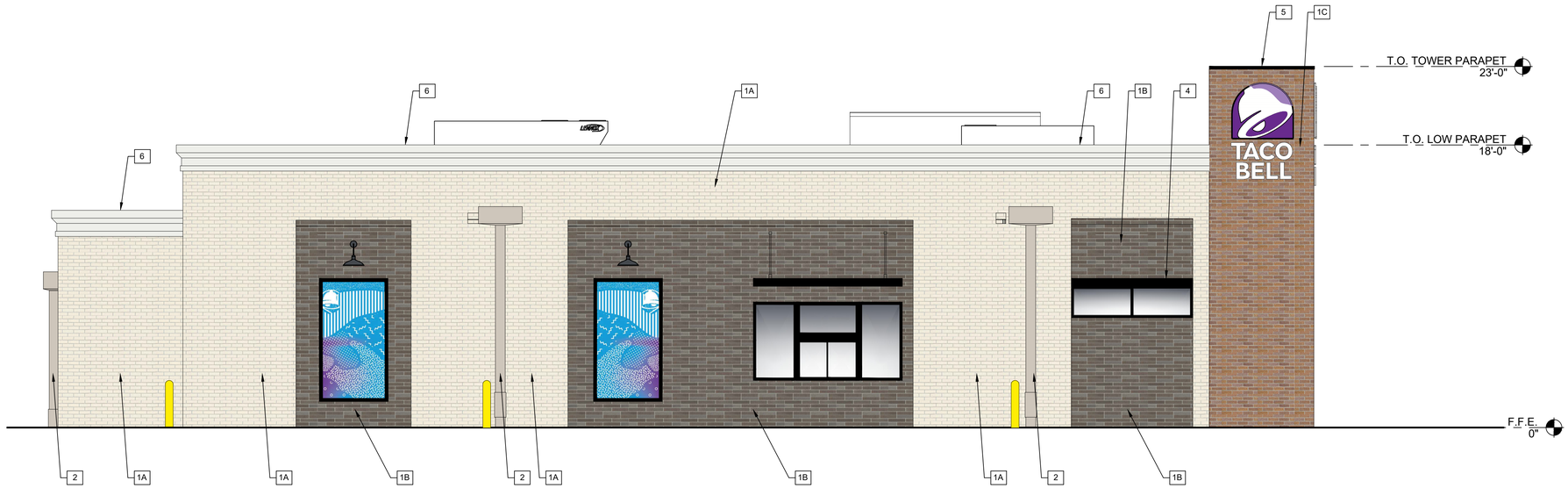
PLAN DATE: 08-20-21
BUILDING TYPE: END. MED40
PLAN VERSION: MARCH 2021
BRAND DESIGNER:
SITE NUMBER: ###
STORE NUMBER: ###
PA/PM: LS
DRAWN BY.: WCS
JOB NO.: 21752

TACO BELL

LOT 3 - FM156
JUSTIN, TX 76247

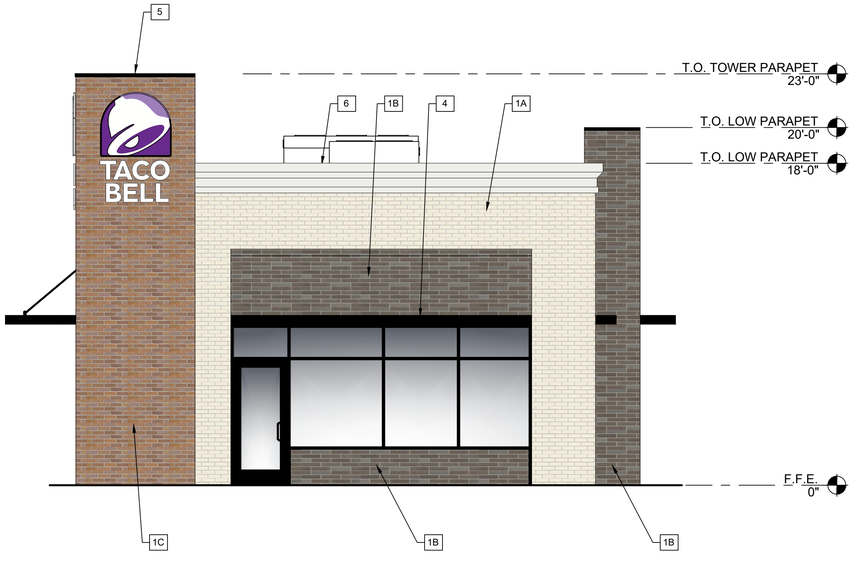
ENDEAVOR 2.0
EXTERIOR ELEVATIONS

A4.0

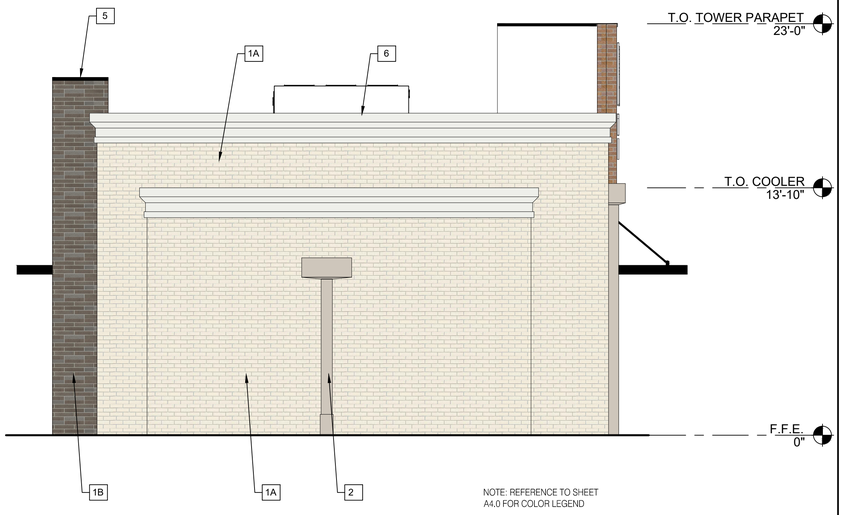


REAR ELEVATION 1/4" = 1'-0" **1**

KEY NOTES **A**



FRONT ELEVATION 1/4" = 1'-0" **2**



NOTE: REFERENCE TO SHEET A4.0 FOR COLOR LEGEND

REAR ELEVATION 1/4" = 1'-0" **3**

LONNIE SMITH
ARCHITECT
phone 859.624.5755
fax 859.624.5745
2130 Lexington Road, Suite H
Richmond, KY 40475

	DATE	REMARKS

PLAN DATE:	08-20-21
BUILDING TYPE:	END. MED40
PLAN VERSION:	MARCH 2021
BRAND DESIGNER:	
SITE NUMBER:	###
STORE NUMBER:	###
PA/PM:	LS
DRAWN BY.:	WCS
JOB NO.:	21752

TACO BELL

LOT 3 - FM156
JUSTIN, TX 76247

ENDEAVOR 2.0
EXTERIOR ELEVATIONS

A4.1

Sec. 52-63. Specific use permit regulations.

(a) In recommending that a specific use permit for the premises under consideration be granted, the planning and zoning commission shall determine that such uses are harmonious with and adaptable to building structures and uses of abutting property and other property in the vicinity of the requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and compatibility of building construction.

(b) Every specific use permit granted under these provisions shall be considered as an amendment to the city zoning regulations as applicable to such property under consideration, but shall not be considered as a permanent change in zoning. In the event the building, premise, or land uses under the specific use permit is voluntarily vacated for a period of no less than six months, or if such building, premise, or land is more than 50 percent destroyed by fire to other cause, the use of the same shall conform to the regulations of the original zoning district of such property unless a new and separate specific use permit is granted for continuation of the use.

(c) In granting a specific use permit, the city commission may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the building inspector for use of the building on such property pursuant to such specific use permit; and such conditions shall not be construed as conditions precedent to the granting of the certificate of occupancy.

(d) No specific use permit shall be granted unless the applicant, owner, and grantee of the specific use permit shall be willing to accept and agree to be bound by and comply with the written requirements of the special use permit, as attached to the site plan drawing (or drawings and approved by the planning and zoning commission).

(e) A building permit shall be applied for and secured within six months from the time of granting the specific use permit; provided, however, that the city council may authorize an extension of this time upon recommendation by the planning and zoning commission.

(f) No building, premise, or land used under a specific use permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless a separate specific use permit is granted for such enlargement, modification, structural alteration, or change.

(g) The board of adjustment shall not have jurisdiction to hear, review, reverse, or modify any decision, determination, or ruling with respect to the granting, extension, revocation, modification, or any other action taken relating to such specific use permit.

(h) When the city council authorizes granting of a specific use permit, the zoning map shall be amended according to its legend to indicate that the affected area has conditional and limited uses, the amendment to indicate the appropriate zoning district for the approved use and suffixed by an S designation.

(i) The city council, in its determination that a specific use permit be granted, shall set additional conditions to those specifically enumerated in subsection (a) of this section, as it may deem in the best interest of the community. The specific use permit shall be effective for 90 days to two years following date of issuance. The city council may, upon expiration, extend the specific use permit upon the affirmative recommendation of the planning and zoning commission for a like amount of time.

(Code 1994, § 12.1202)

JUSTIN
1887

PLANNING & ZONING COMMISSION MEETING
Staff Report
May 17, 2022

STAFF CONTACT: Matt Cyr, Director of Planning and Development Services

PROJECT: Consider a recommendation to City Council for a Specific Use Permit for Twice the Ice (Kiosk use) located approximately 200 feet northeast from the intersection of FM 156 and 5th Street, legally described as A1127A ROBERTS, TR 10A(PT), 0.44 ACRES addressed as FM 407/ HWY 156 (Denton County Parcel # 158751).

EXECUTIVE SUMMARY: The Applicant is proposing an Ice Kiosk (business name is Twice the Ice) for the location described above.

ADJACENT PROPERTIES:
North: Justin Seed Co
South: NA
East: Railroad
West: TxDOT owned property (see aerial map parcel #679799)

ZONING: The property is currently vacant and is zoned Light Industrial. All kiosks is Light Industrial require a Specific Use Permit. They are providing a 10' setback to the north property line.

LANDSCAPING: This property is a beneficiary of the Green Ribbon Project. There are plantings from the intersection of 5th street to the south side of the site entry drive along highway frontage of the site. The trees consist of Live Oaks and the large shrubs are Nellie Stevens Holly. They are not proposing any landscaping in addition to the Green Ribbon project.

SITE DETAILS: The building is approximately 201.6 square-feet. The lot size is .44 acres, which is approximately 19,166 square-feet.

PAVING: The applicant is proposing to utilize asphalt around the proposed kiosk. The parking will be striped and will be asphalt as well.

MAINTENANCE PLAN: The City Council and Commission discussed Kiosk Uses and specifically Ice Kiosk uses on October 19, 2021. The Council mentioned ensuring Ice Kiosk uses had some sort of maintenance plan to keep the site clean. Staff has requested a plan, document, or information relating to this. Please see the attachment "Maintenance Plan" for additional information. This information has been conveyed to the Applicant and they plan on discussing further with the Commission and the Council.

DRAINAGE: The Applicant is proposing to utilize French drains to the north. They will be required to provide documentation at the Building Permit Stage that shows they are not adversely impacting any adjacent properties.

PARKING: The applicant is providing three spaces (9 x 20) for potential customers to park. Usually Ice Kiosks utilize existing parking for their businesses, but since there is not any existing parking to utilize then the applicant is required to provide some. According to the ordinance this use would be classified as "business" since there is no identified parking use for Kiosks. The applicant is required to provide three spaces and is meeting the ordinance.

STAFF ANALYSIS: Staff would encourage the Commission to consider "The Highest and Best Use" for this property when discussing this item.

P&Z CONSIDERATION: According to Section 52-63 (a) "In recommending that a specific use permit for the premises under consideration be granted, the planning and zoning commission shall determine that such uses are harmonious with and adaptable to building structures and uses of abutting property and other property in the vicinity of the requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and compatibility of building construction."

P&Z ACTION: On April 19, 2022, The Commission tabled the item to address the following issues:

1. To inquire about relocating the building to a different location.
    a. The Applicant has conveyed to Staff they are not interested in relocating the structure. However, the Applicant has revised the parking from 9 x 20 parking spots to 9 x 18. This resolves one of Staff's concerns regarding traffic conflicts off of FM 156.
2. To provide the Commission a document regarding cross access between Justin Seed and the subject location.
    a. The Applicant has decided to not move forward with this agreement.
3. To revise the façade to potentially include masonry.
    a. The Applicant has spoken to their team and is proposing to incorporate "Western Features" such as a wagon wheel and/or hitching post. The Applicant conveyed to Staff they are unable to incorporate masonry.
4. To inquire about removing the shade structure on the property.

a. The Applicant has conveyed the property owner is not against this and the Applicant has offered to tear it down.

ACTION CONSIDERED:

1) Make a recommendation to City Council to approve, approve with conditions, table the item with clarification and intent or deny.

STAFF RECOMMENDATION:

Staff recommends consideration based on the request.

ATTACHMENTS:

(A) Maps
(B) Site Plan/Survey
(C) Landscaping (Green Ribbon)
(D) Vending Detail
(E) Maintenance Plan
(F) Proposed Ordinance
(G) Example of "Western Features"

Specific Use Permit Application

Specific Use Permit #: _____

JUSTIN 1887
Development Services Department
415 N. College Ave., Justin, TX 76247
Email: permits@cityofjustin.com
940-648-2541

Property Information

Location Address:	Property Legal Description: Lot #/Block #/Subdivision/Zoning:
FM-156-5th Street (Survey	A1127A Roberts TR 10A(PT) 0
Current Zoning: Light Industrial	**Requested Zoning:** Light retail? (Kiosk)
Existing Use: VACANT	**Proposed Use:** ICE/Water Vending Machine

Reason for Requesting Change in Zoning:
Location, available lot w/ Parking

Property Owner Name:	Property Owner/Company Address:
Rose Thorn Real Estate	111 FM 156, Justin TX 76247
Property Owner Phone Number: 940-368-0424	**Property Owner Email Address**

Applicant Information *(if different from Property Owner)*

Applicant Name/Company:	Applicant Name/Company Address:
Big TEX ICE LLC	P.O. Box 733 Decatur TX 76234
Applicant Phone Number: 940-577-9629	**Applicant Email Address:** auctioneercharlie@yahoo.com

The application shall be accompanied by the following:

- Site Plan Drawn to scale and showing the general arrangement of the project.
- Written permission from property owner (if different) to modify use of property.
- Application attachments must show:
  - Off-street Parking facilities;
  - Size, height, construction materials, locations of buildings and the uses to be permitted;
  - Location and construction of signs;
  - Means of ingress and egress to public streets;
  - The type of visual screening such as walls, paintings, and fences;
  - Relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of 200 feet.

Info provided w/ initial application

I, the undersigned, do hereby certify that I am the Authorized Agent/Owner of the property above described and that I am applying for this permit at the request and with the permission of the same.

Signature of Applicant: _____ Date: 10/19/2021

Office Use Only

Application Received By: _____
Date Paid: _____
P&Z Meeting Date: _____

Application Complete: _____
☐Cash ☐CC ☐Check #:
Council Meeting Date: _____

Date Received: _____
Staff Report Created: _____
Result: ☐Approved ☐Denied

Mark Wallace

Rose Thorn Real Estate LLC

Justin Texas

Mr. Wallace,

Big Tex Ice LLC is in the process of getting permitted to build/own/operate the ice vending machine/kiosk on leased property located at FM 156 & 5th street.

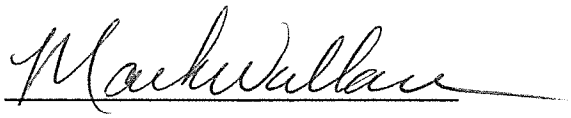
The area we have leased from you is zoned "light industrial", we have asked for a variance to allow us to build as "light retail" to complete the permitting process.

They have requested permission from you to help finalize the process

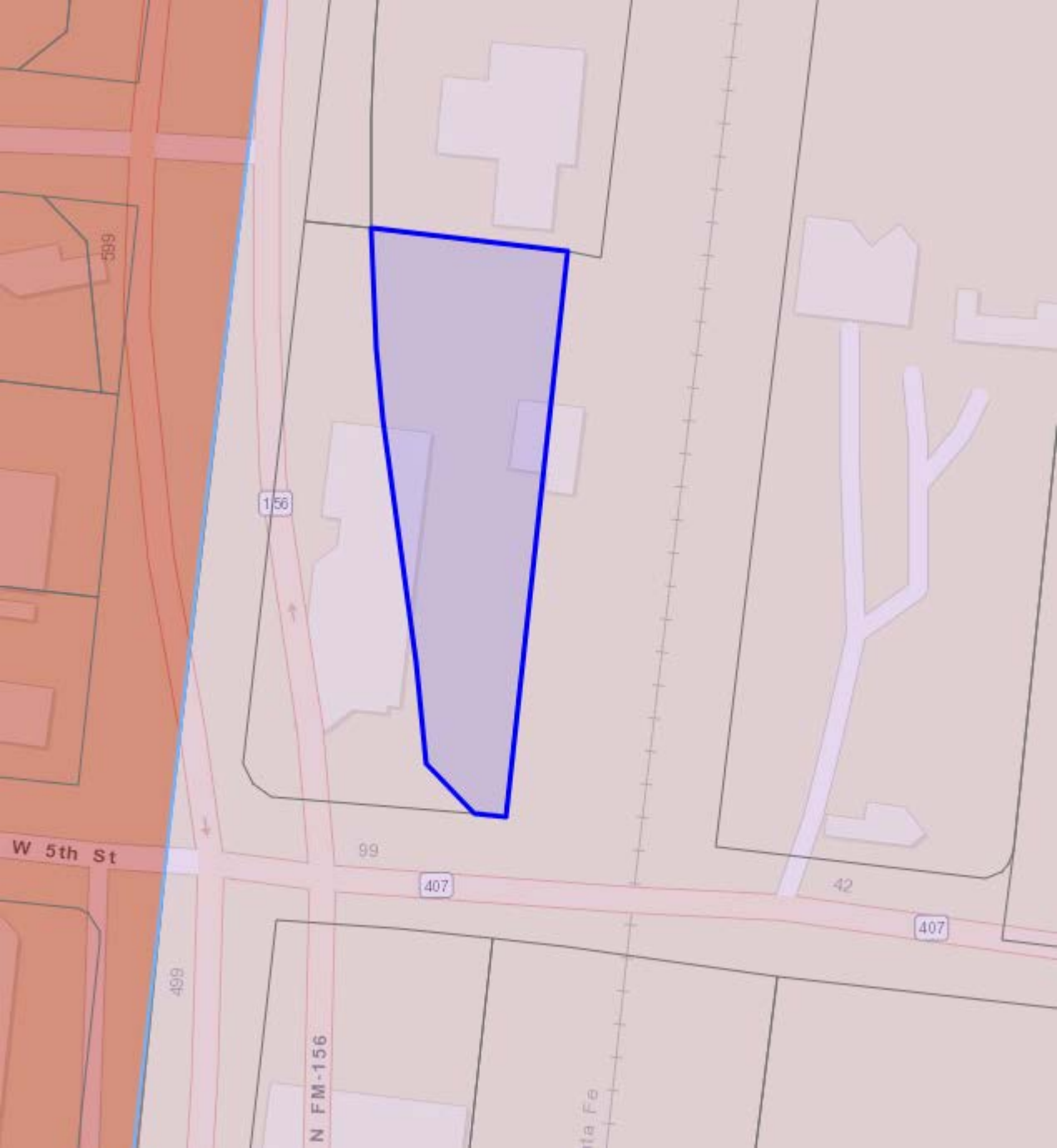
Big Tex Ice LLC is requesting permission to allow us the variance from you.

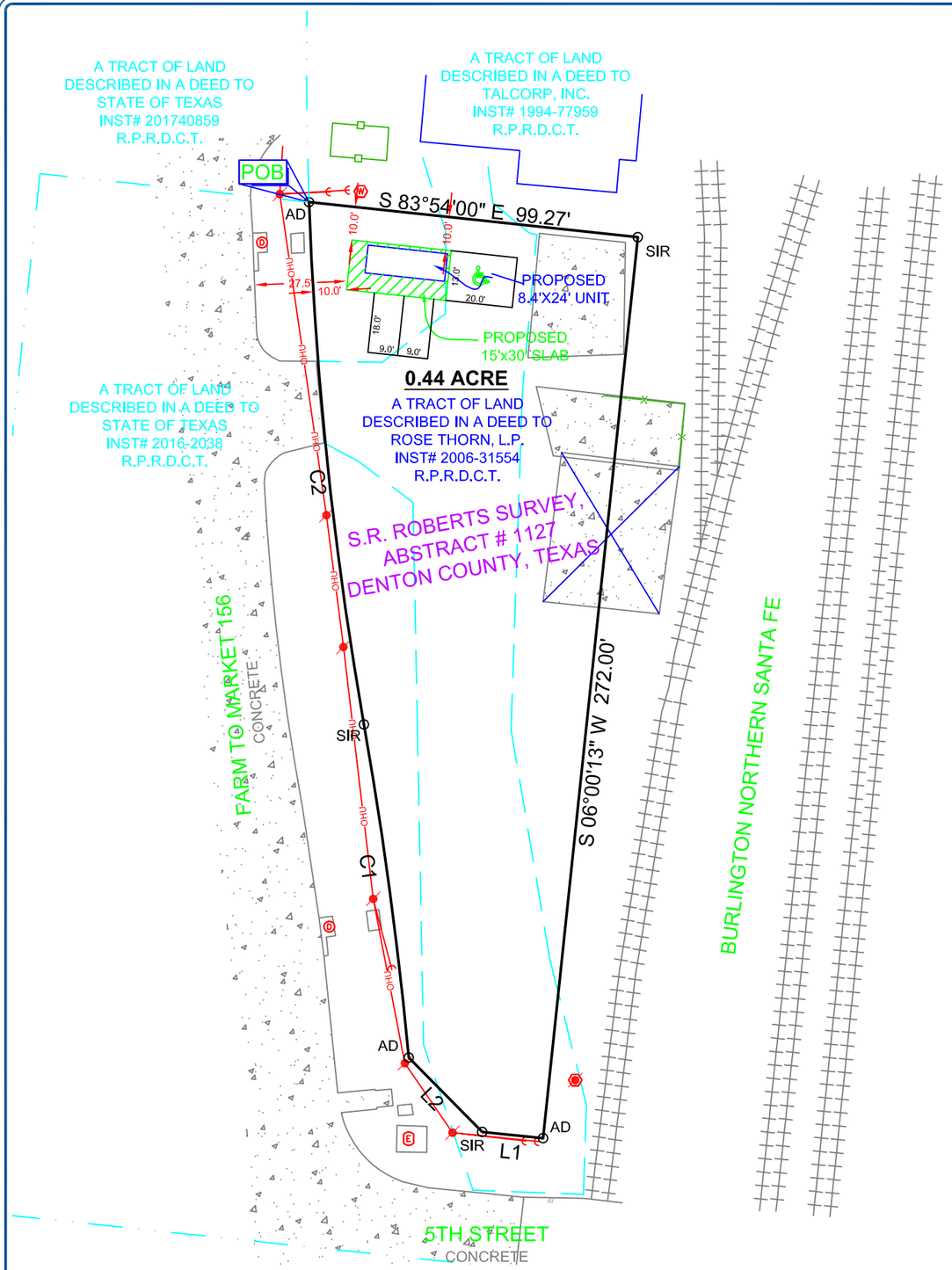
If this is agreeable, please sign below

Mark Wallace/dba Rose Thorn RE LLC




69541
682814
706512
183859
651427
69451
453
69448
158751
178046
FM 156
679799
374
69445
69276
69277


599
156
W 5th St
99
407
42
407
499
N FM-156



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1266.23'	100.97'	100.94'	N 07°40'05" W	4°34'07.04"
C2	1146.23'	157.82'	157.70'	N 06°00'09" W	7°53'20.64"

LINE	BEARING	DISTANCE
L1	N 84°12'01" W	18.35'
L2	N 44°37'42" W	31.38'

All that certain lot, tract or parcel of land lying and being situated in Denton County, Texas and being a part of the S.R. Roberts Survey, Abstract Number 1127 and also being a part of that called 1.30 acre tract of land described in deed to Rose Thorn, L.P. recorded in Instrument Number 2006-31554, Real Property Records, Denton County, Texas and being more fully described by metes and bounds as follows:

BEGINNING at a TXDot aluminum disk found for the Southeast corner of a tract of land described in deed to the State of Texas, recorded in Instrument Number 2017-40859, Real Property Records, Denton County, Texas, same being the Northeast corner of a tract of land described in deed to the State of Texas, recorded in Instrument Number 2016-2038, Real Property Records, Denton County, Texas, in the East right-of-way line of Farm to Market Road 156;

THENCE South 83 degrees 54 minutes 00 seconds East, a distance of 99.27 feet to a capped iron rod set stamped “KAZ” in the West line of Burlington Northern Santa Fe Railroad;

THENCE South 06 degrees 00 minutes 13 seconds West, along said West line, a distance of 272.00 feet to a TXDot aluminum disk found;

THENCE North 84 degrees 12 minutes 01 second West, a distance of 18.35 feet to a capped iron rod set stamped “KAZ”;

THENCE North 44 degrees 37 minutes 42 seconds West, a distance of 31.38 feet to a TXDot aluminum disk found in the East right-of-way line of said Farm to Market Road 156, at the beginning of a curve to the left, having a radius of 1266.23 feet and a chord bearing and distance of North 07 degrees 40 minutes 05 seconds West, 100.94 feet;

THENCE along said curve, an arc length of 100.97 feet to a capped iron rod set stamped “KAZ” at the beginning of a curve to the right, having a radius of 1146.23 feet and a chord bearing and distance of North 06 degrees 00 minutes 09 seconds West, 157.70 feet;

THENCE along said curve, an arc length of 157.82 feet to the POINT OF BEGINNING and containing 0.44 of an acre of land, more or less.

FLOOD STATEMENT: I have reviewed the F.E.M.A. Flood Insurance Rate Map for the City of Justin, Community Number 480778 effective date 4-18-2011 and that map indicates as scaled, that this property is within "Non-Shaded Zone X" defined as " Areas determined to be outside the 0.2% annual chance flood (500-year)" as shown on Panel 485 G of said map.

SURVEYORS CERTIFICATION

Certified to Charlie Smither

This survey correctly represents the results of an on-the-ground survey made under my direction and supervision on 08-20-2021, and substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B, Condition II Survey. There are no apparent encroachments, intrusions or protrusions except as shown hereon.

LEGEND

- = POWER POLE
- = GUY WIRE
- E = ELECTRIC METER
- W = WATER METER
- D = STORM DRAIN MANHOLE
- E = ELECTRIC RISER
- AD = TXDOT ALUMINUM DISK
- SIR = SET IRON ROD W/CAPPED
- ( ) = PLAT OR DEED CALL
- POB = POINT OF BEGINNING
- = WROUGHT IRON FENCE
- = WIRE FENCE
- = OVER-HEAD UTILITIES
- = ASPHALT
- = RAILROAD
- = CONCRETE

N W E S

1" = 40'

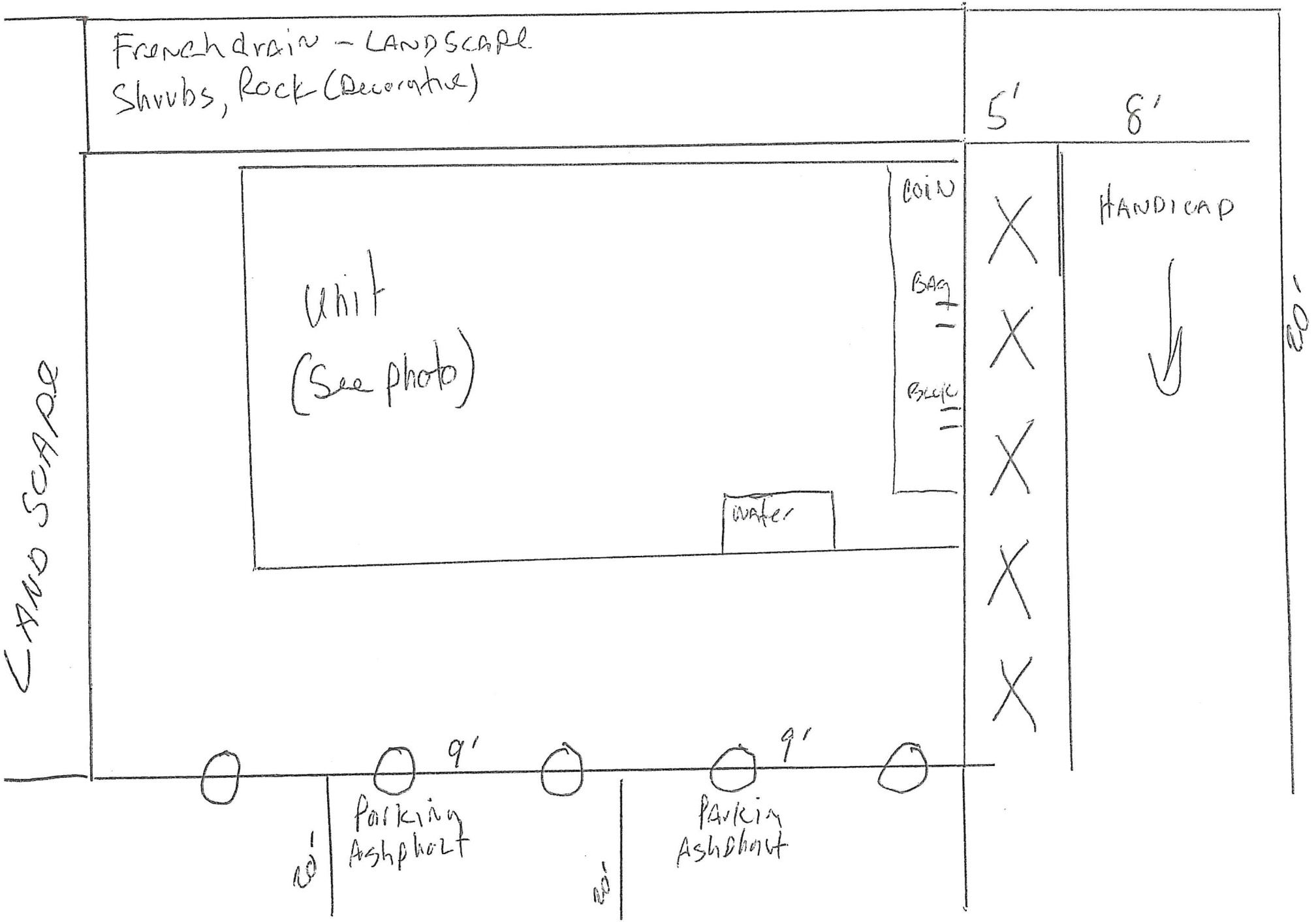
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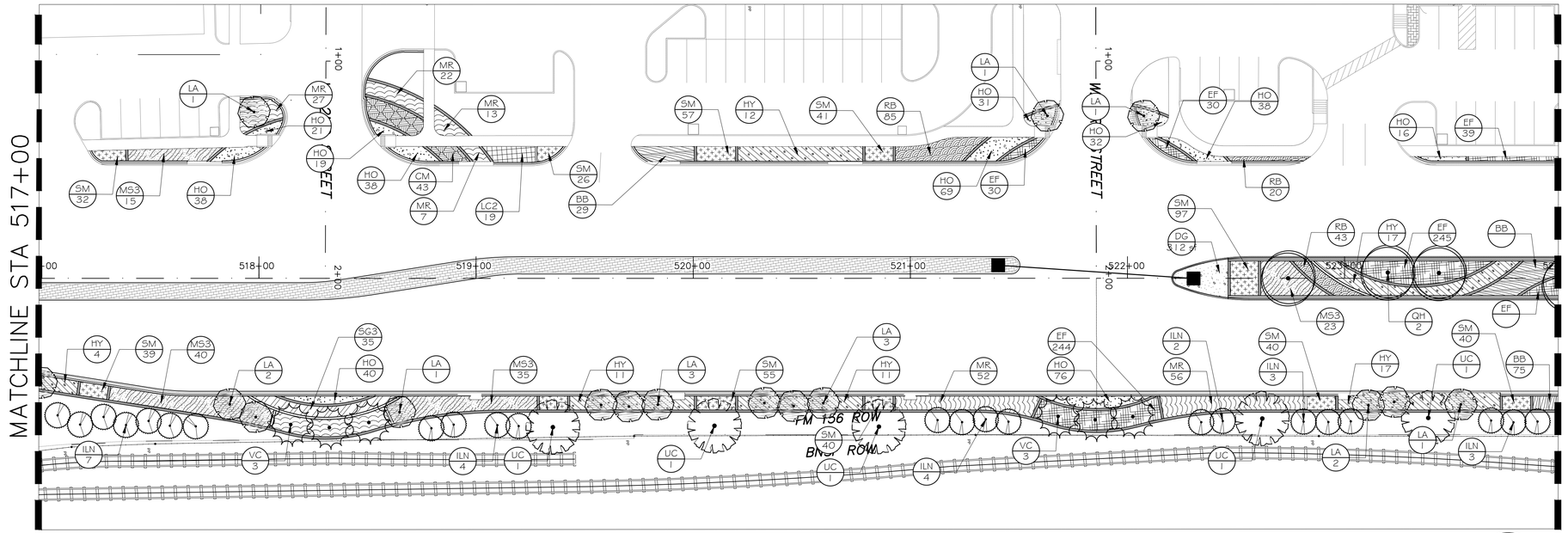
SITE PLAN
BIG TEX ICE, LLC.

KAZ SURVEYING
TX FIRM REGISTRATION # 10002100

1720 WESTMINSTER
DENTON, TX 76205
(940)382-3446

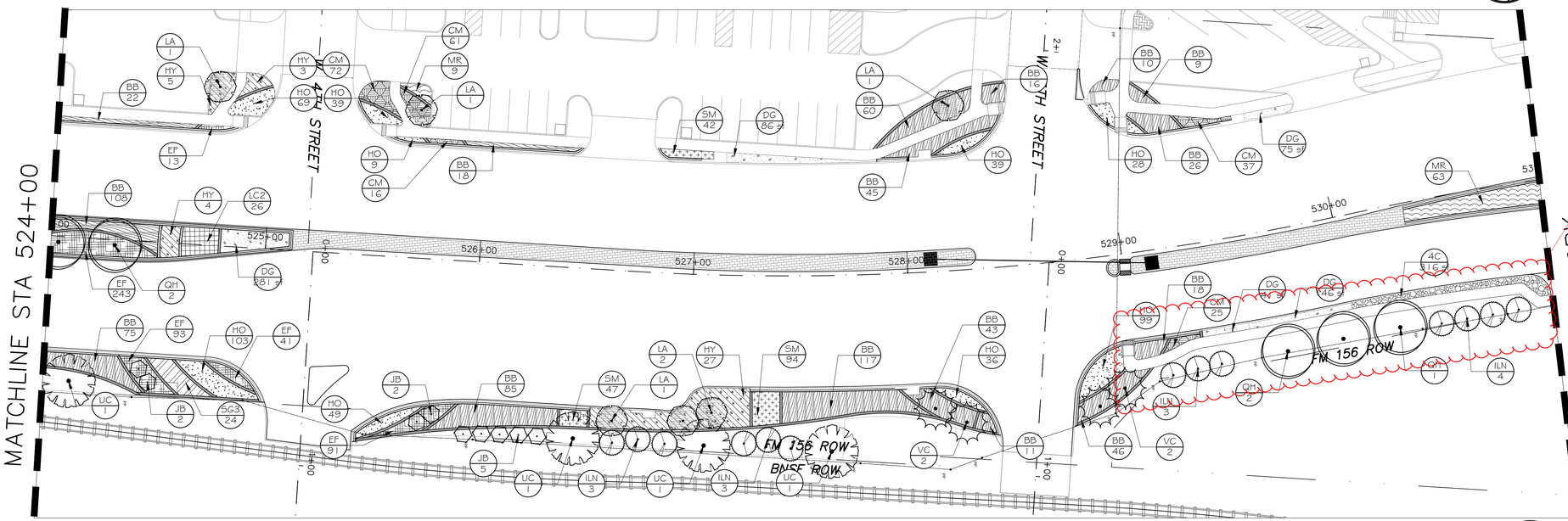
JOB NUMBER: 210678
DRAWN BY: MMF
DATE: 09-07-2021
R.P.L.S.
KENNETH A. ZOLLINGER


French drain – LANDSCAPE
Shrubs, Rock (Decorative)
5'
8'
80'
COIN
BAG
BASIC
Unit
(See photo)
water
HANDICAP
LANDSCAPE
9'
9'
20'
20'
Parking
Asphalt
Parking
Asphalt



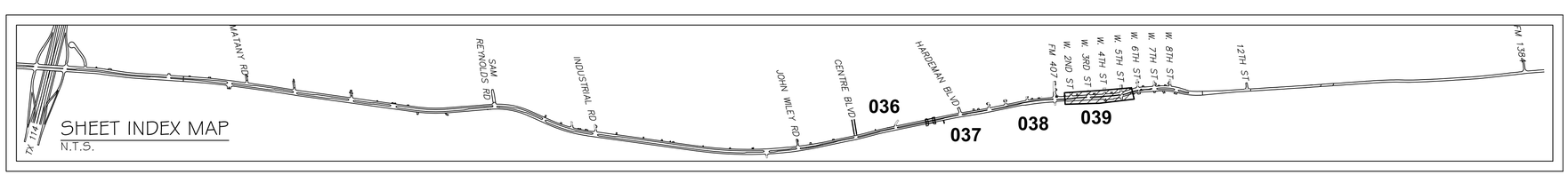
STA 517+00 - STA 524+00

1" = 30'-0"



STA 524+00 - STA 531+00

1" = 30'-0"



SHEET INDEX MAP

N.T.S.

Landscaping Provided by Green Ribbon Project

ESTIMATE OF QUANTITIES - BY SHEET				
ITEM NO	DESC	DESCRIPTION	UNIT	TOTAL
161	6017	COMPOST MANUF TOPSOIL (4")	SY	XX
161	6019	EROSION CONTROL COMPOST (1.5")	SY	XX
180	6002	WILDFLOWER SEEDING (WEEPING LOVE)	AC	XX
180	6002	WILDFLOWER SEEDING (BLUE GRAMA)	AC	XX
180	6002	WILDFLOWER SEEDING (NATIVE SUNTURF)	AC	XX
192	6002	LANDSCAPE PLANTING (1 GAL)	EA	XX
192	6003	LANDSCAPE PLANTING (3 GAL)	EA	XX
192	6013	LANDSCAPE PLANTING (MULCH)	SY	XX
192	6025	PLANT MATERIAL (30 GAL)	EA	XX
193	6001	PLANT MAINTENANCE	MO	12

0 15 30 60 90

GRAPHIC SCALE IN FEET

0 30 60 120 180

HALF SIZE SHEET SCALE IN FEET

INTERIM REVIEW

THESE DOCUMENTS ARE INTENDED FOR INTERIM REVIEW ONLY AND NOT FOR REGULATORY APPROVAL,PERMITTING, OR CONSTRUCTION.

REGISTERED LANDSCAPE ARCHITECT
NICHOLAS NELSON
TEXAS REGISTRATION NUMBER 2320

Pacheco Koch
4060 BRYANT IRVIN ROAD
FORT WORTH, TX 76109 817.412.7155
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10008001

©2020

Texas Department of Transportation

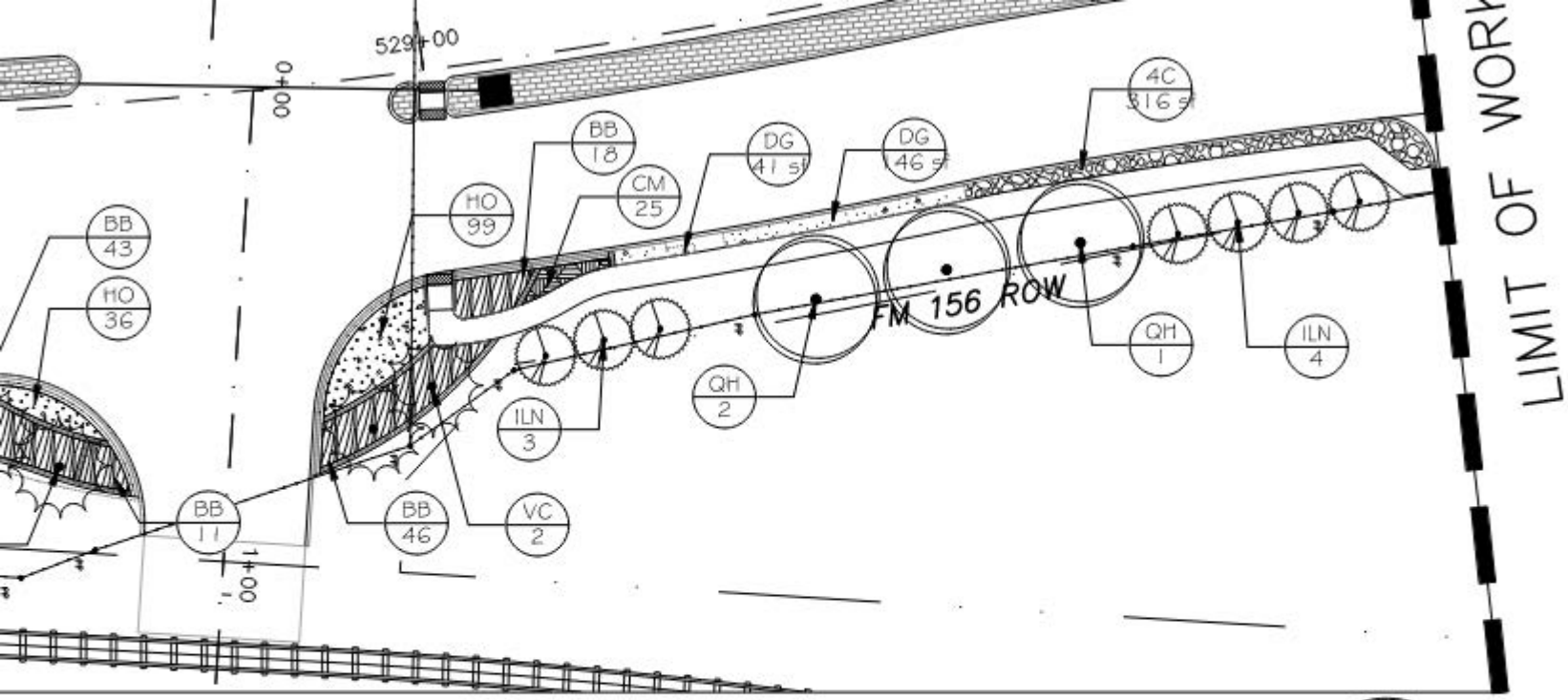
PLANTING PLAN

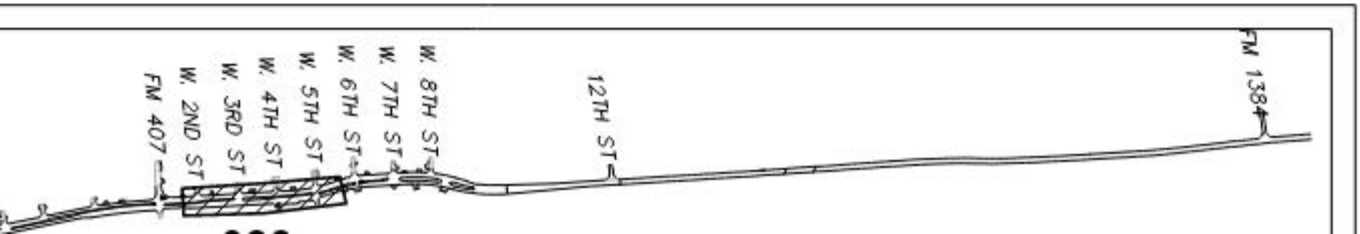
STA 517+00 – STA 531+00

FED. RD. DIV NO.	FEDERAL AID PROJECT NO.		SHEET NO.
0	XX–XXX–XXX		039
STATE	DISTRICT	COUNTY	
TEXAS	DAL	DENTON	
CONTROL	SECTION	JOB	HIGHWAY NO
0000	00	000	FM 156

FEBRUARY 2019

LAYING
2/7/2020 – 10:31 AM
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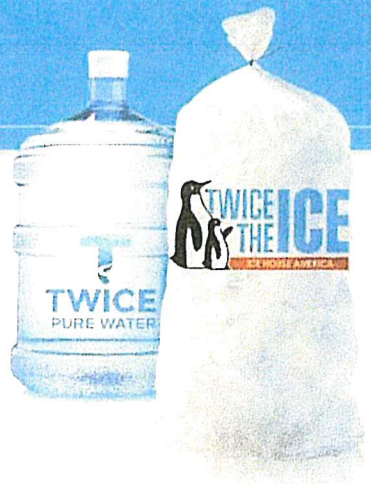
180
192
192
192
192
193

INTERIM REVIEW

THESE DOCUMENTS ARE INTENDED FOR INTERIM REVIEW ONLY AND NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.



3,500+ ICE VENDING MACHINES AROUND THE WORLD



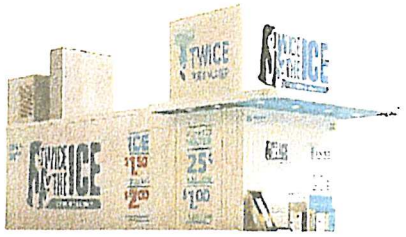
LARGEST CAPACITY HIGH VOLUME DESTINATION

The Ice House is our premier ice and water vending machine, offering the highest capacity production and storage of any of our three models. It is the nation's leading ice and water vending destination and features five patented technologies plus a filtration process that ensures the freshest, most hygienic ice and water product available. About the size of two parking spaces, the Ice House is the high capacity, high volume solution for your high traffic location, such as retail business centers, home improvement locations, recreational centers and convenience store locations.

TWICE PURE WATER

TWICE THE ICE ICE HOUSE AMERICA

ICE HOUSE



Our Story

In 2003, Ice House America revolutionized the ice industry by combining precision manufacturing, state of the art engineering and cutting-edge technology to provide premium ice direct to the consumer at a wholesale price. Since that time, we have grown to support over 3,500 machines worldwide with a new machine installed every 2-3 days. Our Vision is to be the most recognized consumer ice and bulk water brand in the world. To accomplish this Vision, we committed to innovating our models to evolve with the consumer marketplace.

Scalable Business Opportunity

The retail ice business is a $4 billion recession-proof industry. Ice vending is rapidly growing in this industry and is well-suited for entrepreneurs looking for bankable ROI with a low-cost operation and a simple to manage business model. Our independent ownership opportunity offers you the flexibility to operate one ice vending machine or scale your fleet of machines to capture a larger portion of this industry.

Innovative Leadership

Our machines represent over 90% of the ice vending business in the world. We maintain this level of market share by investing time and resources into continuously improving the reliability, quality and customer experience of our machines. However, don't just take our word. Come visit our manufacturing facility and see for yourself why our machines are the best in class.

Warranty

Ice House America models have a one-year warranty plus each major component has its own manufacturer warranty policy.

High Capacity Destination

The Ice House is the original ice vending machine concept we launched in 2003. With a 200 ft² footprint (2 parking spaces) and up to 13,000 lbs of ice production capacity, the Ice House is truly a manufacturing plant that can accommodate up to 50,000 customer visits annually. It is the ultimate destination model, that will attract customers not only by its curb appeal, but equally by the unique design of the machine.

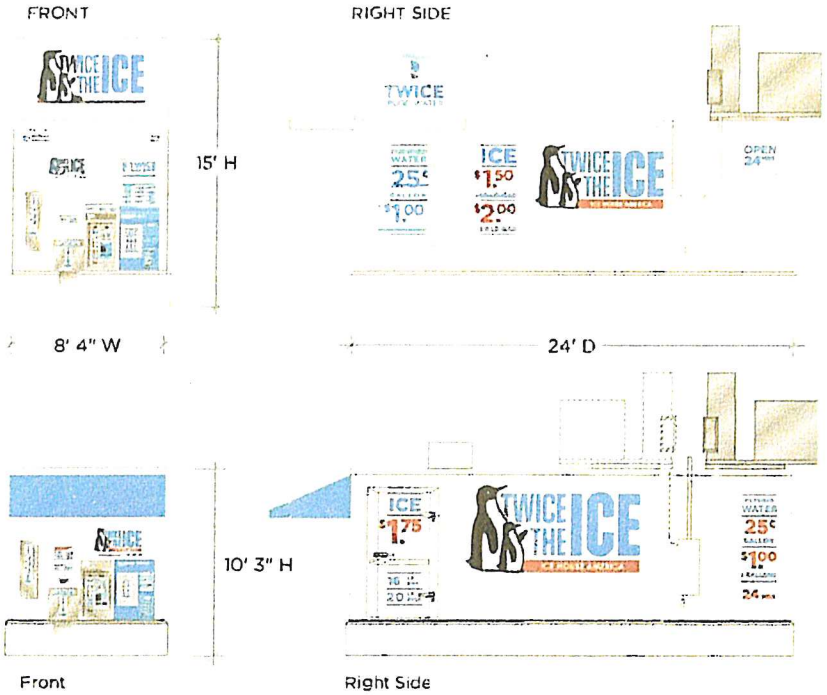
Water Vending by Twice Pure Water

Water vending is a sustainable and profitable business that continues to grow thanks to the increased awareness of water quality concerns throughout the world. Combining ice and water vending not only increases the profitability of the business, it attracts different consumers to increase the overall traffic flow to the location. Add to this the purified water quality from our Twice Pure Water™ and there is a great potential to own both the ice and water business in your market.

SmartIce™ Remote Management System

SmartIce™ Remote Management System, a web-based application, lets you manage all aspects of the vending machine – including location information, product sales, technical operations, and customer service. It offers real-time alert messages and current sales data. It lets you compare sales trends, benchmark locations and evaluate machine performance. Most importantly, SmartIce gives you the visibility to see what your machine is doing from the comfort of your home or anywhere you can connect to the internet.

Twice the Ice™ is an Ice House America Independent Owner Brand. Tel 888.391.8065 www.twicetheice.com sales@icehouseamerica.com



Technical Specifications

- Dimensions : 8' 4" W x 24' D x 15' H (2 parking spaces)
- Products
  - Bulk Ice
  - Bagged Ice: 10 lb, 16 lb, and 20 lb options
  - Purified or Filtered Water: 1, 3, and 5 gal options
- Ice Bin Capacity: 6,500 lbs
- Ice Production Capability: 4,500 - 13,000 lbs in 24 hours
- Healthwise™ Filtration System
- SmartIce™ Remote Management

Ice House with 5200SM Ice Maker

- Power Requirement: 77A @ 208- 240/60/3 (123A w/2nd Ice Maker)
- Power Consumption: 216 KWH per 4,500 lbs
- Water Consumption: 542 gal per 4,500 lbs
- Ice Production: up to 4,500 lb per 24 hrs (9,000 lbs w/2nd Ice Maker)

Ice House with 1000SM Ice Maker

- Power Requirement: 98A @ 208-240/60/3 (158A w/2nd Ice Maker)
- Power Consumption: 300 KWH per 6,500 lbs
- Water Consumption: 783 gal per 6,500 lbs
- Ice Production: up to 6,500 lbs per 24 hrs (13,000 lbs w/ 2nd Ice Maker)



From: Charlie Smither
To: Matthew Cyr
Subject: Maintenance
Date: Wednesday, April 13, 2022 3:54:31 PM

Maintenance Plan:

1) There is a person typically 4-5 days collecting funds
2) Responsible for picking up ALL trash including ice bags left behind
3) we mow at least twice monthly all grassy areas around the machine as well as maintain the landscape beds on a weekly basis
4) individual is responsible for keeping all debris within 40-50 feet of machine picked up at all times
5) Big Tex typically power washes building on a semiannual basis or as needed

Regards,

Charles Smither
Realtor/Auctioneer
Ready Real Estate LLC
Greenwood/Decatur, Texas
(940)-577-9629 cell
auctioneercharlie@yahoo.com
www.readyrealestate.com
Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY OF JUSTIN, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR AN ICE KIOSK USE IN A LIGHT INDUSTRIAL ZONING DISTRICT APPROXIMATELY 200 FEET NORTHEAST FROM THE INSTERSECTION OF FM 156 AND 5TH STREET STREET HAVING THE LEGAL DESCRIPTION A1127A ROBERTS, TR 10A(PT), DENTON COUNTY, TEXAS; PROVIDING AN INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE/REPEALER CLAUSE, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the landowners authorized the applicant (Twice the Ice) of property legally described as A1127A ROBERTS, TR 10A(PT), zoned as Light-Industrial, Justin, Denton County, TX, requested a Specific Use Permit for an Ice Kiosk; and

WHEREAS, the Planning and Zoning Commission of the City of Justin (the "Commission"), in compliance with the laws of the State of Texas, gave the requisite notices by publication and otherwise, and held public hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard; and

WHEREAS, having reviewed the request the Commission determined that the change of the proposed SUP was compatible with surrounding uses and the City's Future Land Use Plan and recommended approval of this Ordinance; and

WHEREAS, the City Council of the City of Justin, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, having held public hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard, and having considered the recommendation of the Planning and Zoning Commission, has determined that the proposed SUP for a Kiosk use in Light Industrial is approved and made a part of this ordinance.

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

Section 1. Incorporation of Premises. That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

Section 2. That the Zoning Ordinance of Justin, Texas, regulating property legally described as legally described as A1127A ROBERTS, TR 10A(PT), Justin, Denton County, Texas, is amended to establish a Specific Use Permit for Twice the Ice in Light Industrial Zoning as further described in the attached documents.

Section 3. Applicable Regulations/Zoning Ordinance and Zoning Map Amended. Development and use of the property shall follow this ordinance, including all Exhibits thereto as amended hereby, the Code of Ordinances of the City of Justin, Texas, and all applicable state and federal law.

Section 4. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of state or federal law and all ordinances of the City of Justin, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

Section 5. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portions of this ordinance, or the Comprehensive Zoning Ordinance, Chapter 52 of the City of Justin Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 6. Effective Date. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

_____
Elizabeth Woodall, Mayor

ATTEST:

_____
Brittany Andrews, City Secretary

Approved as to form:

_____
City Attorney

PLANNING & ZONING COMMISSION

REGULAR MEETING MINUTES
TUESDAY, APRIL 26, 2022

JUSTIN CITY HALL
415 NORTH COLLEGE STREET

Members Present:
John Tinsley, David Beck, Kyle Suits, Tom Cronberger

Staff Present:
Matt Cyr, Director of Planning and Development Services

CALL TO ORDER

Vice-Chair Suits called the meeting to order at 6:32 p.m. A quorum was determined by the roll call.

I. PUBLIC COMMENT:

No member of the public provided public comment. No public comment was submitted in writing.

II. PUBLIC HEARING:

1. A Public Hearing to consider a recommendation to City Council for a Specific Use Permit for Twice the Ice (Kiosk use) located approximately 200 feet northeast from the intersection of FM 156 and 5th Street, legally described as A1127A ROBERTS, TR 10A(PT), 0.44 ACRES addressed as FM 407/ HWY 156 (Denton County Parcel # 158751).

Staff provided an overview of the case.

The Commission held a discussion with the Applicant regarding the item.

Commissioner Cronberger made a motion to table the item to allow the Applicant to inquire about reconfiguring the building to a different location on the site, to revise the elevations, to provide documentation regarding the access agreement with Justin Seed, and to inquire about removing the structure. Commissioner Tinsley seconded the motion. The motion passed unanimously.

2. A Public Hearing to consider a recommendation to City Council to amend the existing Planned-Development (PD-GB) for Justin Self- Storage located approximately 100 feet west from the intersection of FM 156 and Hardeman Boulevard, legally described as A0207A F.B. BORDEN, TR 8G (PT), 2.725 ACRES addressed as 103 Hardeman Boulevard.

Staff provided an overview of the case.

The Commission held a discussion with the Applicant regarding the item.

Commissioner Beck made a motion to recommend approval of the item as presented (with the amendments). Commissioner Cronberger requested to amend the motion to revise the signage amendment prohibiting the Applicant from any detached monument signage and permitting wall signage. The motion to amend was seconded by Commissioner Tinsley. The motion passed unanimously.

3. A Public Hearing to consider a recommendation to City Council to amend Chapter 52 of the Code of Ordinances relating to accessory structures and definitions.

Staff provided an overview of the case.

The Commission held a discussion with Staff regarding the item.

Commissioner Cronberger made a motion to recommend approval with the condition to revise the Amusement Indoor definition as discussed. The motion passed unanimously.

III. CONSENT ITEMS:

4. Consider approval of the minutes for March 15, 2022.

A motion to approve the consent agenda was made by Commissioner Cronberger. The motion passed unanimously.

V. FUTURE AGENDA ITEMS:

5. Preserve Batch Plant and AFV Carwash Amendment

The Commission discussed the upcoming items on the Future Agenda with Staff.

VI. DISCUSSION ITEMS:

6. Discuss potential changes to the meeting format and Agenda Packet.

The Commission discussed the item with Staff.

VII. ACTION ITEMS:

7. Appoint a new Chairperson

The Commission voted to table the item until the next meeting.

VIII. ADJOURNMENT:

Vice Chair Suits adjourned the meeting at 8:25 p.m.