

JESSICA KUYKENDALL

Place 2

JAMES HOPPER

Place 3

RONALD LEWIS

Place 4

DREW WILSON

Place 1 - Chair



ALICIA ROSALES

Place 5

JIRA SANSOM

Place 6

TONY BOVINICH

Place 7 - Vice Chair

Planning & Zoning Commission

REGULAR MEETING

Thursday, January 27, 2022, 6:00 PM

Venus Civic Center

210 South Walnut Street

Venus, Texas 76084

Page

1. Call to Order, Roll Call, Invocation, Pledge of Allegiance

2. Public Comment Period

3. Consent Agenda

- 3.1. Consider and approve minutes for Special called P&Z meeting on December 15, 2021.

3 - 6

[12-15-2021-Special.pdf](#)

I make a motion to approve the consent agenda as presented.

4. Discussion & Consideration item

- 4.1. Discuss and consider a Final Plat for Colorado River Crossing Addition, consisting of three residential lots, one open space lot, and one private access easement lot being 14.100 acres out of the BBB&C RR Survey Abstract No. 92 and the William Hickman Survey, Abstract 92, generally located north of U.S. 67 and adjacent to County Road 615 (C.R. 615), in the City of Venus Extraterritorial Jurisdiction (ETJ).

7 - 12

[1A-Colorado River Crossing Final Plat.pdf](#) [1B Colorado-Block 6 Final Plat.pdf](#) [1C Response to City Comments 1-](#)

[12-2022.pdf](#)  [1D-Colorado River Crossing Aerial.pdf](#) 

I make a motion to approve/deny the Final Plat for Colorado River Crossing Addition subject to the conditions.

1- Eliminate the notch on the southwest corner adjacent to C.R. 615.

2- Include a note that states who owns and maintains lot 3X, Block 6.

3- Submittal of a Ground Water Certification by an engineer that meets the requirements of Section 212.0101 of the Texas Local Government Code.

5. Adjournment

In accordance with TEXAS GOVERNMENT CODE §551.001, et seq. the City of Venus Planning and Zoning Commission may recess into Executive Session (closed meeting) at any time during this meeting to discuss matters listed on the agenda or if any of the following matters should arise during the course of the meeting: §551.071 Consultation with Attorney; §551.072 Deliberation regarding Real Property, §551.074 Personnel Matters, §551.076 Deliberation regarding Security Devices, §551.087 Deliberation regarding Economic Development Negotiations.

This is to certify that a copy of this Notice of Meeting was posted on the bulletin board of City Hall, 700 W Hwy 67, Venus TX, at a place readily accessible to the general public at all times, and to the City's website, **www.cityofvenus.org**, not less than 72 hours prior to the meeting.

Callie Green,
City Secretary

If you plan to attend the public meeting and have a disability requiring accommodation, please make your request at least 48 hours in advance of the meeting, if possible. To make arrangements call (972) 366-3348 and leave a message if it is after hours. Thank you.



Special Called Planning & Zoning Commission Minutes

Wednesday, December 15, 2021 at 6:00 PM

Venus Civic Center

1. Call to Order, Roll Call, Invocation, Pledge of Allegiance

Chair, Drew Wilson called the meeting to order at 6:33 p.m., James Hopper gave the invocation, and all lead the Pledge of Allegiance.

Commissioners present: Drew Wilson, James Hopper, Ronald Lewis, Jira Sansom and Tony Bovinich.

Commissioners absent: Jessica Kuykendall and Alicia Rosales.

Staff present: Dave Gattis, Callie Green, Stacey Wyman and Andrew Simmons.

2. Consent Agenda

- 2.1. Consider and approve minutes for Special called P&Z meeting of November 18, 2021.

[Special Called Planning & Zoning Commission - Minutes - Pdf](#)



I make a motion to approve the consent agenda.

Moved by: Tony Bovinich

Seconded by: Jira Sansom

For: Unanimous. Motion carried 5-0-0.

3. Public Comment Period

Chris Sullivan- 729 CO RD 213- opposed to zoning. Will speak during public hearing portion.

4. Items for Public Hearing and Consideration

- 4.1. Conduct Public Hearing to consider a zoning change for Lots 2 and 2A, Block 3, Truelove Addition, generally located west of Walnut Street between 5th and 6th Streets (commonly known as 501 and 503 S. Walnut Street) from R-1 Single Family Residential to R-1S Single Family Small Lot Residential.

[1A-Truelove Zoning.pdf](#)  [1B-500 Block site plan.pdf](#)  [1C-Truelove Block 3 aerial.pdf](#) 

Open Public Hearing: 6:41 p.m.

- 1- David Bell- 602 Walnut- Opposed to zoning change.
- 2- Phyllis Lewis- 101 S. Locust- Opposed to zoning change.
- 3- Jeannie Prazak- 601 W. 5th – In favor of zoning change.
- 4- Benji Allen- 230 Dubose Way- In favor of zoning change.
- 5- James Burgess- 501 S. Locust- Opposed to zoning change.
- 6- Joe Russell- 10 Bulldog Dr.- Opposed to zoning change.

Close Public Hearing: 7:02 p.m.

- 4.2. Discuss and consider a zoning change for Lots 2 and 2A, Block 3, Truelove Addition, generally located west of Walnut Street between 5th and 6th Streets (commonly known as 501 and 503 S. Walnut Street) from R-1 Single Family Residential to R-1S Single Family Small Lot Residential.

I make a motion to deny the Ordinance rezoning Lots 2 and 2A, Block 3, Truelove Addition from R-1-Single Family Residential to R-1S Single Family Small Lot Residential District.

Moved by: Tony Bovinich

Seconded by: Ronald Lewis

For: Unanimous. Motion carried 5-0-0.

- 4.3. Conduct Public Hearing to consider a zoning change for Lot 9, Plainview Phase 3 Addition, generally located north of County Road 109 and east of County Road 213 (commonly known as 940 W CR 109) from R-1L Single Family Large Lot Residential

to R-1 Single Family Residential or R-1S Single Family Small Lot Residential.

[2A-Plainview Acres Zoning.pdf](#)  [2B-Plainview Lot 8 aerial.pdf](#) 

Open Public Hearing: 7:27 p.m.

- 1- Chris Sullivan- 729 Co. Rd. 213- Opposed to zoning change.
- 2- Phyllis Lewis- 101 S. Locust- Opposed to zoning change.
- 3- Jeannie Prazak- 601 W. 5th- In favor of zoning change.
- 4- James Burgess- 501 S. Locust- not in favor either way just wants to be consistent.
- 5- Benji Allen- 230 Dubose Way- In favor of zoning change.

Close Public hearing: 7:38 p.m.

- 4.4. Discuss and consider a zoning change for Lot 9, Plainview Phase 3 Addition, generally located north of County Road 109 and east of County Road 213 (commonly known as 940 W CR 109) from R-1L Single Family Large Lot Residential to R-1 Single Family Residential or R-1S Single Family Small Lot Residential.

I make a motion to approve Ordinance rezoning Lot 8, Plainview Acres Phase 3 from R-1L Single Family Large Lot Residential to R-1-PD Single Family Residential Planned Development District, subject to a one-acre minimum lot size.

Moved by: James Hopper

Seconded by: Jira Sansom

For: Unanimous. Motion carried 5-0-0.

5. Adjournment

Chair, Drew Wilson adjourned the meeting at 7:48 p.m.

Chair

City Secretary

Draft



*Case Report – Colorado River Crossing Addition – Final Plat
Block 6.
Planning and Zoning Commission – January 27, 2022
City Council - February 14, 2022*

To: Planning and Zoning Commission
Mayor and City Council

From: Oscar Ortiz, CNU-A

Request: Consider a Final Plat for Colorado River Crossing Addition, consisting of three residential lots, one open space lot, and one private access easement lot being 14.100 acres out of the BBB&C RR Survey Abstract No. 92 and the William Hickman Survey, Abstract 92, generally located north of U.S. 67 and adjacent to County Road 615 (C.R. 615), in the City of Venus Extraterritorial Jurisdiction (ETJ)

Owners: E and R Midlothian Properties, LLC Alvarado, TX

Developer: Colorado River Components, LP, Alvarado, TX

Engineer/
Surveyor: Di Sciullo-Terry, Stanton & Associates, Inc., Arlington, TX

Location: Generally located north of U.S. 67 and adjacent to County Road 615

Zoning: The property is in the extraterritorial jurisdiction so zoning regulations do not apply. The developer's intent is that the property remains in the ETJ.

Current Use: Vacant

Analysis: This is the final plat for block 6 consisting of 14.100 acres out of 284.395 acres and creates three residential lots, one open space lot, which includes the electric transmission line, and one private access easement lot. Each residential lot exceeds two acres, the minimum necessary to meet County requirements for private water wells and septic tanks.

The subject property is adjacent on three sides to C.R. 615. All the lots have access on existing C.R. 615, and the County has agreed to be responsible for improvements and maintenance. The applicant is dedicating additional right-of-way for the existing county roads, though some of the ultimate right-of-way will be the responsibility of adjacent property owners. Johnson County does not maintain sidewalks.

Lots on block 6 are large enough to infiltrate run-off on site, a proposed swale along lot 3X, and bar ditch along C.R. 615. In addition, the area is not located on a FEMA designated flood plain.

Water and wastewater will be handled by on-site water wells and septic systems, permitted by Johnson County. Prairieland Ground Water Conservation District recommended the completion of a Ground Water Certification Report.

The Planning and Zoning Commission and City Council shall use the following criteria and determine if it is adequate to serve the development and meet the city's adopted master plans for those facilities: roads, water, wastewater, storm drainage, park facilities, open spaces, easements

and rights-of-way. Further, the Council has authority to approve this plat subject to conformance with the regulations of the Subdivision Ordinance. Planning and Zoning Commission and City Council may take the following action regarding this plat:

- a. Approve the Plat as presented;
- b. Approve with conditions; or
- c. Deny the Plat

Any added conditions or a motion to deny must include specific references to the Subdivision or other ordinances that are not met by the plat.

Staff

Recommendation:

Staff recommends that the Planning and Zoning Commission recommends approval with conditions on the Final Plat for Colorado River Crossing Addition, subject to the following:

- 1) Eliminate the notch on the southwest corner adjacent to C.R. 615.
- 2) Include a note that states who owns and maintains lot 3X, block 6.
- 3) Submittal of a Ground Water Certification by an engineer that meets the requirements of Section 212.0101 of the Texas Local Government Code.

Sample

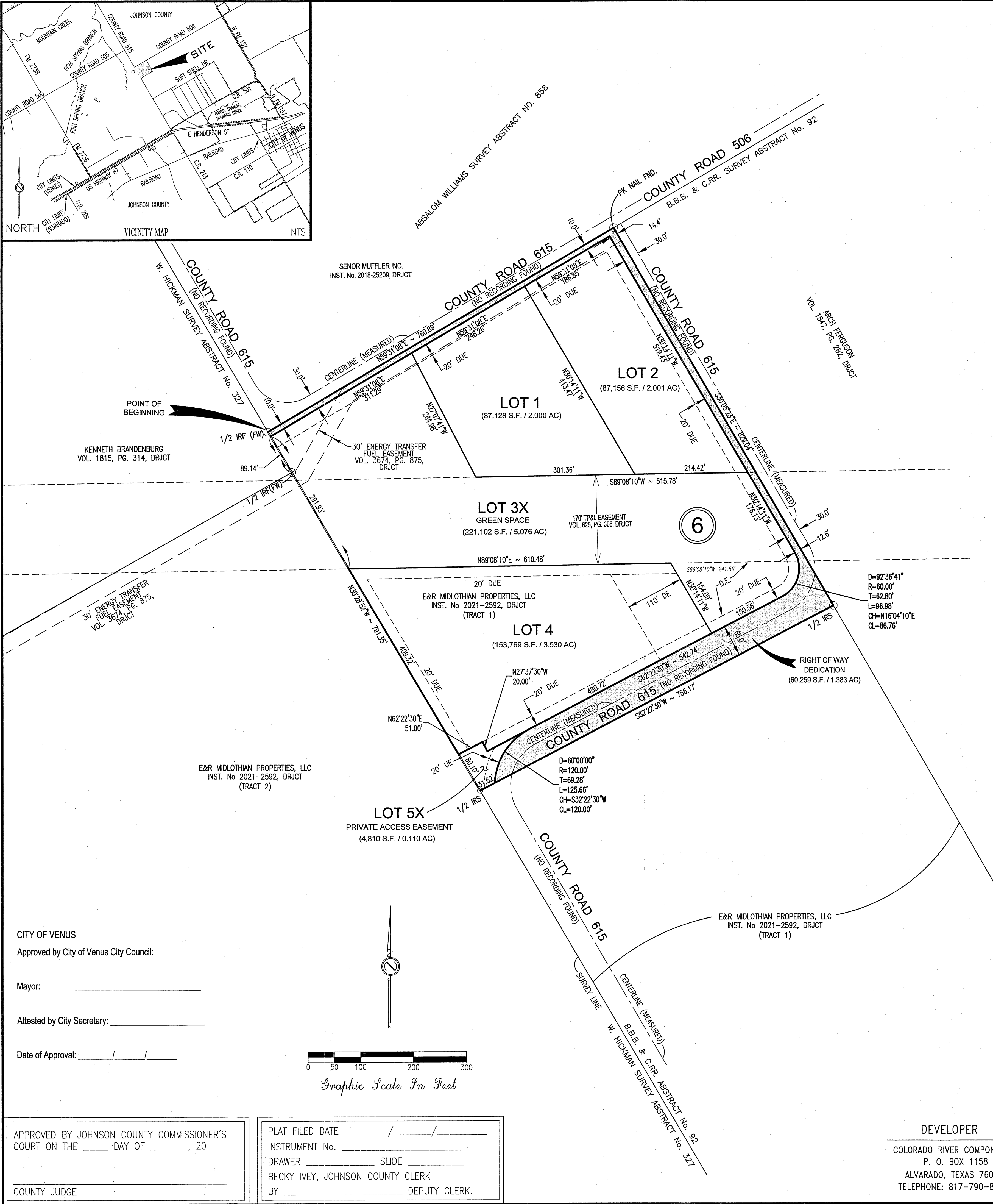
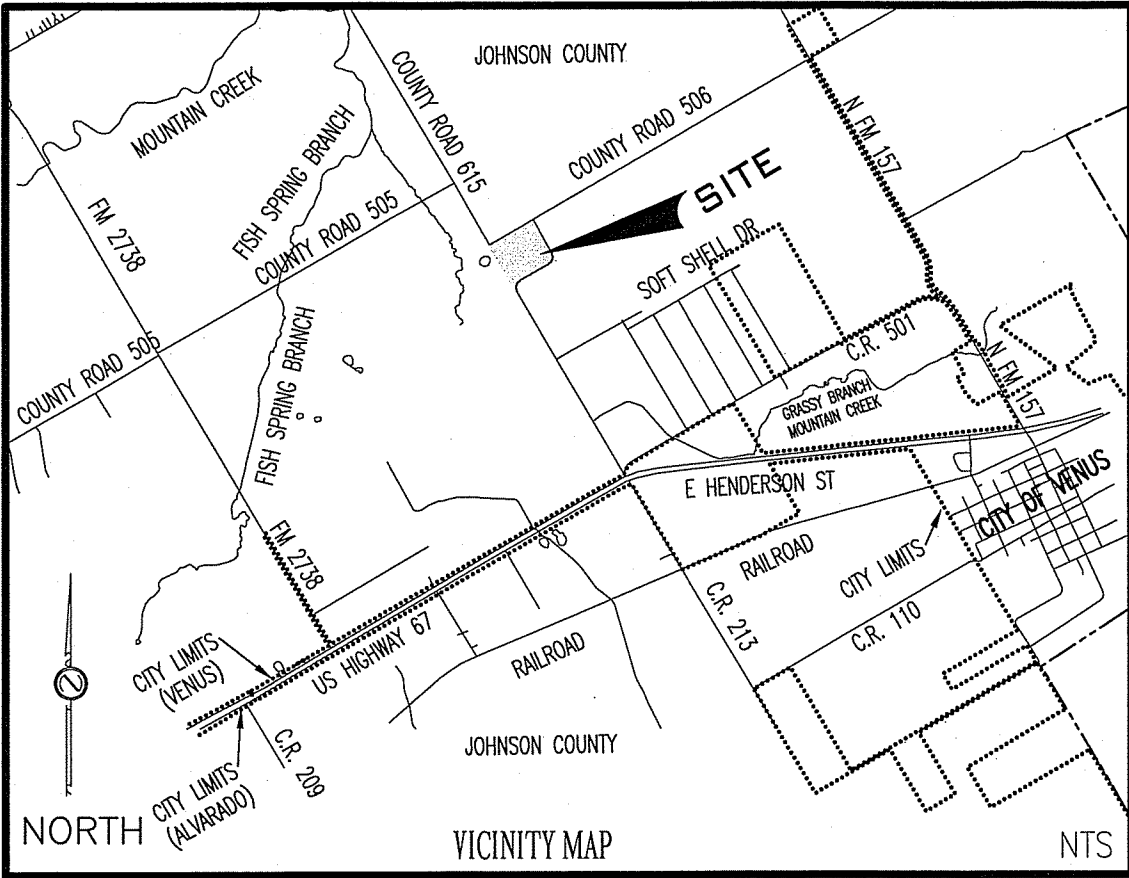
Motion:

I move to approve/deny the Final Plat for Colorado River Crossing Addition subject to the conditions:

- 1) Eliminate the notch on the southwest corner adjacent to C.R. 615.
- 2) Include a note that states who owns and maintains lot 3X, block 6.
- 3) Submittal of a Ground Water Certification by an engineer that meets the requirements of Section 212.0101 of the Texas Local Government Code.

Attachments:

Final Plat
Applicant's response to comments on 01/19/2022.
Aerial Photo



CITY OF VENUS
Approved by City of Venus City Council:

Mayor: _____

Attested by City Secretary: _____

Date of Approval: ____/____/____

APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE ____ DAY OF ____, 20____	PLAT FILED DATE ____/____/____
COUNTY JUDGE _____	INSTRUMENT No. _____
	DRAWER _____ SLIDE _____
	BECKY IVEY, JOHNSON COUNTY CLERK
	BY _____ DEPUTY CLERK.

DEVELOPER
COLORADO RIVER COMPONENTS
P. O. BOX 1158
ALVARADO, TEXAS 76009
TELEPHONE: 817-790-8612

OWNER
E and R MIDLOTHIAN PROPERTIES, LLC
P.O. BOX 1158
ALVARADO TEXAS 76009
TELEPHONE: 817-790-8612
EMAIL: earthecona@crc-co.com & rartecona@crc-co.com

OWNER'S CERTIFICATE

§ STATE OF TEXAS
§ COUNTY OF JOHNSON

WHEREAS, E & R MIDLOTHIAN PROPERTIES, LLC, acting by and through the undersigned, its duly authorized agent is the sole owner of a portion of Tract 1 out of a tract of land situated in the B.B.B. & C. RR. SURVEY, ABSTRACT NUMBER 92, of Johnson County Texas, as recorded in Instrument Number 2021-2592, Deed Records of Johnson County, Texas (DRJCT), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with yellow cap stamped Fort Worth Surveying found at the southwest corner of an "L" in the right of way line of County Road 615, from which a 1/2" iron rod with yellow cap stamped Fort Worth Surveying found at the southeast corner of a tract of land conveyed to Keith Brandenburg as recorded in Volume 1815, Page 314, DRJCT, bears South 30°28'52" East, a distance of 89.14 feet, for corner;

THENCE North 59°31'08" East, a distance of 780.89 feet, to a PK nail found in asphalt road, for corner;

THENCE South 30°05'23" East, a distance of 829.04 feet, to a 1/2" iron rod set with a plastic cap stamped "DTS 8172753361", for corner;

THENCE South 62°22'30" West, a distance of 756.17 feet to a 1/2" iron rod set with a plastic cap stamped "DTS 8172753361", said iron rod in the west line of subject tract also being the east line of Tract 2, as described in Instrument Number 2021-2592, DRJCT, for corner;

THENCE North 30°28'52" West, at a distance of 702.21 feet, passing through a 1/2 inch iron rod found, in all a distance of 791.35 feet, to the POINT OF BEGINNING, having an area of 614,224 Square Feet and 14.100 acres of land, more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That, Edgar Artecona and Robin Artecona, being the authorized agents for E & R MIDLOTHIAN PROPERTIES, LLC, and being sole owners of the above-described parcel, do hereby adopt the herein above-described property as Lots 1, 2, 3X, 4 and 5X, Block 6, COLORADO RIVER CROSSING ADDITION, an addition to Johnson County, Texas, and does hereby dedicate to the public's use the streets and easements shown thereon.

Edgar Artecona

Robin Artecona

§ STATE OF TEXAS
§ COUNTY OF JOHNSON

BEFORE ME, the undersigned authority, on this day personally appeared Edgar Artecona, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this ____ day of ____, 2022.

Notary Public, for the State of Texas

§ STATE OF TEXAS
§ COUNTY OF JOHNSON

BEFORE ME, the undersigned authority, on this day personally appeared Robin Artecona, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this ____ day of ____, 2022.

Notary Public, for the State of Texas

SURVEYOR'S CERTIFICATE

THIS is to certify that I, Joyce P. Stanton, a Registered Professional Land Surveyor, in the State of Texas, have plated the above subdivision from an actual survey on the ground, and that this plat accurately represents that survey made by me or under my direction and supervision.

PRELIMINARY! NOT TO BE FILED FOR ANY REASON!
RELEASED FOR REVIEW ONLY ON 1-18-2021

Joyce P. Stanton
Registered Professional Land Surveyor
Texas Registration No. 6173

- JOHNSON COUNTY NOTES:
- Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the floodway is prohibited.
 - The existing creeks or drainage channels traversing along or across this addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to drainage courses along or across said lots.
 - Johnson County will not be responsible for the maintenance and operations of said drainage ways or for the control of erosion.
 - Johnson County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.
 - On-site sewage facility performance cannot be guaranteed even though all provisions of the Rules of Johnson County, Texas for Private Sewage Facilities are complied with.
 - Inspection and/or acceptance of a private sewage facility by the Johnson County Public Works Department shall indicate only that the facility meets minimum requirements and does not relieve the owner of the property from complying with County, State and Federal regulations. Private sewage facilities, although approved as meeting minimum standards, must be upgraded by the owner at the owner's expense if normal operation of the facility results in objectionable odors, if unsanitary conditions are created, or if the facility when used does not comply with governmental regulations.
 - A properly designed and constructed private sewage facility system, in suitable soil, can malfunction if the amount of water it is required to dispose of is not controlled. It will be the responsibility of the lot owner to maintain and operate the private sewage facility in a satisfactory manner.
 - Any public utility, including Johnson County, shall have the right to move and keep moved all or part of any buildings, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction or maintenance, or efficacy of its respective systems in any of the easements shown on the plat; and any public utility, including Johnson County, shall have the right at all times of ingress and egress to and from said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.
 - No fences, structures, or onsite sewage facilities shall be placed within any designated road access easement or ingress & egress easement which provides access to adjacent properties.
 - All buildings or structures shall be constructed such that all ground level, exterior sides of the building are within 150 feet of a dedicated street or fire lane. If the 150 feet cannot be reached from a public street, a fire lane capable of supporting 75,000 lbs shall be required on site at time of construction.
 - A minimum of 1 acre per residential structure is required for on-site sewage facilities (septic systems). If more than one structure is proposed for construction on a lot in the future, re-platting may be required.
 - A minimum of 2 acres per residential structure is required if the structure is to be served by a well drilled on the lot and on-site sewage facilities (septic systems).
 - All building setbacks are subject to current Johnson County development regulations.
 - The right of way dedication for County Road 615 is granted in fee simple to Johnson County for use as storm water, public utility, pedestrian, or other public purposes.

SURVEYOR NOTES:

1. Lot 5X is a private access easement to serve Lot 4, Block 6 and E&R Midlothian Properties, LLC tract described as tract 2 in Inst. No. 2021-2592, DRJCT

LEGEND

IRF IRON ROD FOUND
CRF CAPPED IRON ROD FOUND
IPF IRON PIPE FOUND
IRS 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "DTS 8172753361"

PRCT PLAT RECORDS OF JOHNSON COUNTY, TEXAS
DRJCT DEED RECORDS OF JOHNSON COUNTY, TEXAS
DE DRAINAGE EASEMENT BY THIS PLAT
DUE DRAINAGE & UTILITY EASEMENT BY THIS PLAT

FINAL PLAT
LOTS 1, 2, 3X, 4 AND 5X, BLOCK 6
COLORADO RIVER CROSSING ADDITION
JOHNSON COUNTY, TEXAS
DATE: DECEMBER 2021 SCALE: 1"=100' FILE: P:/COLORADO RIVER CROSSING
DI SCIULLO-TERRY, STANTON & ASSOCIATES, INC.
ENGINEERING AND SURVEYING
908 WEST MAIN STREET * ARLINGTON, TEXAS 76013
TELEPHONE: 817-275-3361
ESTABLISHED 1953 * FIRM No. E-615 & S-100049-00
EMAIL: jstanton@dterry.com
©DISCIULLO-TERRY, STANTON & ASSOCIATES, INC. 2022

FP-1025



January 19, 2022

Mr. Oscar Ortiz
City Planner
City of Venus

RE: Final Plat for Block 6
Colorado River Crossing Addition

Dear Mr. Ortiz;

Mr. Gattis provided us with review comments via an email on January 12, 2022. Our response is in bold font below.

1. The final plat generally conforms to the approved Preliminary Plat. **Informational.**
2. The plat indicates a 5-foot dedication of road right-of-way along CR 615 on the northwest side. Please indicate the centerline of the road in this location or otherwise explain the adequacy of the 5-foot dedication (i.e. 30 feet from the centerline). **We were not able to find the recording information for County Road 615 right of way dedication, however the measured centerline of the existing roadway is shown. The right of way dedication was increased to 10 feet to allow 30 feet from the roadway centerline to the property line.**
3. There is a 20-foot by 51-foot notch of additional right-of-way along the southwest corner of the property. Why? **The owner, E&R Midlothian Properties, LLC requested the notch for additional access and options for future development of the tract to remain undeveloped at this time. This allows more room to maneuver for any vehicles entering and exiting his existing gate at this location. The additional right of way was removed and changed to a private access easement.**
4. Lot 3X is shown as "Green Space", yet there appears to be buildable area adjacent to CR 615 to the north. Is it your intent that the entire lot is to be open space, and if so, who will own and maintain it. If you intend to allow a home to be constructed on this lot, it should be shown simply as Lot 3. **It is the intent of the owner that all of the proposed Lot 3X be retained as "Open Space". The current property owner desires to retain this area. While on paper, it appears to be developable, it is in a low area that is negatively impacted by the culverts that drain to that area. After the site is built up for drainage, and proper distance is maintained between the County Road right of way, and the overhead electric lines, the area was not as desirable for development**

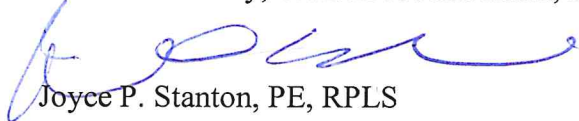
Mr. Oscar Ortiz
City Planner
City of Venus
Colorado River Crossing Addition
Final Plat Response

as the owner desired. The owner decided he would rather retain ownership and use it as "Green Space".

5. Please add a signature block for City Approval with a place for the Mayor and City Secretary to approve. **Complied.**
6. Please add a signature approval block for Johnson County approval and recording information. **Complied.**
7. Please verify with Johnson County Development that the third to last Johnson County Note is accurate. It is our understanding that a septic tank and private water well requires a minimum of two acres. **You are correct. As the note states, if they have onsite septic, one-acre minimum is required. If the lot needs onsite water and septic a two-acre minimum is required. I have added a note to resolve any confusion.**
8. Please provide a groundwater certification that meets the requirements of Section 212.015, or otherwise satisfies the requirements of the Prairielands Groundwater Conservation District. **We have hired an engineer to complete the certification and he expects to have it in 14 days. The remaining comments are addressed, and we request to remain on the January 27th Planning and Zoning Agenda while we await the Groundwater Certification.**

Three copies of the revised Final Plat are attached. We look forward to seeing you on January 27th at the Planning and Zoning meeting. If you have any questions, please let me know.

Di Sciullo- Terry, Stanton & Associates, Inc.



Joyce P. Stanton, PE, RPLS

Attachments: 10 copies of revised plat.

Colorado River Crossing Block 6



1/21/2022, 12:27:02 PM

- Parcels
- Road Centerlines
- County Road
- Driveway
- County Boundary

