

John Mounce, Mayor Pro Tem
Tomas Mendoza, Councilmember
Chrissa Hartle, Councilmember



James Clark, Councilmember
Jim Tate, Councilmember

Elizabeth Woodall, Mayor

**CITY OF JUSTIN
CITY COUNCIL AGENDA
TUESDAY, JUNE 14, 2022
415 N. COLLEGE AVE.
6:00 P.M.**

CALL TO ORDER

Convene into Session:
Invocation and Pledge of Allegiance
American Flag

Texas Flag: *“Honor the Texas Flag; I pledge allegiance to thee, Texas, one state, under God, one and indivisible”*

BUSINESS INTRODUCTION

❖ **Country Abbey**

WORKSHOP SESSION

1. Discuss proposed agreement with the Trinity River Authority for provision of wastewater treatment service to the City of Justin.
2. Discuss Justin Town Square regulating framework.
3. Discuss regular session agenda items.

CONVENE INTO REGULAR SESSION- Immediately Following Workshop Session

PUBLIC COMMENT

In order to expedite the flow of business and to provide all citizens the opportunity to speak, the mayor may impose a three-minute limitation on any person addressing the Council. The Texas Open Meetings Act prohibits the City Council from discussing issues, which the public have not been given a seventy-two (72) hour notice. Issues raised may be referred to City staff for research and/or placed on a future agenda.

PUBLIC HEARING ITEMS

4. **PUBLIC HEARING:** Conduct a public hearing to consider a Specific Use Permit for a Temporary Batch Plant legally described as A0419A W.A. FERRIS, TR1, 27.25 ACRES, OLD DCAD TR 4 (Property ID 68212) and A0285A WM CABLE, TR 1(P), 80.5650 ACRES (Property ID 68118) located south of FM 407.
 - a. Open public hearing
 - b. Close public hearing
 - c. Consider and take appropriate action
5. **PUBLIC HEARING:** Conduct a public hearing to consider a Specific Use Permit for Twice the Ice (Kiosk use) legally described as A1127A ROBERTS, TR 10A(P), 0.542 ACRES addressed as FM 407/ HWY 156 (Denton County Parcel # 158751) located south of FM 407.
 - a. Open public hearing
 - b. Close public hearing
 - c. Consider and take appropriate action
6. **PUBLIC HEARING:** Conduct a public hearing to consider amending Chapter 52 of the Code of Ordinances relating to accessory structures and definitions.
 - a. Open public hearing
 - b. Close public hearing
 - c. Consider and take appropriate action

POSSIBLE ACTION ITEMS

7. Consider and take appropriate action approving Resolution 583-22 in support of FM 1171.
8. Consider and take appropriate action amending the City Council social media Policy.
9. Consider and take appropriate action on the appointment of a Comprehensive Plan Advisory Committee.

CONSENT

Any Council Member may request an item on the Consent Agenda to be taken up for individual consideration

10. Consider and take appropriate action approving City Council meeting minutes dated May 16, 2022 and May 24, 2022.

EXECUTIVE SESSION

Any item on this posted agenda could be discussed in Executive Session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and Section 551.087 of the Texas Government Code.

- Under Section 551.071, to conduct private consultation with the City Attorney regarding:
 - Oliver Creek Ranch MUD
 - Justin Crossing Development Agreement
 - Range Road Development Agreement
 - Range Property Development Agreement

Convene into executive session.

Adjourn into open meeting.

11. Discuss, consider, and act on items discussed in Executive Session.

FUTURE AGENDA ITEMS

ADJOURN

I, the undersigned authority, do hereby certify that the above notice of the meeting of the City Council 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, and said notice posted this 9th day of June, 2022 by 5:00 p.m., at least 72 hours preceding the scheduled meeting time.

Brittany Andrews

Brittany Andrews, City Secretary

City Council Meeting

June 14, 2022

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #1

Title: Discuss proposed agreement with the Trinity River Authority for provision of wastewater treatment to the City of Justin

Department: Administration

Contact: City Manager, Chuck Ewings

Recommendation: N/A

The Trinity River Authority provides regional sanitary sewer treatment to several cities in the area at their plant located on Denton Creek and U.S. Hwy 377. We have received preliminary costs and are developing estimates for the extension of a line to the plant if the city were to enter in to an agreement for service. We anticipate this costing significantly less than expanding the city's existing treatment plant and eliminate the long term costs of maintaining a plant.

Staff will present estimates for council discussion and direction.

City Attorney Review: N/A

City Council Meeting

June 14, 2022

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #2

Title: Discuss Justin Town Square Regulating Framework

Department: Administration

Contact: Director of Planning and Development, Matt Cyr

Staff Recommendation: Discuss accordingly.

Background: Staff has been working with Catalyst to draft up regulating framework for Council to be briefed on. The next steps will be to bring forward a formal zoning request for the entire Justin Town Square development and to provide an official amendment to reflect the requisite zoning standards. These items are tentatively scheduled for July.

City Attorney Review: N/A

Justin Town Square Zoning District Framework

DRAFT June 14, 2022

Component Sub-District	Highway Commercial	General Mixed-Use	Civic Mixed-Use
BUILDING AND SITE STANDARDS			
Purpose & Intent	<ul style="list-style-type: none"> The Highway Commercial Sub-District includes the area with direct frontage along FM 156. This district may contain commercial uses with a focus on design standards to create a more attractive gateway into Justin. The design standards will emphasize aesthetic treatments along the FM 156 frontage. 	<ul style="list-style-type: none"> The General Mixed Use Sub-District focuses on transforming internal driveways with a emphasis on walkable streets with buildings that line these internal streets and associated parking either provided on-street or behind the primary buildings. Development would generally support a walkable mixed-use context along key blocks with a wide mix of retail, office, and entertainment uses. 	<ul style="list-style-type: none"> The Civic Mixed Use Sub-District focuses on the creation of a mixed-use area that is anchored primarily by civic/public uses such as City Hall, fire station, police services and open spaces such as a central green or plaza, and the portion of Bishop Park south of Trail Creek. Development standards within this Sub-District address the transformation of large undeveloped into smaller pedestrian-friendly blocks for a range of public uses and complementary amenities. Development standards would be more flexible in this Sub-District due to the widely varying needs of different public facilities.
<ul style="list-style-type: none"> General Location Criteria, as shown on the regulating plan. 	<ul style="list-style-type: none"> Closest sub-district to FM 156 	<ul style="list-style-type: none"> Generally South and west of the Town Square District 	<ul style="list-style-type: none"> Generally north and west of the Town Center District
Permitted Uses	<ul style="list-style-type: none"> Commercial (office, retail, restaurant) on any floor Commercial frontage (ground floor built to commercial standards) along FM 156 frontage Drive-thrus require an SUP 	<ul style="list-style-type: none"> Commercial (office, retail, restaurant) on any floor Commercial frontage (ground floor built to commercial standards) designated Type A frontages Personal service uses (spa, nail salon, day-care, doctor's offices, etc.) Hotel/Lodging requires SUP Senior living 	<ul style="list-style-type: none"> Public and civic uses including conference center Open space and parks Commercial (office, retail, restaurant) on any floor Personal service uses (spa, nail salon, day-care, doctor's offices, etc.) See attached allowed uses by right (highlighted).
Building Heights	<ul style="list-style-type: none"> 2 stories (max.) (30' max.) 	<ul style="list-style-type: none"> 3 stories (max.) (45' max.) 	<ul style="list-style-type: none"> 5 stories (max.) (75' max.)

Component Sub-District	Highway Commercial	General Mixed-Use	Civic Mixed-Use
Site Development standards	<ul style="list-style-type: none"> Min. setbacks along FM 156 (25') Max set back 75' 5' min. setbacks along all internal streets or drives and internal property lines 	<ul style="list-style-type: none"> Min. and max. setbacks along Type A frontages (5' – 15') 5' along all other frontages and side/rear property lines 	<ul style="list-style-type: none"> Setbacks shall be flexible for all civic and public uses Min. and max. setbacks along Type A frontages (5' – 15') for all other uses
Building Design Standards	<ul style="list-style-type: none"> Require (30%) min. percentage of doors and windows along street facing facades Façade articulation of buildings longer than 60' Establish some flexibility in how articulation and building design is achieved through changes in building materials, changes in building plane, roof lines, etc. 	<ul style="list-style-type: none"> Require min. percentage of doors and windows along Ground Floor Type A facades (30%) and upper floor Type A facades (15%) Façade articulation of buildings longer than 60' Establish some flexibility in how articulation and building design is achieved through changes in building materials, changes in building plane, roof lines, etc. Allow building encroachments such as canopies, awnings, galleries, etc., over the sidewalk 	
BLOCK AND LOT STANDARDS			
Minimum building frontages (Type A)	<ul style="list-style-type: none"> NA 	<ul style="list-style-type: none"> 70% (up to 15% variance approved by Staff) 	
All other frontages	<ul style="list-style-type: none"> None Required 	<ul style="list-style-type: none"> None Required 	
Lot Coverage	<ul style="list-style-type: none"> Max 50% lot coverage 	<ul style="list-style-type: none"> 80% max 	
Lot Area, Width and Depth	<ul style="list-style-type: none"> No minimum 	<ul style="list-style-type: none"> No minimum 	
Signage	<ul style="list-style-type: none"> Refer to City of Justin standards. Building signs Special signs for drive-through and directional signs 	<ul style="list-style-type: none"> Blade signs Awning and canopy signs Building signs Directional signage/wayfinding sign standards 	
STREETSCAPE STANDARDS ALONG PUBLIC/PRIVATE RIGHTS-OF-WAY			
Planting Strip	<ul style="list-style-type: none"> Min 6' required tree well or planting strip from back of curb 	<ul style="list-style-type: none"> Min 6' required tree well or planting strip 	

Component Sub-District	Highway Commercial	General Mixed-Use	Civic Mixed-Use
Landscaping and Lighting	<ul style="list-style-type: none"> • Special Treatment along FM 156 <ul style="list-style-type: none"> ○ 12' landscaped buffer with canopy trees every 30' on center ○ 6' wide sidewalk or multi-use trail (depending on City or TxDOT requirements) ○ Additional requirement for perimeter screening (shrubs or low wall) for any surface parking along FM 156 ○ Parking lot landscaping and lighting required. Submit for staff approval during site plan process. 	<ul style="list-style-type: none"> • Minimum 10' buffer along adjoining properties to the west and south. A masonry screening wall is required along the west and south. • Parking lot landscaping and lighting required as part of site plan process. • Landscaping in city owned public /open spaces (will be flexible and developed in conjunction with city staff/consultants that will develop the plan for the central square or other open spaces) 	
Sidewalks and pedestrian amenities	<ul style="list-style-type: none"> • Type B Frontages <ul style="list-style-type: none"> ○ Min. 6' wide sidewalk ○ Canopy trees every 30' on center ○ No more than two rows of parking along Primary Street. ○ Screening of surface parking with 3' high shrubs or knee wall ○ Lighting (ped and auto scale) 	<ul style="list-style-type: none"> • Type A Frontages <ul style="list-style-type: none"> ○ Min. 10' wide sidewalk ○ Street trees 30' on center (in tree wells or tree grates) ○ Benches, trash receptacles, etc. required ○ Pedestrian scale lighting required ○ Intersection/Crosswalk specialty paving required • Min. 10' Trail connection to the south, west, and through Bishop Park 	

Component Sub-District	Highway Commercial	General Mixed-Use	Civic Mixed-Use
Off-Street Parking Strategy	<ul style="list-style-type: none">Allow 10% parking reduction for shared parking among all uses in the Town Square District	<ul style="list-style-type: none">Establish a blended parking ratio to allow for uses to transition between different commercial uses without triggering additional parking requirementsEstablish a shared parking agreement amongst all uses in the Town Square DistrictOn-street Parking permitted on internal Town Square streetsThe number of off-street parking spaces provided shall be as set forth within the Zoning Ordinance. Upon applicant's request, the City Manager, or his designee, Administrator may approve alternative standards for the quantity of required off-street parking up to a reduction of 20% of required parking for a use (both automobile and bicycle parking) based on an analysis of the parking demand and a transportation management study for the mix of uses proposed and availability of on-street parking in Site Plan at the time of Site Plan applicationAllow golf cart parking	
PARKING AND SCREENING STANDARDS			
Screening - Trash/ recycling receptacles	<ul style="list-style-type: none">Required	Required for non-residential uses	
Loading spaces	<ul style="list-style-type: none">Current City standards apply		
Surface parking areas	<ul style="list-style-type: none">Permitted. 3' high screening required along all internal streets and FM 156		
Between this PD and residential uses	<ul style="list-style-type: none">Screening required on the perimeter of the Town Square District. Screening shall be of opaque material, stone or masonry, and minimum 6 feet in height.		
INTERNAL STREET & DRIVEWAY STANDARDS			
Driveways	<ul style="list-style-type: none">On FM 156, TXDOT Standards applyOn all internal streets, driveways shall be from Type B Street frontages. Driveways along Type A shall only be permitted if the lot has no access (directly or indirectly) to a Type B Street.Cross Access easements shall be required for all properties with the Town Square and adjacent properties, where possible.		
Street Design	<ul style="list-style-type: none">See Cross sections shall be established for the different internal street types (internal Type A Streets and Type B Streets and the street cross section next to the central square or plaza, alleys/driveways, pedestrian passages, etc.)		
OPEN SPACE STANDARDS			
Open Space Metrics	<ul style="list-style-type: none">Min. percentageShall establish a palette of open spaces types permitted (squares, plazas, pedestrian passages, parks, playgrounds, greens, etc.) (including amenities required/recommended for each type of open space)Frontage and location standards for open spaces		

Component Sub-District	Highway Commercial	General Mixed-Use	Civic Mixed-Use
Images to Convey Intent			

12.501 City of Justin Schedule of Uses												
Chart Legend: "P" Permitted Use, "S" Specific Use Permit required, "Blank" Use Not Allowed						RESIDENTIAL				NON-RESIDENTIAL		
TYPE	USE	ZONING DISTRICT	SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB	GB-OT
RESIDENTIAL USES												
	One-family detached dwelling		P	P	P	P	P	P	P			
	One-family zero lot line detached							P	P			
	One-family zero lot line attached (twin home)							P	P			

Household Living	<u>One-family attached (townhouse, rowhouse)</u>					<u>S</u>	<u>P</u>	<u>P</u>						
	<u>Two-family dwelling (duplex)</u>					<u>S</u>	<u>P</u>	<u>P</u>						
	<u>Residence for security purposes, temporary</u>							<u>S</u>						
	<u>HUD-code manufactured housing *</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>						
	<u>*Must be permanently affixed to an approved foundation & be connected to all municipal utilities</u>													
	<u>Home occupation</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						
	<u>Industrialized housing *</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>						
	<u>*Must be permanently affixed to an approved foundation & be connected to all municipal utilities</u>													
	<u>Manufactured home park</u>							<u>S</u>						
	<u>Manufactured home subdivision</u>							<u>S</u>						
	<u>Multifamily dwelling, apartment</u>							<u>P</u>						
	<u>Model home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						
	<u>Senior adult housing</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>								

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<u>TYPE</u>	<u>USE</u>	<u>ZONING DISTRICT</u>	<u>SF-LL</u>	<u>SF-1</u>	<u>SF-1A</u>	<u>SF-2</u>	<u>SF-OT</u>	<u>2F</u>	<u>M</u>	<u>FL</u>	<u>R</u>	<u>GB</u>	<u>GB-OT</u>	<u>LI</u>
	<u>Assisted living facility</u>							<u>S</u>			<u>S</u>			
	<u>Community home</u>		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>								
	<u>Continuing care retirement community</u>							<u>S</u>	<u>S</u>					

<u>Group Living</u>	<u>Fraternity or sorority house</u>						<u>S</u>	<u>S</u>					
	<u>Group home</u>	<u>S</u>	<u>S</u>				<u>S</u>	<u>S</u>		<u>S</u>			
	<u>Halfway house</u>	<u>S</u>	<u>S</u>	<u>S</u>			<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>Shelter</u>						<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>Home for care of alcoholic, narcotic or psychiatric patients</u>									<u>S</u>	<u>S</u>		
<u>Public and Civic Uses</u>													
<u>Education</u>	<u>College, university or private school</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Day care center (child or adult)</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
	<u>School, elementary or secondary (public or private)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Trade and commercial schools</u>									<u>S</u>	<u>S</u>	<u>S</u>	
<u>Government</u>	<u>Animal Shelter</u>												<u>P</u>
	<u>Fire station</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Government maintenance facility</u>												<u>P</u>
	<u>Government office facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Governmental vehicle storage</u>												<u>P</u>

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<u>TYPE</u>	<u>USE ZONING DISTRICT</u>	<u>SF-LL</u>	<u>SF-1</u>	<u>SF-1A</u>	<u>SF-2</u>	<u>SF-OT</u>	<u>2F</u>	<u>M</u>	<u>F</u>	<u>L</u>	<u>R</u>	<u>G</u>	<u>B-OT</u>
	<u>Museum, library or fine art center Art gallery or museum</u>									<u>P</u>	<u>P</u>	<u>P</u>	

	<u>Nonprofit organization or institutional</u>					<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>			
	<u>Post office</u>						<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	<u>Probation or parole office</u>												<u>P</u>
<u>Health Care Facilities</u>	<u>Ambulance dispatch station</u>									<u>P</u>	<u>P</u>	<u>P</u>	
	<u>Assisted living facility</u>							<u>P</u>					
	<u>Blood bank</u>									<u>P</u>		<u>P</u>	
	<u>Care facility</u>									<u>S</u>	<u>S</u>		
	<u>Health services facility; including doctor's office or medical clinic</u>								<u>P</u>	<u>P</u>	<u>P</u>		
	<u>Hospice</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	<u>Hospital</u>							<u>S</u>	<u>S</u>	<u>P</u>			<u>P</u>
	<u>Massage Therapy and Spa</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	<u>Nursing home (with full medical services)</u>								<u>S</u>	<u>S</u>	<u>S</u>		
<u>Recreation</u>	<u>Center, community recreation, government operated or controlled</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	<u>Center, community recreation, private or nonprofit</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	<u>Country club (private)</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
	<u>Country club (public)</u>						<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
	<u>Day camp</u>								<u>P</u>	<u>P</u>			

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	<u>Golf course (public)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

	<u>Golf driving range</u>							<u>S</u>	<u>S</u>	<u>S</u>		<u>P</u>
	<u>Outdoor amusement</u>								<u>S</u>			<u>P</u>
	<u>Park or playground (public or private)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Recreation or amusement establishment</u>								<u>S</u>			<u>S</u>
	<u>Stable, commercial, riding or boarding</u>	<u>S</u>							<u>S</u>			<u>P</u>
	<u>Tennis or swim club</u>				<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Religious</u>	<u>Place of worship (primary use)</u>					<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>
	<u>Institutions of religious or philanthropic nature</u>				<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Place of worship auxiliary use</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>		<u>P</u>
<u>Utilities</u>	<u>Electric power substation</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>
	<u>Power plant or central electric station</u>											<u>P</u>
	<u>Stealth telecommunications towers</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>Telecommunications antenna (on structure)</u>							<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>Telecommunications tower</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>Utility transmission or distribution line</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Sewage pumping stations</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Utilities (Cont'd)</u>	<u>Wastewater (sewage) treatment facility</u>											<u>P</u>
	<u>Water supply or storage facility</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>

<u>12.501 City of Justin Schedule of Uses</u>												
<u>Chart Legend: "P" Permitted Use, "S" Specific Use Permit required, "Blank" Use Not Allowed</u>						<u>RESIDENTIAL</u>					<u>NON-RESIDENTIAL</u>	
						<u>SF-LL</u>	<u>SF-1</u>	<u>SF-1A</u>	<u>SF-2</u>	<u>SF-OT</u>	<u>2F</u>	<u>MFLR</u>
<u>TYPE</u>	<u>USE</u>	<u>ZONING DISTRICT</u>										

	<u>Water treatment plant</u>								<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>
<u>COMMERCIAL USES</u>													
<u>Entertainment and Eating</u>	<u>Amusement, indoor</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Amusement, outdoor</u>										<u>S</u>	<u>S</u>	<u>P</u>
	<u>Baseball/softball facility (commercial)</u>										<u>S</u>	<u>S</u>	<u>P</u>
	<u>Batting cages, indoor</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Bowling alley</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Bar, tavern, cocktail lounge; club, private or teen</u>										<u>S</u>	<u>S</u>	<u>S</u>
	<u>Circus</u>												<u>S</u>
	<u>Club, commercial or business</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Dance hall</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Drive-in theater</u>										<u>S</u>	<u>S</u>	<u>S</u>
	<u>Fairground or exhibition area</u>								<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Gambling facility (including bingo and 8-liners)</u>										<u>S</u>	<u>S</u>	<u>S</u>
	<u>Go-cart track</u>												<u>P</u>
	<u>Health or recreation club</u>								<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Indoor recreation</u>								<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Lodge or civic club</u>								<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Museum/cultural facility</u>								<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>

<u>12.501 City of Justin Schedule of Uses</u>		
<u>Chart Legend: "P" Permitted Use, "S" Specific Use Permit required, "Blank" Use Not Allowed</u>	<u>RESIDENTIAL</u>	<u>NON-RESIDENTIAL</u>

TYPE	USE ZONING DISTRICT	SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	M	F	L	R	G	B	GB-OT	LI
	Movie Theater (indoor)											S	P	P	
	Micro-brewery											P	P		
	Drag strip or commercial racing; horse, dog or automotive														S
	Restaurant without drive-through-service, café, cafeteria					S	S	S		P	P	P	P	P	
	Restaurant with drive-through service (fast food)											S	S		P
Entertainment and Eating (Cont'd)	Sexually oriented business (See Art.4.5)														S
	Shooting or weapons firing range											S	S		S
	Swimming pool, commercial							S		P		S	S		P
	Theater, movie theater or auditorium										S	S	S		P
Lodging	Bed and breakfast inn	S	S	S	S	S	S	S	S	S	S	S	S		
	Hotel, motel or inn						S	S		P	P	P	P		P
	Recreational vehicle park											S	S		S
Office	Bank, financial institution									P	P	P	P		S
	Lending institutions									S	S	S	S		S
	Offices, professional and administrative					S				P	P	P	P		P
Retail Sales and Service	Animal hospital									P	P	P	P		P
	Antique shop					S				P	P	P	P		P
	Appliance, sales, supply or repair									P	P	S	P		P

12.501 City of Justin Schedule of Uses

Chart Legend: "P" Permitted Use, "S" Specific Use Permit required, "Blank" Use Not Allowed		RESIDENTIAL						NON-RESIDENTIAL			
TYPE	USE ZONING DISTRICT	SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB-OT	LI
	Bakery, retail sales					S			P	P	P
	Bakery, confectionery commercial/wholesale or bottling works								P	P	P
	Barber or beauty shop								P	P	P
	Boat rental or sales								S	S	P
	Book, stationery stores or newsstand					S			P	P	P
	Building material and lumber stores								S	P	S
	Business college or commercial school								P	P	P
	Candy or cake shop								P	P	S
	Caterer or wedding service					S			P	P	P
Retail Sales and Service (Cont'd)	Cleaning and dyeing plant, commercial										P
	Clothing/wearing apparel sales, new								P	P	P
	Clothing/wearing apparel sales, used								S	S	S
	Convenience store (no gas pumps)								P	P	P
	Copy store or commercial print without off-set printing								P	P	P
	Dance studio								P	P	P
	Dog Training School								S	P	S
	Drapery shop								P	P	P
	Dressmaking, custom; millinery shop					S			P	P	P

12.501 City of Justin Schedule of Uses

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TYPE	USE ZONING DISTRICT	RESIDENTIAL							NON-RESIDENTIAL			
		SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB	GB-OT	LI
	Exterminator/pest control services								P			P
	Feed store, no processing/milling											P
	Freestanding department store								P	P	P	
	Freestanding discount superstore								P	P	P	
	Furniture sales, new and used (office or residential) in a building								P	P	S	S
	Furniture upholstery, refinishing or resale								P	S		P
	General merchandise store					S			P	P	P	P
	Greenhouse or nursery for retail plant sales								P	P	P	P
	Grocery store, meat market								P	P	S	P
	Gunsmithing, repairs or sales								P	P		P
	Handicraft shop								P	P	P	P
	Hardware store								P	P	P	P
	Home improvement superstore								P	P		P
	Interior decorating								P	P	P	P
	Kennel (with no outdoor runs)								S	S		S
	Kennel (with outdoor runs)											S
Retail Sales and Service, (Cont'd)	Large retail store								P	P	P	P
	Laundry or dry cleaning collection office								P	P	P	P
	Laundry, dry cleaning or washeteria								P	P	P	P

12.501 City of Justin Schedule of Uses

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TYPE	USE ZONING DISTRICT	RESIDENTIAL							NON-RESIDENTIAL			
		SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB	GB-OT	LI
	<u>Laundry plant, commercial</u>											<u>S</u>
	<u>Leather goods shop</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Liquor or package store</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Locksmith</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Medical supplies/equipment sales or rental</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Mini-warehouses, self storage</u>								<u>S</u>	<u>S</u>		<u>P</u>
	<u>Mortuary or funeral home</u>								<u>P</u>			<u>P</u>
	<u>Newspaper distribution center</u>								<u>P</u>	<u>P</u>		<u>P</u>
	<u>Office warehouse</u>											<u>P</u>
	<u>Optician</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Pawnshop</u>									<u>S</u>	<u>S</u>	<u>S</u>
	<u>Pet Day Care</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Pet Lodging</u>								<u>S</u>	<u>S</u>		<u>P</u>
	<u>Pharmacy/drugstore with or without drive-through</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Photograph, portrait/camera shop or photo finishing</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Plumbing shop</u>								<u>P</u>	<u>P</u>		<u>P</u>
	<u>Plant nursery</u>											<u>P</u>
	<u>Recording studio</u>								<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>

12.501 City of Justin Schedule of Uses

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		RESIDENTIAL							NON-RESIDENTIAL			
TYPE	USE ZONING DISTRICT	SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB	GB-OT	LI
	<u>Saddle or harness, repair or sales</u>								P	P		P
	<u>Shoe shine shop</u>								P	P	P	P
	<u>Studio, music, art or photography</u>								P	P	P	P
	<u>Studio for radio or television</u>								P	P	P	P
	<u>Tailor, clothing or apparel shop</u>								P	P	P	P
	<u>Tattoo parlor</u>								S	S	S	S
	<u>Taxidermist shop</u>											P
	<u>Wedding Chapel</u>									S	S	P
<u>Retail Sales and Service, (Cont'd)</u>	<u>Vapor store</u>								S	S	S	S
	<u>Veterinary clinic (with indoor kennels)</u>									P	P	P
	<u>Veterinary clinic (with outdoor kennels)</u>									S		P
<u>Vehicle Sales & Service</u>	<u>New auto accessory and parts sales store</u>								P	P	P	P
	<u>Used auto parts, sales in building</u>									P		P
	<u>Auto sales & repair</u>									S		S
	<u>Auto painting & rebuilding (body shop)</u>									S		P
	<u>Auto Inspection and/or Lube Center</u>								S	S		P
	<u>Carwash, full or self service</u>									S		P
	<u>Engine and motor repair</u>									S		P

12.501 City of Justin Schedule of Uses

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TYPE	USE ZONING DISTRICT	RESIDENTIAL							NON-RESIDENTIAL			
		SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB	GB-OT	LI
	<u>Gasoline/service station with convenience market</u> <u>*(over 4 mpd requires sup)</u>								P	P		P
	<u>Heavy machinery sales and storage</u>											P
	<u>Mobile home or manufactured housing sales</u>											S
	<u>Parking area or garage, storage commercial or auxiliary</u>								S	S		S
	<u>Recreational vehicle (RV) sales/service</u>											S
	<u>Recreational vehicle storage</u>											S
	<u>Seat cover & muffler installation shop</u>								S			P
	<u>Towing yard with office</u>											S
	<u>Truck parking lot</u>											P
	<u>Truck stop with fuel and accessory services</u>											S
	<u>Wrecking or salvage yard</u>											S
	<u>Vehicle sales or rental; including automobiles, motorcycles, boats or trailers; new or used car lot (open)</u>								S	S		P
<u>Light Industrial</u>												
<u>Light Industrial Services</u>	<u>Assaying</u>											
	<u>Assembly of pre-manufactured parts, except for vehicles, trailers, airplanes or mobile homes</u>											P
	<u>Bottling works, milk, dairy or soft drinks</u>											P

12.501 City of Justin Schedule of Uses

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TYPE	USE ZONING DISTRICT	RESIDENTIAL										NON-RESIDENTIAL	
		SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB	GB-OT	LI	
	<u>Carpet and rug cleaning</u>									P	P	P	
	<u>Coal, coke or wood yard</u>											P	
	<u>Crematorium</u>											S	
	<u>Electroplating</u>											S	
	<u>Fabricating or manufactured housing, temporary or office building</u>											P	
	<u>Food processing (no slaughtering)</u>											P	
	<u>Furniture or cabinet repair or construction</u>									P	P	P	
	<u>Storage and repair of furniture & appliances inside a building</u>									P	P	P	
	<u>Storage and sale of furniture outside a building</u>									P		P	
	<u>Galvanizing, small utensils</u>											P	
	<u>Machine shops</u>											P	
	<u>Manufacture of artificial flowers, ornaments, awnings, tents, bags, cleaning/polishing preparations, boats under 28 feet in length, brooms or brushes, buttons and novelties, canvas products, clothing, suits, coats, or dresses for wholesale trade</u>											P	
	<u>Manufacture of aluminum, brass or other metals or from bone, paper, rubber, leather and plastics</u>											P	
	<u>Manufactured home/RV repair</u>											P	

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		SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB	GB-OT	LI
	<u>Manufacturing medical marijuana</u>								S	S	S	S
	<u>Monument works, finishing, carving, sales</u>											P
	<u>Paint shop, mixing or spraying</u>											P
	<u>Paper box manufacture</u>											P
	<u>Printing, lithographing, book-binding, newspapers or publishing</u>											P
	<u>Rubber stamping, shearing/punching</u>											P
	<u>Rubber stamp manufacture</u>											P
	<u>Scientific and research labs</u>								P	P		P
	<u>Sheet metal shop</u>											P
	<u>Tire retreading and capping</u>											P
	<u>Transfer storage and baggage terminal</u>											P
	<u>Storage warehouse or bulk storage</u>											P
	<u>Welding shop, custom work (not structural)</u>											P
	<u>Wholesale: bakery, produce market or wholesale house</u>									P		P
	<u>Wholesale office and/or sample room</u>									P		P
	<u>Yards, contractors, lumber or storage, automobiles, storage yards, building materials</u>									S		P
<u>Heavy Industrial</u>												
	<u>Animal by-products processing</u>											S

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		SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB	GB-OT	LI
Heavy Industrial Manufacturing	Batch plant, concrete or asphalt (permanent)											S
	Brewery, distillery or winery								P	P	S	S
	Brick, clay, glass, shale, tile or terra cotta products manufacture											P
	Cement products plant											S
	Cement, lime, gypsum, or plaster of Paris manufacture											S
	Concrete products manufacture											S
	Cotton gin, cotton oil mill, bailing or compress											S
	Creosote, treatment/manufacture											S
	Egg cracking or processing											S
	Furnace, blast; forge plant, boiler works manufacture											S
	Gas (natural or artificial) manufacture processing/storage											S
	Glue manufacture											S
	Grain elevator											S
	Magnesium casting, machining or fabricating											S

Manufacture of acetylene or oxygen gas, alcohol, computers and related electronic products, airplanes, automobiles, trucks and tractors (including assembly plants), ball or

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TYPE	USE ZONING DISTRICT	SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB	GB-OT	LI
	<u>roller bearings, steel tanks, candles and celluloid, cash registers, cutlery, disinfectants, dextrin, dyestuff, electrical machinery, farm tools, type writers and vinegar</u>											
Heavy Industrial Manufacturing(Cont'd)	<u>Manufacture of basket material, bicycles, boots, boxes other than paper, caskets, shoes</u>											P
	<u>Manufacture of dyes, cores, die-casting molds</u>											P
	<u>Manufacture, processing/production of hazardous chemicals</u>											P
	<u>Metal casting</u>											P
	<u>Metal foundry plant or fabrication plant</u>											P
	<u>Metal smelting, reclamation or ore production</u>											S
	<u>Metal stamping, dying, shearing or punching</u>											P
	<u>Mill, feed or flour</u>											P
	<u>Mining quarry, dredging or excavation of rock, dirt, gravel, sand, stone</u>											S
	<u>Packing plant</u>											S
	<u>Paper or pulp manufacture</u>											P
	<u>Petroleum, refining or wholesale storage</u>											S
	<u>Planing mill or woodworking shop</u>											P

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TYPE	USE ZONING DISTRICT	SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB-OT	GB-OT	LI
	<u>Poultry killing or dressing</u>											<u>P</u>
	<u>Rock cement crushers</u>											<u>S</u>
	<u>Rolling mill</u>											<u>S</u>
	<u>Soap manufacture</u>											<u>S</u>
	<u>Soda or compound manufacture</u>											<u>S</u>
	<u>Stone yard, building stone, cutting, sawing or storage</u>											<u>S</u>
	<u>Tar distillation/manufacturing</u>											<u>S</u>
	<u>Tobacco (chewing) manufacture or treatment</u>											<u>S</u>
	<u>Welding shop</u>											<u>P</u>
<u>OTHER USES</u>												
<u>Transportation</u>	<u>Airport, aviation field, helistop or landing area</u>									<u>S</u>	<u>S</u>	<u>S</u>
	<u>Railroad or bus passenger station</u>									<u>S</u>	<u>S</u>	<u>P</u>
	<u>Railroad team track, freight depot & docks or classification yard</u>											<u>P</u>
	<u>Railroad roundhouse or RR car repair shop</u>											
	<u>Terminal; truck, freight, rail or water</u>											<u>P</u>
<u>Waste Related</u>	<u>Junk and used material storage yards</u>											<u>S</u>
	<u>Landfill, recycling center, household hazardous waste or waste tire facility</u>											<u>S</u>

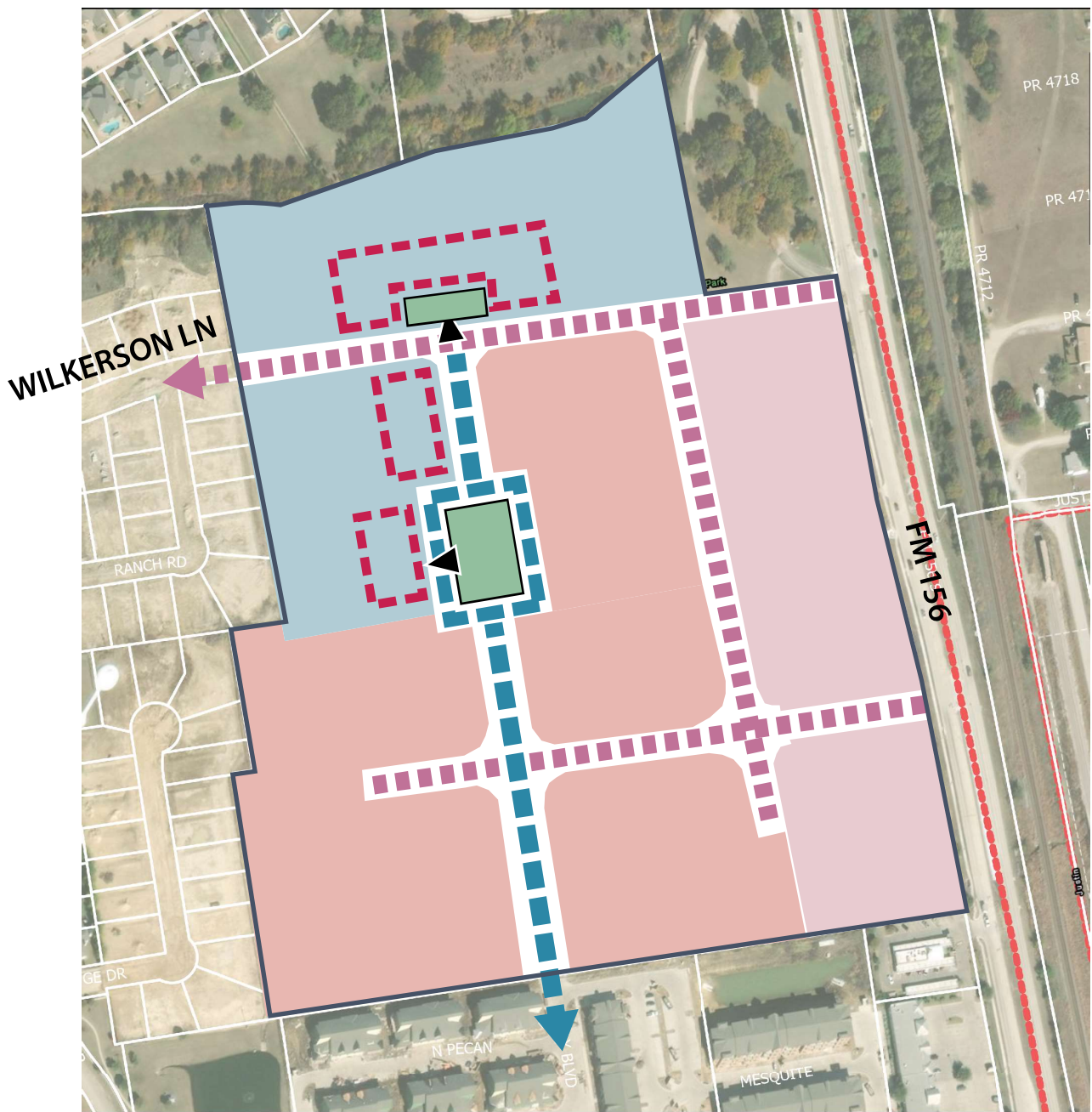
12.501 City of Justin Schedule of Uses

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		RESIDENTIAL							NON-RESIDENTIAL			
TYPE	USE ZONING DISTRICT	SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB-OT	GB-OT	LI
	<u>Pet cemetery</u>											<u>S</u>
	<u>Recycling collection only facility</u>											<u>P</u>
	<u>Salvage yard (other than automotive)</u>											<u>S</u>
<u>Ag</u>	<u>Agricultural uses</u>	<u>P</u>										
<u>Gas</u>	<u>Compression facilities, gathering stations *</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>Gas drilling and production *</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>Oil drilling and production *</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>* In conformance with City of Justin Gas Drilling Ordinance</u>											
<u>Accessory Uses</u>	<u>Accessory use or building</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>
	<u>Commercial outside display</u>	<u>S</u>								<u>S</u>	<u>S</u>	<u>S</u>
	<u>Farm accessory building</u>											<u>P</u>
	<u>Home occupations</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					
	<u>Outside storage, screened*</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Outside storage, unscreened*</u>								<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>Stable, stockyards or feeding pens (noncommercial)</u>											<u>S</u>
	<u>Swimming pool, private</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Temporary Uses</u>	<u>Amusement, outdoor (temporary)</u>									<u>S</u>	<u>S</u>	<u>S</u>
	<u>Batch plant, concrete or asphalt (temporary)</u>									<u>S</u>		<u>S</u>
	<u>Residence for security purposes, temporary</u>							<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>

12.501 City of Justin Schedule of Uses													
Chart Legend: "P" Permitted Use, "S" Specific Use Permit required, "Blank" Use Not Allowed			RESIDENTIAL						NON-RESIDENTIAL				
TYPE	USE	ZONING DISTRICT	SF-LL	SF-1	SF-1A	SF-2	SF-OT	2F	MF	LR	GB	GB-OT	LI
	Trailer, portable; sales, construction or storage		S	S	S	S	S	S	S	S	S	S	S

*In conformance with City of Justin Outdoor Screening requirements Section 52-213



CHARACTER ZONES

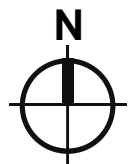
- Highway Commercial
- Mixed-Use
- Civic Mixed-Use

FRONTAGES

- 'A' Frontage
- 'B' Frontage

SPECIAL REQUIREMENTS

- Required Usable Open Space
- Recommended Civic Building Location
- Terminated Vista



REGULATING PLAN - JUSTIN TOWN CENTRE

Date: May 16, 2022

Status: DRAFT

City Council Meeting

June 14, 2022

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #4

Title: Conduct a public hearing to consider a Specific Use Permit for a Temporary Batch Plant legally described as A0419A W.A. FERRIS, TR1, 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.

Department: Administration

Contact: Director of Planning and Development, Matt Cyr

Staff Recommendation: Staff has no major concerns with this request.

Background: 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.

P&Z Recommendation: On May 17, 2022, the Commission unanimously recommended approval.

City Attorney Review: N/A

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 1
 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@truzcapital.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@lhacy.com

CERTIFICATION

I certify that the above information is correct and complete to the best of my knowledge 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.

	<u>3-30-22</u>	<u>FREDERICK PHILLIPS</u>
Owner Signature	Date	Owner Name (Print)
	<u>4/5/22</u>	<u>James M Terry</u>
Agent Signature	Date	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.

Mr. Josh Lowry, Field Administrator
Page 2
April 1, 2022

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.

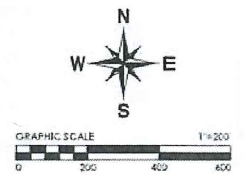
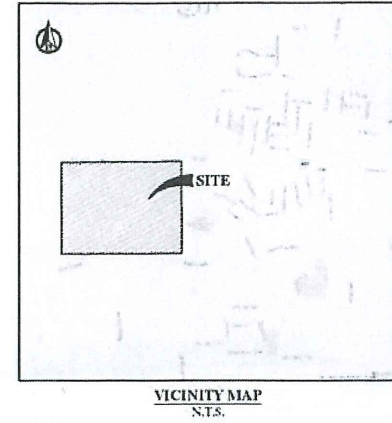
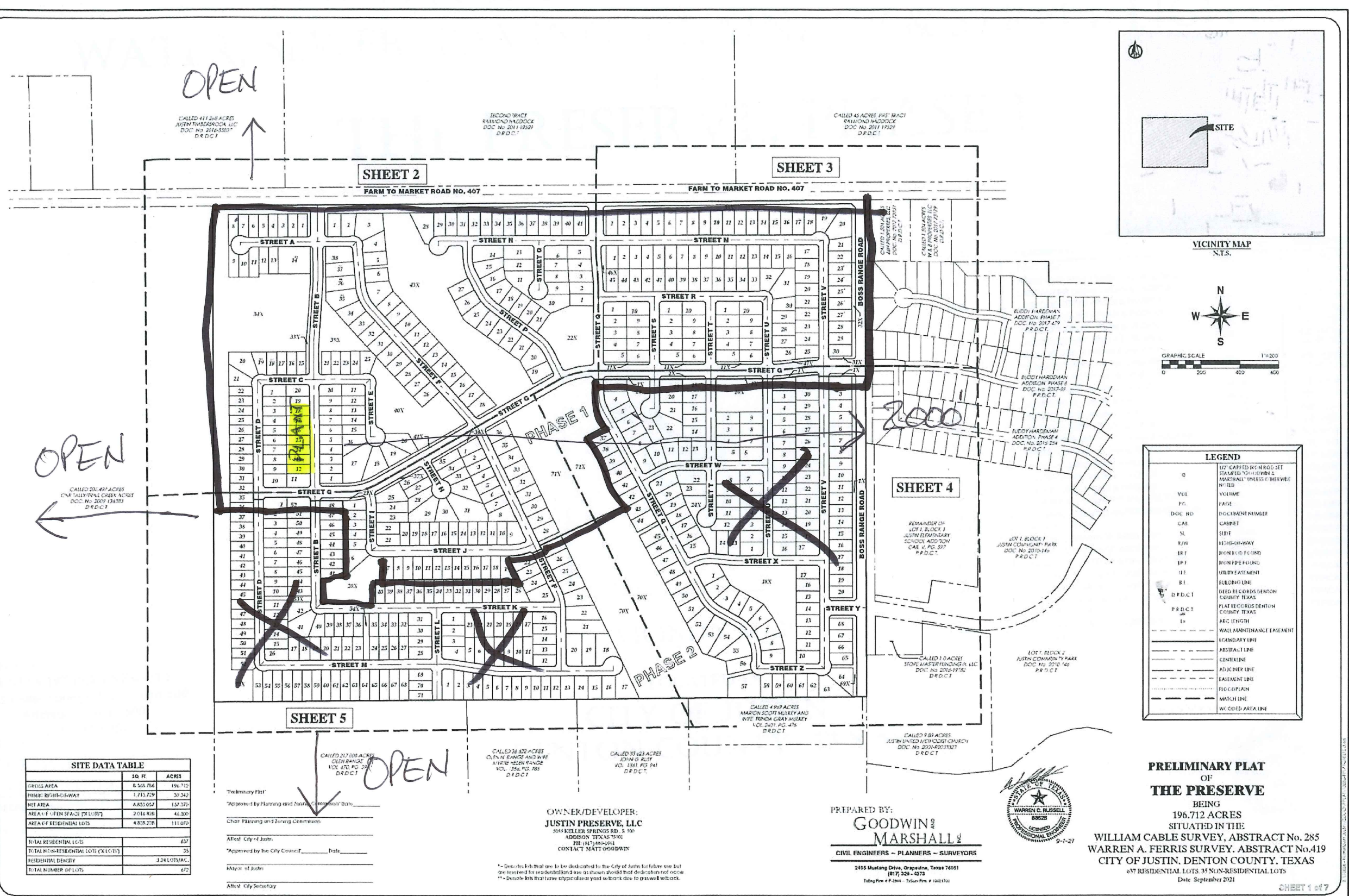
Sincerely,

A handwritten signature in cursive script, appearing to read "Kimberli Fowler".

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*



LEGEND	
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SITE DATA TABLE		
	SQ. FT.	ACRES
GROSS AREA	8,568,754	196.712
PRIVATE RIGHT-OF-WAY	1,713,759	39.342
NET AREA	6,854,995	157.370
AREA OF OPEN SPACE (EXC. STS.)	2,016,806	46.300
AREA OF RESIDENTIAL LOTS	4,838,189	111.070
TOTAL RESIDENTIAL LOTS		437
TOTAL NON-RESIDENTIAL LOTS (EXC. STS.)		35
RESIDENTIAL DENSITY		3.24 LOTS/AC.
TOTAL NUMBER OF LOTS		472

"Preliminary Plat"
Approved by Planning and Zoning Commission Date: _____
Attest: City of Justin, _____
Approved by the City Council Date: _____
Attest: of Justin, _____
Attest: City Secretary, _____

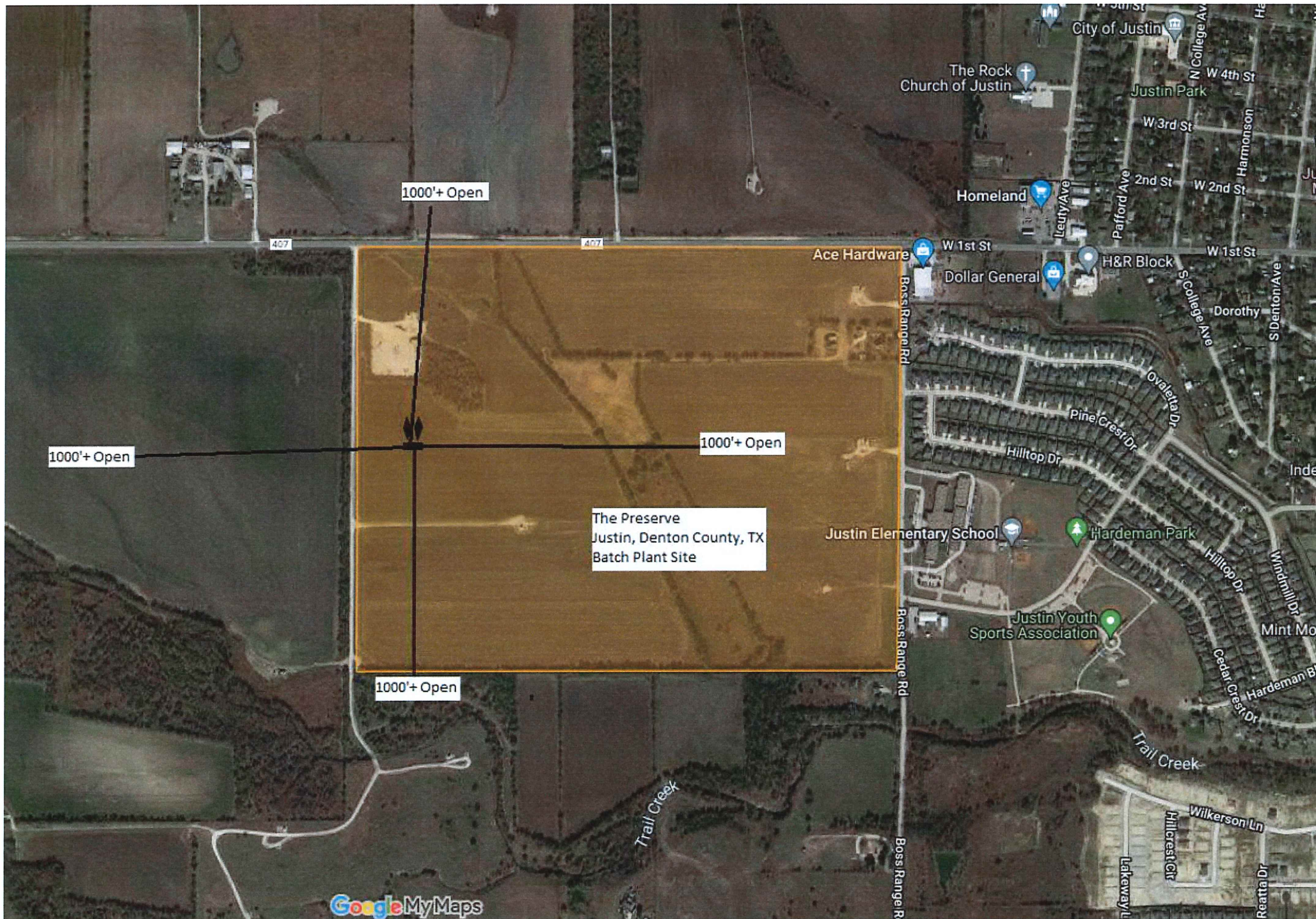
OWNER/DEVELOPER:
JUSTIN PRESERVE, LLC
3055 KELLER SPRINGS RD., S. 500
ADDISON, TEXAS 75101
TEL: (972) 399-1063
CONTACT: MATT GOODWIN

PREPARED BY:
GOODWIN & MARSHALL
CIVIL ENGINEERS - PLANNERS - SURVEYORS
2405 Mustang Drive, Grapevine, Texas 76051
(817) 329-4373
TxDOT Form # F-2041 - TxDOT Form # 10021701



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





OPEN

CALL 41 ACRES
JUN 1974/2004 LIT
DOC NO 20111821
P.D.C.T.

CALL 41 ACRES
JUN 1974/2004 LIT
DOC NO 20111821
P.D.C.T.

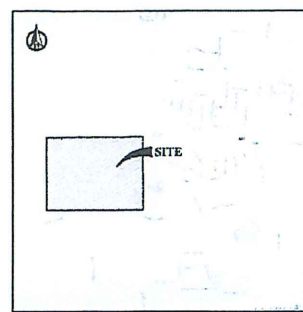
CALL 41 ACRES
JUN 1974/2004 LIT
DOC NO 20111821
P.D.C.T.

SHEET 2

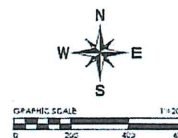
SHEET 3

FARM TO MARKET ROAD NO. 407

FARM TO MARKET ROAD NO. 407



VICINITY MAP
N.T.S.



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99	100" CAPTIONED PROJECT

OPEN

CALL 41 ACRES
JUN 1974/2004 LIT
DOC NO 20111821
P.D.C.T.

SHEET 5

OPEN

CALL 41 ACRES
JUN 1974/2004 LIT
DOC NO 20111821
P.D.C.T.

CALL 41 ACRES
JUN 1974/2004 LIT
DOC NO 20111821
P.D.C.T.

CALL 41 ACRES
JUN 1974/2004 LIT
DOC NO 20111821
P.D.C.T.

SITE DATA TABLE		
	SO FT	ACRES
TOTAL AREA	5,500.00	126.12
PHASE 1 AREA	1,100.00	25.22
PHASE 2 AREA	4,400.00	100.90
AREA OF PHASE 1 LOTS	2,100.00	48.45
AREA OF PHASE 2 LOTS	2,300.00	52.45
TOTAL RESIDENTIAL LOTS	237	
PHASE 1 RESIDENTIAL LOTS	118	
PHASE 2 RESIDENTIAL LOTS	119	
TOTAL NUMBER OF LOTS	237	

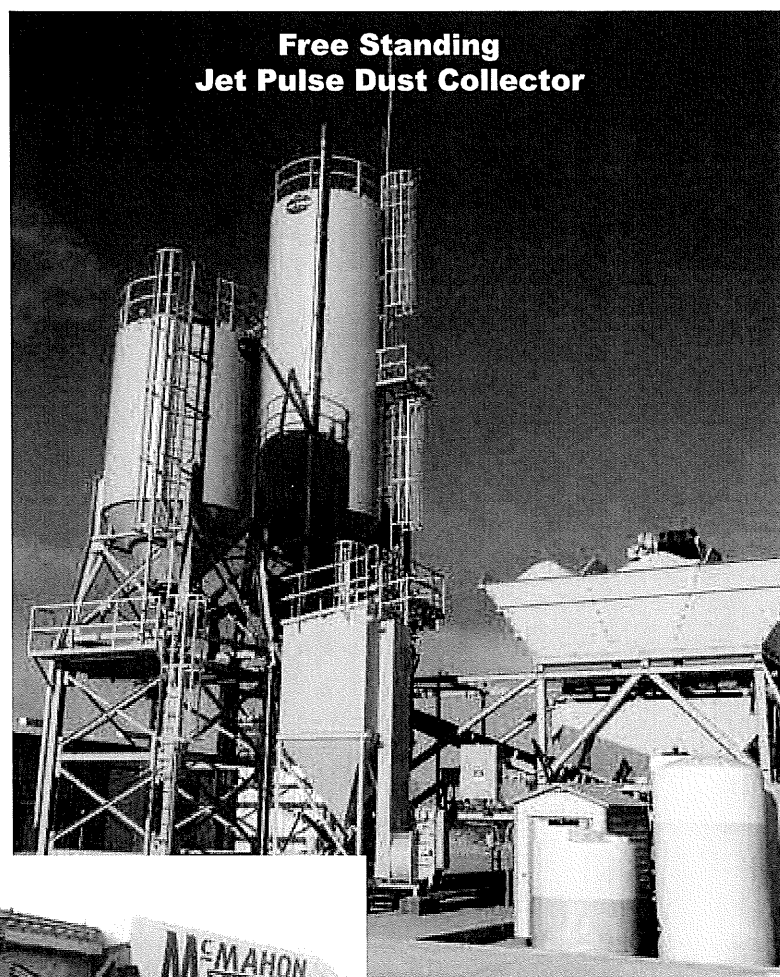
Technique FBT

Weapons: 1/2" (1/2" and 1/4" (1/4" and 1/8" (1/8" and 1/16" (1/16" and 1/32" (1/32" and 1/64" (1/64" and 1/128" (1/128" and 1/256" (1/256" and 1/512" (1/512" and 1/1024" (1/1024" and 1/2048" (1/2048" and 1/4096" (1/4096" and 1/8192" (1/8192" and 1/16384" (1/16384" and 1/32768" (1/32768" and 1/65536" (1/65536" and 1/131072" (1/131072" and 1/262144" (1/262144" and 1/524288" (1/524288" and 1/1048576" (1/1048576" and 1/2097152" (1/2097152" and 1/4194304" (1/4194304" and 1/8388608" (1/8388608" and 1/16777216" (1/16777216" and 1/33554432" (1/33554432" and 1/67108864" (1/67108864" and 1/134217728" (1/134217728" and 1/268435456" (1/268435456" and 1/536870912" (1/536870912" and 1/1073741824" (1/1073741824" and 1/2147483648" (1/2147483648" and 1/4294967296" (1/4294967296" and 1/8589934592" (1/8589934592" and 1/17179869184" (1/17179869184" and 1/34359738368" (1/34359738368" and 1/68719476736" (1/68719476736" and 1/137438953472" (1/137438953472" and 1/274877906944" (1/274877906944" and 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“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.

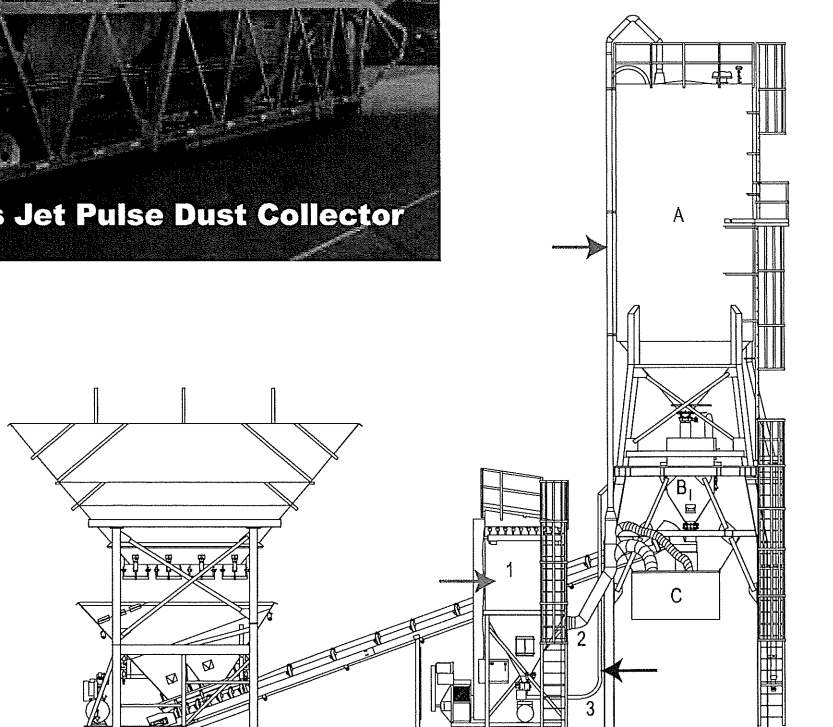


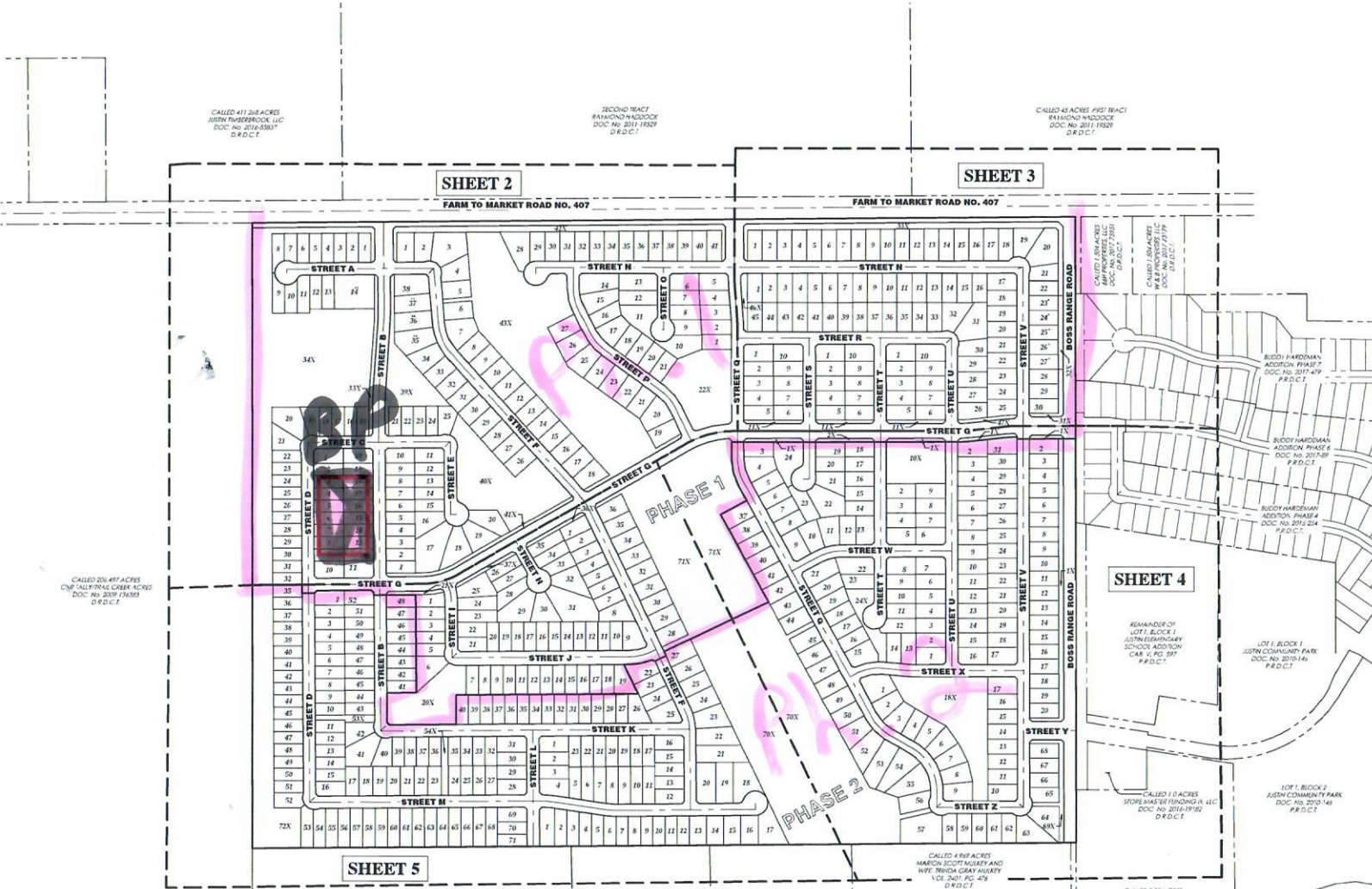
DUST CONTROL

- 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.



GRAPHIC SCALE 1"=200'
0 200 400 600

LEGEND	
○	LOT CAPTIED BY DONOR SET
○	STAMPED TO-HOLD-IN & MARSHALL UNLESS OTHERWISE NOTED
VOL.	VOLUME
PG.	PAGE
DOC. NO.	DOCUMENT NUMBER
CAR.	CABINET
BL.	BLIND
SW.	WIDE-OF-WAY
EFF.	BEFORE FOUND
EFF.	BEFORE FOUND
EE.	UTILITY EASEMENT
BL.	BUILDING LINE
D.R.C.T.	DEED RECORDS DENTON COUNTY TEXAS
P.R.C.T.	PLAT RECORDS DENTON COUNTY TEXAS
EA.	ARC LENGTH
---	WALL MAINTENANCE EASEMENT
---	BOUNDARY LINE
---	ABSTRACT LINE
---	CENTERLINE
---	ADJ. BDR. LINE
---	EASEMENT LINE
---	FLOODPLAIN
---	MATCH LINE
---	WIGGED AREA LINE

SITE DATA TABLE		
	SQ. FT.	ACRES
GROSS AREA	8,568,784	196.712
PUBLIC RIGHTS-OF-WAY	1,713,729	39.242
NET AREA	6,855,057	157.470
AREA OF OPEN SPACE (EX. LOTS)	2,014,808	46.300
AREA OF RESIDENTIAL LOTS	4,838,248	111.170
TOTAL RESIDENTIAL LOTS		437
TOTAL NON-RESIDENTIAL LOTS (EX. LOTS)		35
RESIDENTIAL DENSITY	3.24 LOTS/AC.	
TOTAL NUMBER OF LOTS		472

"Twelve-hour Plot"
 "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
 3855 KILLER BRENDA RD. S. 100
 ADDISON, TEXAS 75001
 PH: (972) 450-0292
 CONTACT: MATT GOODWIN

PREPARED BY:
GOODWIN & MARSHALL
 CIVIL ENGINEERS - PLANNERS - SURVEYORS
 2405 Mustang Drive, Grapevine, Texas 76051
 (972) 229-4373
 Tel/Fax: (972) 229-4373 • 1-800-451-1000



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
 437 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)

City Council Meeting

June 14, 2022

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #5

Title: Conduct a public hearing to consider 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.

Department: Administration

Contact: Director of Planning and Development, Matt Cyr

Staff Recommendation: Staff recommends consideration based on the request.

Background: 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.

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 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.

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". 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.

P&Z Recommendation: On May 17, 2022, the Commission unanimously recommended to deny the application.

City Council Criteria:

The city council by an affirmative three-fourths vote, after public hearing and proper notice to all parties affected, and after recommendations from the planning and zoning commission that the use is in general conformance with the master plan of the city and containing such requirements and safeguards as are necessary to protect adjoining property, authorize the location of certain uses in a special district.

City Attorney Review: N/A



Specific Use Permit Application

Specific Use Permit #: _____

Development Services Department
415 N. College Ave., Justin, TX 76247

JUSTIN
1887

Email: permits@cityofjustin.com
940-648-2541

Property Information

Location Address: <i>FM-156-5th Street (Survey)</i>	Property Legal Description: Lot #/Block #/Subdivision/Zoning: <i>A1127A Roberts TR 10A CPT 0</i>
Current Zoning: <i>Light Industrial</i>	Requested Zoning: <i>Light retail? (Kiosk)</i>
Existing Use: <i>VACANT</i>	Proposed Use: <i>ICE/WATER Vending Machine</i>
Reason for Requesting Change in Zoning: <i>Location, AVAILABLE lot w/ parking</i>	
Property Owner Name: <i>ROSE THORN Real Estate</i>	Property Owner/Company Address: <i>111 FM 156, Justin TX 76247</i>
Property Owner Phone Number: <i>940-368-0424</i>	Property Owner Email Address:

Applicant Information (if different from Property Owner)

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

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: *10/14/2021*

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

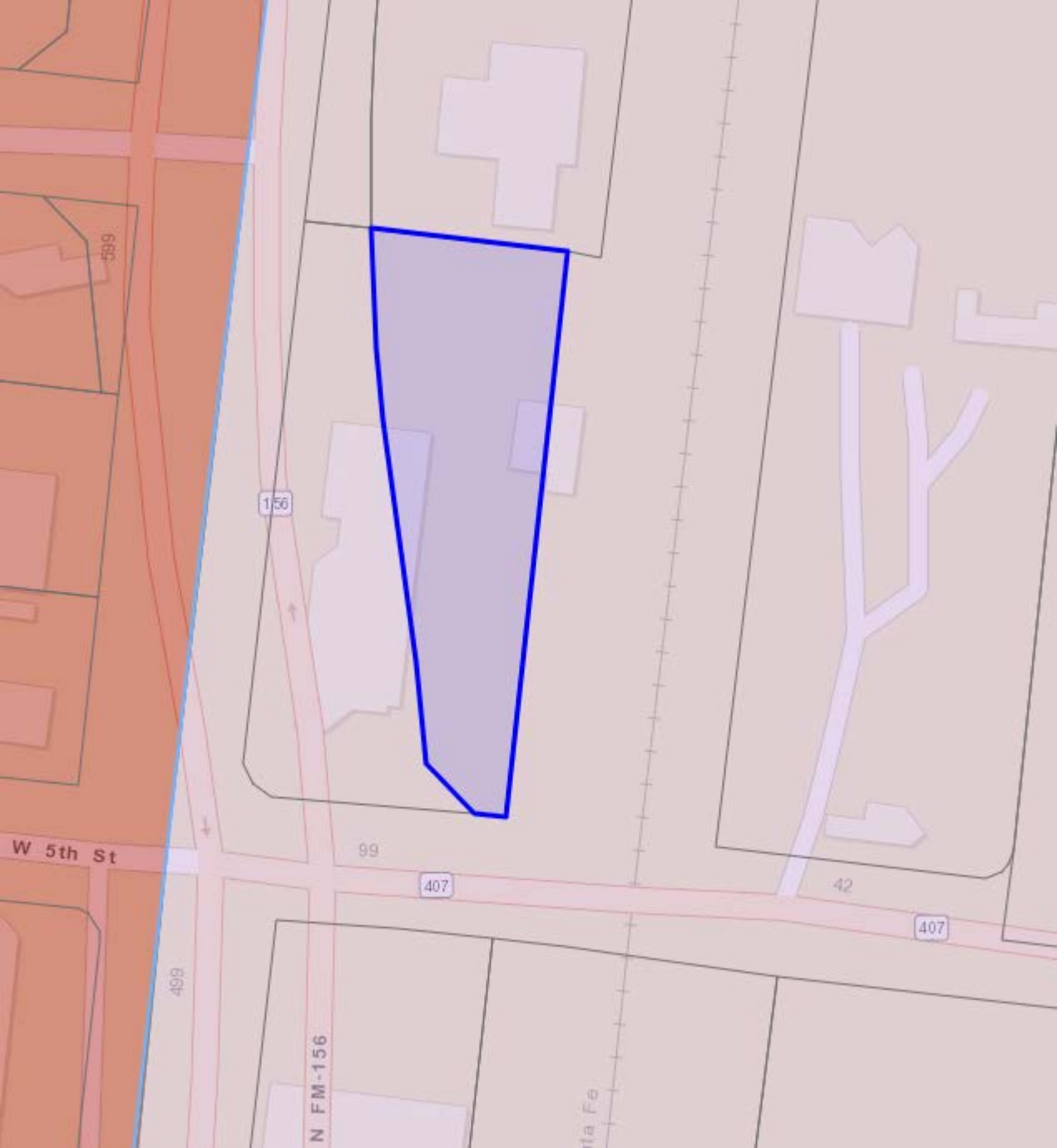
Big Tex Ice LLC is requesting permission to allow us the variance from you.

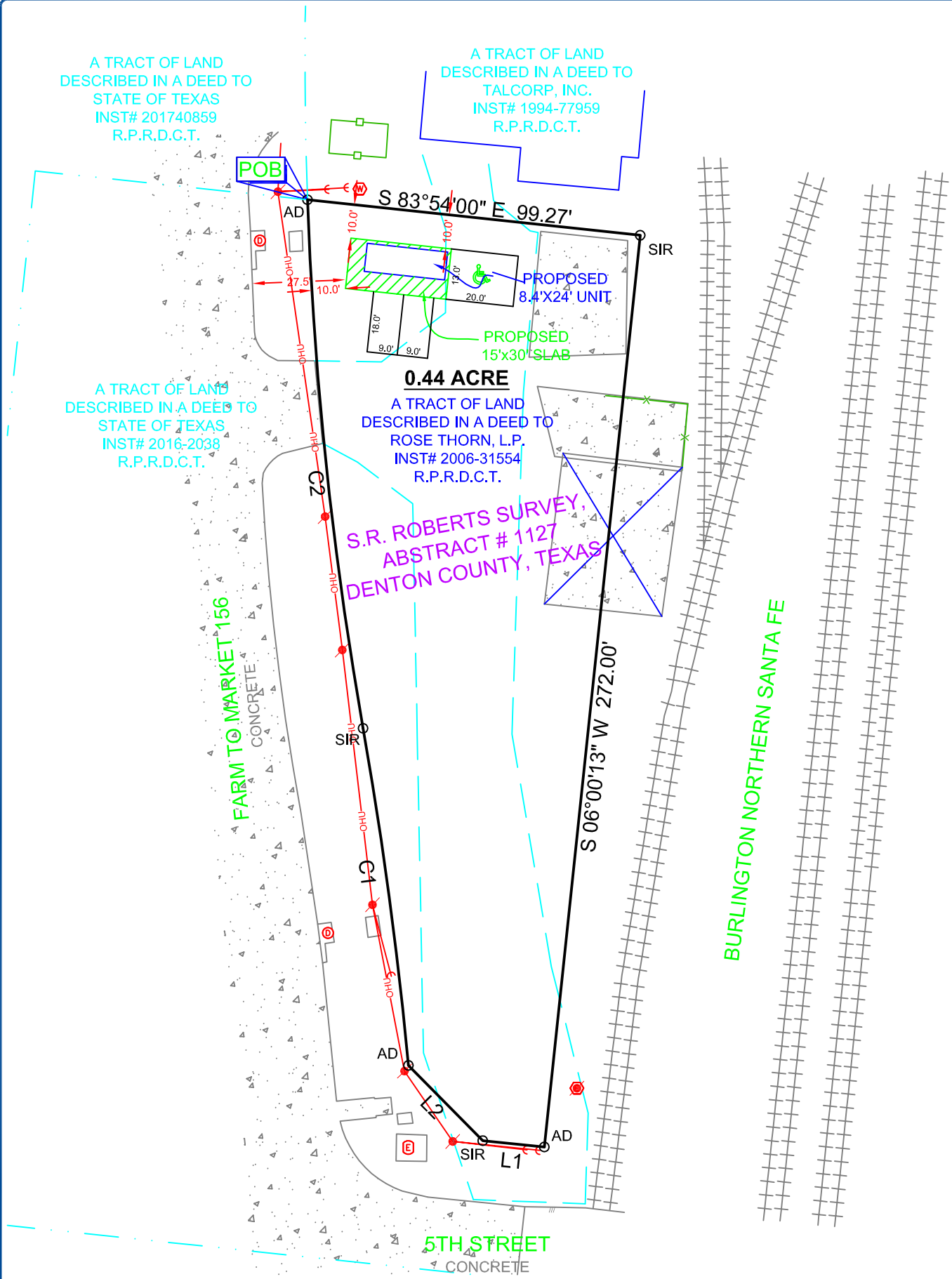
If this is agreeable, please sign below

Mark Wallace/dba Rose Thorn RE LLC

A handwritten signature in black ink, appearing to read "Mark Wallace", is written over a horizontal line.







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

= ELECTRIC METER

= WATER METER

= STORM DRAIN MANHOLE

= ELECTRIC RISER

= TXDOT ALUMINUM DISK

= SET IRON ROD W/CAPPED

= PLAT OR DEED CALL

= POINT OF BEGINNING

= WROUGHT IRON FENCE

= WIRE FENCE

= OVER-HEAD UTILITIES

= ASPHALT

= RAILROAD

= CONCRETE

1" = 40'

0 10 20 30 40

SITE PLAN
BIG TEX ICE, LLC.

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)

LANDSCAPE

5' 8'

COIN

BAG

EXCISE

water

unit
(See photo)

HANDICAP



9'

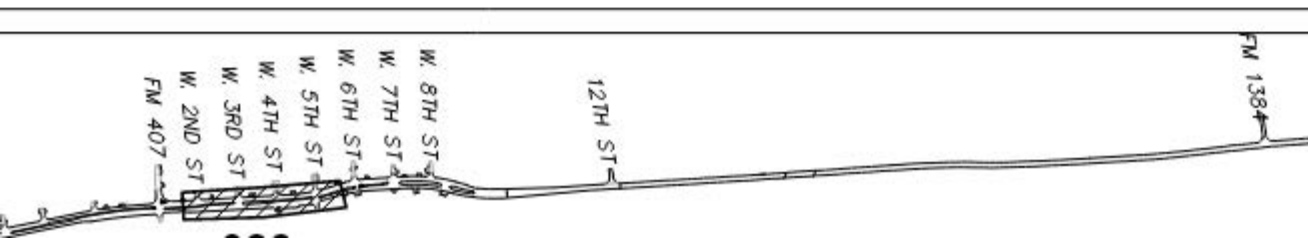
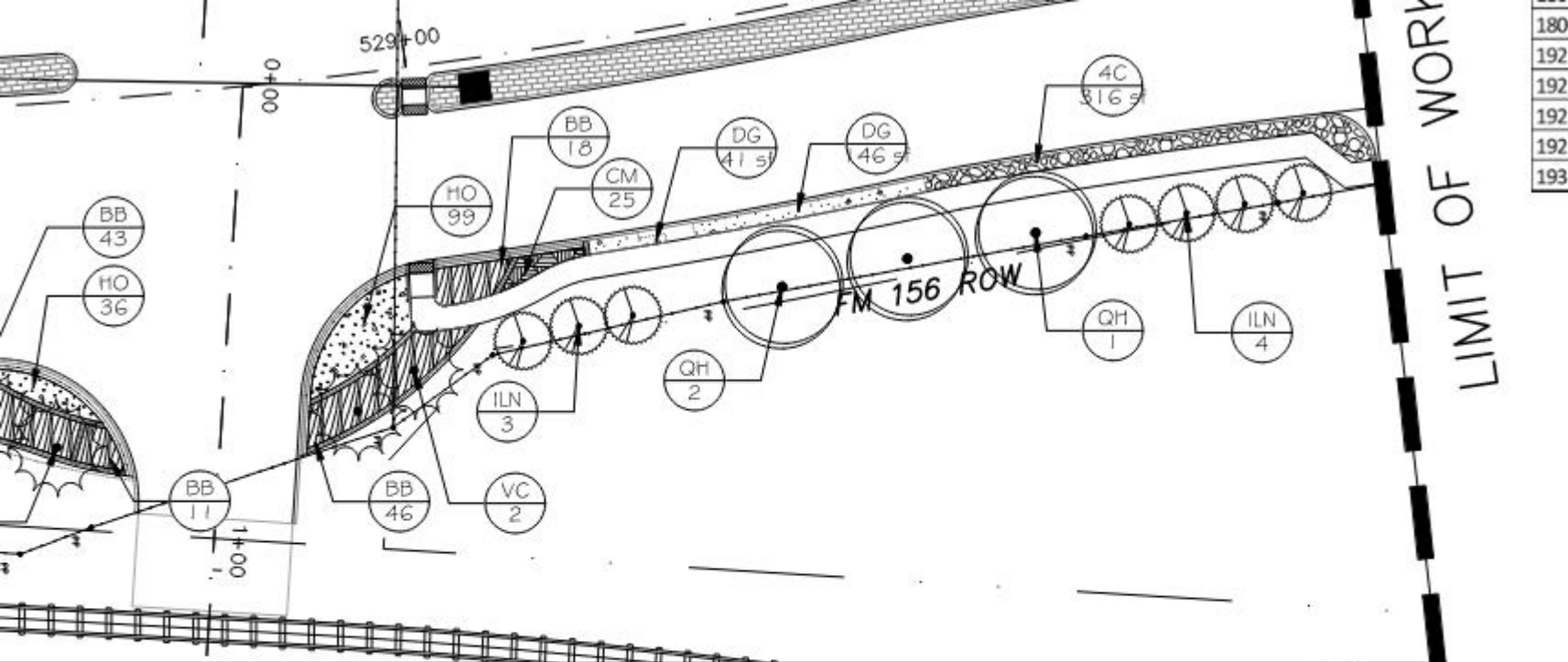
Parking
Asphalt

9'

Parking
Asphalt

9'





INTERIM REVIEW

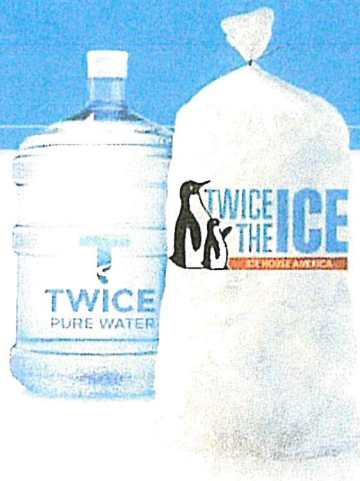
THESE DOCUMENTS ARE INTENDED FOR
INTERIM REVIEW ONLY AND NOT FOR
REGULATORY APPROVAL, PERMITTING, OR
CONSTRUCTION.

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LIMIT OF WORK



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.



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.

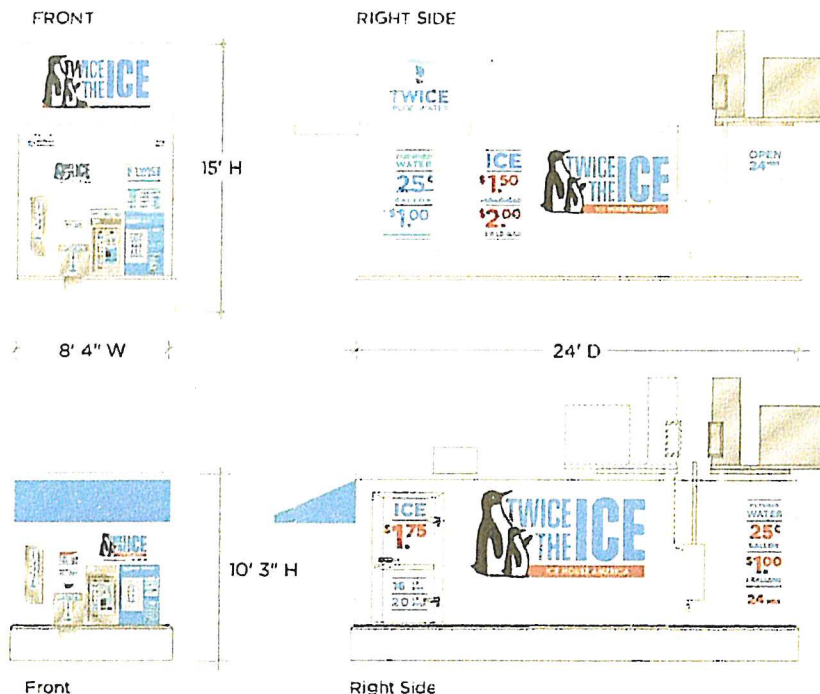
Water Vending by Twice Pure Water

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 INTERSECTION 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

City Council Meeting

June 14, 2022

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #6

Title: Conduct a public hearing to consider amending Chapter 52 of the Code of Ordinances relating to accessory structures and definitions.

Department: Administration

Contact: Director of Planning and Development, Matt Cyr

Staff Recommendation: Staff recommends consideration based on the request.

Background:

On March 8, 2022, in a discussion regarding setbacks from the main residence, City Council directed Staff to bring forward an amendment to clearly define accessory structures. The goal from Staff is to ensure our regulations and practices are consistent.

Staff has also taken the time to provide definitions for several uses that did not have one.

P&Z Recommendation: The Commission unanimously recommended approval with the condition to change the outdoor amusement definition to be consistent with the indoor amusement definition (these changes have since been made).

City Attorney Review: N/A

Sec. 52-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~*Accessory building or use* means a subordinate building having a use customarily incident to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.~~ a subordinate detached building, located on the same lot as the main building. Accessory buildings may include garages, home workshops, tool houses, pool houses, storage sheds, etc.

~~*Accessory use* means a use customarily incidental and subordinate to the principal use of land or building(s) and located upon the same lot.~~

Alley means a minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

~~*Amusement Indoor* means an amusement enterprise that is wholly enclosed within a building and provides activities, services and/or instruction for the entertainment of customers or members. Uses may include, but are not limited to, the following: bowling alley, ice skating rink, martial arts club, racquetball/handball club, indoor tennis courts/club, indoor swimming pool, and other similar types of uses.~~

~~*Amusement Outdoor* means an amusement enterprise offering entertainment and/or games of skill wherein any portion of the activity takes place outdoors and including, but not limited to, a golf driving range, archery range, miniature golf course, batting cages, go-cart tracks, amusement parks, and other similar types of uses.~~

Apartment means a room or suite or rooms in an apartment house arranged, designed, or occupied as the residence by a single family, individual, or group of individuals.

Apartment hotel means any building larger than an apartment house designed or built to be occupied as a series of separate apartments by persons living independently of each other.

Apartment house means any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied as three or more apartments or which is occupied as the home or residence of three or more families living independently of each other maintaining separate cooking facilities.

Area of the lot means the net area of the lot and shall not include portions of streets or alleys.

~~*Assisted Living Facility* means a housing facility for people with disabilities. These facilities provide supervision or assistance with activities of daily living (ADLs); coordination of services by outside health care providers; and monitoring of resident activities to help to ensure their health, safety, and well-being. Facilities may be large apartment-like settings or private residences. (Refer to Texas Health & Safety Code and Texas Department of Aging and Disability Services for Assisted Living Facilities for most current regulations).~~

Automobile sales area means an open area or lot used for the display or sale of automobiles, where no repair work's done except minor reconditioning of the cars to be displayed and sold on the premises, and no dismantling of cars or sale or keeping of used car parts or junk on the premises.

Basement means a story below the first story is defined under story counted as a story for height regulations if subdivided and used for dwelling purposes other than by a janitor or watchman employed on the premises.

Bed and breakfast means a residence where one or more rooms are leased on an overnight basis for accommodations for profit. A bed and breakfast is an accessory use to a residence and the owner of the property must also be the operator of the bed and breakfast establishment.

Block means a method for locating and identifying a parcel of land.

Boardinghouse means a house where you can pay to stay and receive meals.

Breezeway means a covered passage one story in height and six feet or more in width connecting a main structure and an accessory building. A breezeway shall be considered an accessory building.

Buffer yard means a buffer yard is a unit of land, together with a specified amount of planting thereon, and any structures, which may be required between, land uses to eliminate or minimize conflicts between them.

Building means any structure with a roof and walls.

Building line means a line that establishes, beyond which no building may extend.

Building site means a piece of land on which a house or other building is being built.

Business means and includes local retail, commercial, industrial, and manufacturing uses and districts as herein defined.

Caliper means the diameter of the trunk measured one foot above ground level.

Care Facility means a private establishment that provides living quarters and care for chronically ill, usually elderly patients.

Carport means a structure designed or used to shelter vehicles.

Canopy trees means a perennial woody plant, single or multiple trunk, contributing to the uppermost spreading branch layer of a forest and may be commonly referred to as shade trees.

Cellar means that portion of a building between floor and ceiling which is partly below and partly above grade but so located that the vertical distance from grade to the floor below is greater than the vertical distance from grade to ceiling.

Clinic means offices for one or more physicians, surgeons, or dentists engaged in treating the sick or injured, but not including rooms of the abiding of patients.

Clothing/wearing apparel sales, used means a retail establishment in which the majority of the sales, at least 51% of all items, are used goods. Outdoor storage shall follow Sec. 10-345 of the Code of Ordinances.

Community center means a building dedicated to social or recreational activities serving the city or a neighborhood and owned and operated by the city, or by a non-profit organization dedicated to promoting the health, safety, morals or general welfare of the city.

Community Home means a place where not more than six (6) physically or mentally impaired or handicapped persons are provided room and board, as well as supervised care and rehabilitation by not more than two (2) persons as licensed by the Texas Department of Mental Health and Mental Retardation.

Comprehensive plan means policies in graphic and text form adopted by the city council to govern the general location recommended for land uses, transportation routes, public and private buildings, streets, alleys, squares, parks, and other public and private development and improvements. One plan may cover the entire city and all of its functions and services, or the comprehensive plan may consist of a combination of plans governing specific geographic areas which together cover the entire city and all of its functions and services. The term "comprehensive plan" includes, but is not limited to, the city zoning regulations, the land use plan, thoroughfare plan, and floodplain map. The city's comprehensive plan is on file in the office of the city secretary.

Continuing Care Retirement Community means residents with a full continuum of care. Ranging from independent active adult living and can include 24-hour skilled nursing care. Usually this use is on one campus.

Convalescent home means any structure used for or occupied by persons recovering from illness or suffering from the infirmities of old age.

Court means an open unoccupied space other than a yard, on the same lot with a building and which is bounded on three or more sides by the building.

Day nursery means a place where children are left for care a part of the 24 hours of the day.

Depth of lot means the mean horizontal distance between the front and rear lot lines. (See App. Figure 2.)

Depth of rear yard means the mean horizontal distance between the front and rear line of a building other than an accessory building and the rear lot line except as modified in the text of any section in this chapter.

District means a section of the city for which the regulations governing the area, height, or use of buildings are uniform for each type and class of structure.

Dwelling, manufactured, or mobile home means a manufactured home or mobile home, as defined in this section used as a dwelling, with or without a permanent foundation.

Dwelling, multiple, means a building or portion thereof, arranged, intended, or designed for occupancy by three or more families, including apartment houses, row houses, tenements and apartment hotels.

Dwelling, one-family, means a detached building arranged, intended, or designed for occupancy by one family.

Dwelling, two-family, means a detached building arranged, intended, or designed for occupancy by two families.

Efficiency apartment means an apartment having a combination living and bedroom (no separate bedroom).

Enhanced pavement means any permeable or impermeable decorative pavement material intended for pedestrian or vehicular use. Enhanced pavement includes brick or stone pavers, grass pavers and stamped or stained concrete.

Family means one or more persons who are related by blood or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than five (excluding servants) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a non-profit cost-sharing basis.

Farm or ranch means a tract of land consisting of a minimum of ten acres used for agriculture.

Field offices (temporary) means and includes structures conforming to the uniform code used in conjunction with construction work accessory and incidental to the construction work accessory and incidental to the construction of a permanent structure which the permanent structure this Code and state and federal law. The temporary structure may be permitted by the building official at the time the permit is granted for the permanent structure and the temporary structure shall be completely removed at the time of occupancy of the permanent structure.

Floor area ratio means a numerical value obtained by dividing the sum of the gross horizontal area of all floors of a building, including interior balconies and mezzanines, measured to the exterior faces of walls, by the total area of the lot, excluding streets, alleys, and dedicated drainage ways.

Floor space per dwelling unit means the total number of square feet of habitable floor space contained within a dwelling unit exclusive of porches, breezeways, carports, garages, and storage areas not directly accessible from within the dwelling unit.

Front yard means an open, unoccupied space on a lot facing a street between a building and a street line. If no building exists, a front yard is an open unoccupied space facing a street and adjacent thereto.

Garage, auto repair, means an auto repair garage is a building or portion thereof whose principal use is for the repair, servicing, equipping, or maintenance of motor vehicles or motor vehicle components,

including engines, radiators, starters, transmissions, brakes, tires and wheels, seats and similar components.

Garage, private, when attached to a house, the garage typically has an entry door into the house.

Garage, public, means a building or portion thereof, designed or used for the storage, sale, hiring, care or repair of motor vehicles, which is operated for commercial purposes.

Garage, storage, means a building or portion thereof, other than a private garage, used exclusively for parking or storage of self-propelled vehicles, but with no other services provided except facilities for washing and normal maintenance.

Grade means:

- (1) For buildings having walls adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street;
- (2) For buildings having walls adjoining more than one street, the average of the elevation of the sidewalk at the center of all walls adjoining the street;
- (3) For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior wall of the building.

Any wall approximately parallel to and not more than five feet from a street line is to be considered as adjoining the street. Where no sidewalk has been constructed, the city engineer shall establish the street level or its equivalent for the purpose of these regulations.

Gross floor area. The gross floor space of an apartment house shall be measured by taking the outside dimension of the apartment building at each floor level, excluding, however, the floor area of basements or attics not used for residential purposes.

Ground cover means low growing, dense spreading plants typically planted from containers.

Group housing project means a building project consisting of three or more buildings, to be constructed on a plot of ground which is not subdivided into customary streets or lots.

Height of buildings means the vertical distance measured from the highest of the following three levels:

- (1) From the street curb level;
 - (2) From the established or mean street grade incase the curb has not been constructed;
 - (3) From the average finished ground level adjoining the building if it sets back from the street line;
- to the level of the highest point of the roof beams of flat roofs or roof inclining not more than one inch to the foot, or to the mean height level of the top of the main plates and highest ridge for other roofs.

Height of yard or court means the vertical distance from the lowest level of such yard or court to the highest point of any boundary wall.

Hobby shop means an accessory use housed in a dwelling or in an accessory building in which the residents of the premises engage in recreational activities, none of which shall disturb the neighbors on either side or in the rear thereof, and from which no revenue may be derived, and in which no goods may be publicly displayed, offered for sale, or advertised for sale, nor may any sign be used in connection therewith.

Home occupations means, in connection with the operation of a dwelling, any use permitted as a home occupation may be operated subject to compliance with the following conditions:

- (1) The use is operated in its entirety within the dwelling unit or other accessory structures and only by the person or persons maintaining a dwelling therein.
- (2) The home occupation does not have a separate entrance from outside the building to an isolated area of the house that is exclusively used for the home occupation.

- (3) The use does not display or create outside the building any external evidence of the operation of the home occupation.
- (4) The home occupation does not have any employee or regular assistant not residing in the dwelling unit in which the home occupation is operated or maintained, unless the employee does not perform services on the property.
- (5) No traffic or parking shall be generated by such home occupation that would unreasonably impact a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.
- (6) Commercial delivery service required by the home occupation shall not deliver goods or products to the home more than four times per month. Commercial delivery service shall be limited to vehicles with two axles.
- (7) No home occupation shall constitute a nuisance.
- (8) No outdoor storage of any type shall be permitted with any home occupation.

Hospital means an institution or place where sick or injured in-patients are given medical or surgical care either at public (charity) or private expenses.

Hotel means a building containing rooms intended or designed to be used or which are used, rented or hired out to be occupied by guests and where only a general kitchen and dining room are provided within the building or in an accessory building.

Housing project means an unplatted area of three or more acres arranged according to a site plan to be submitted to and to be approved by the city planning and zoning commission and the city council on which is indicated the amount of land to be devoted to housing facilities, their arrangement thereon, together with the arrangement of access streets and alleys, and the entire area is to be zoned as multifamily upon the recommendations of the city planning and zoning commission and the action of the city council, and in which it shall not be necessary to subdivide the area into lots and blocks. The site plan shall indicate that all access streets, alleys, sidewalks, storm sewers, storm sewer inlets, shall be provided as required by the city and built in accordance with city specifications.

Junk means and includes scrap iron, scrap brass, scrap copper, scrap lead or scrap zinc and all other scrap metals and their alloys, and bones, rags, used cloth, used rubber, used rope, used tinfoil, used bottles, old cotton or used machinery, used tools, used appliances, used fixtures, used utensils, used boxes or crates, used pipe or pipe fittings, used vehicular or airplane tires, and other manufactured goods that are so worn, deteriorated, or obsolete as to make them unusable in their existing condition; subject to being dismantled for junk.

Kennel means any lot or premises on which four or more dogs, cats, or other domestic animals at least four months of age, are housed or accepted for boarding, trimming, grooming or bathing for which remuneration is received.

Kindergarten means a school for little children of pre-public school age in which constructive endeavors, object lessons, and helpful games are prominent features of the curriculum.

Landscape architect means a person registered as a landscape architect in this state pursuant to state law.

Landscape area means an area that is covered by natural grass, ground cover, or other natural plant materials.

Lawn grasses means thin bladed surface growing plants typically planted from seed, sprigs or plugs.

Legal nonconforming use, building or yard means a use, building or yard existing legally at the time of the passage of the ordinance from which this chapter is derived which does not by reason of design, use, or dimensions conform to the regulations of the district in which it is situated. A use, building or yard established after the passage of the ordinance from which this chapter is derived that does not conform to regulations of the district in which it is situated shall be considered an illegal nonconforming use.

Licensed irrigator means a person duly licensed by the state to design and install irrigation systems.

Lot means a parcel of land occupied or to be occupied by one building, or unit group of buildings, and the accessory buildings or uses customarily incident thereto, including such open spaces as are required under this chapter, and having its principal frontage upon a public street or a place.

Lot, corner, means a lot abutting upon two or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the city engineer.

Lot, interior, means a lot whose side lines do not abut upon any street.

Lot, through, means an interior lot having frontage on two streets.

Lot, lines means the lines bounding a lot as defined herein.

Lot line, front, means the boundary between a lot and the street on which it fronts.

Lot line, rear, means the boundary line which is opposite and most distant from the front street line; except that in the case of uncertainty the building inspector shall determine the rear line.

Lot line, side, means any lot boundary line not a front or rear line thereof. A sideline may be a party lot line, a line bordering on an alley or place or side street line.

Lot depth. See *Depth of lot*.

Lot width means the horizontal distance between sidelines, measured at the front building line, as established by the minimum front yard requirement of this chapter.

Lot of record means a lot which is part of a subdivision, a map of which has been recorded in the office of the county clerk.

Manufactured and mobile home park means any premises complying with city manufactured and mobile home park regulations.

Manufactured home means a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, built on a permanent chassis, designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities, transportable in one or more sections, and at least eight body feet in width or at least 40 body feet in length in traveling mode or at least 320 square feet when erected on site, and includes the plumbing, heating, air conditioning, and electrical systems of the home. The term "manufactured home" does not include a recreational vehicle as defined by 24 CFR 3282.8(g).

Mobile home means a structure constructed before June 15, 1976, and built on a permanent chassis, designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities, transportable in one or more sections, and at least eight body feet in width or at least 40 body feet in length in the traveling mode or at least 320 square feet when erected on site and includes the plumbing, heating, air conditioning, and electrical systems of the home.

Motel, motor hotel or tourist court means a motel, motor hotel or tourist court is any establishment offering to the transient public the use of guest rooms or sleeping accommodations for compensation. Such an establishment consists of a group of attached or detached guest rooms or sleeping accommodations the majority of which have private and direct access from parking areas not through common entrance and lobby. The establishment furnishes customarily hotel services and may contain a restaurant, club, lounge, banquet hall, or meeting rooms. A motel is a nonresidential use.

Modular home. See *Dwelling, mobile home*.

Off-street loading space means a space located outside of a public street or alley for the discharge of passengers or a space directly accessible to the building it serves for bulk pick-up and deliveries of delivery vehicles.

Off-street parking place means a concrete or asphalt surface located outside of the right-of-way of a public street or alley adequate for parking an automobile with room for opening doors both sides, together with properly related access to a public street or alley and maneuvering room without backing into a public street.

Office warehouse means the primary function of an office warehouse facility is the storage of goods and merchandise. Although a limited amount of retail or wholesale, and cash-and-carry sales will occur in an office warehouse facility, the majority of sales will be phone or mail orders to be delivered or shipped to the purchaser. The office portion of an office warehouse use would typically consist of management, accounting, order desk personnel.

Open space means area included in any side, rear, or front yard or any unoccupied space on the lot that is open and unobstructed to the sky except for the ordinary projection of cornices, eaves, or porches.

Open structure means a structure that is not enclosed with any building walls, but which may include a roof or canopy.

Paved means an all-weather, dust-free surface intended for vehicular traffic or parking, which is concrete, asphalt, or other surface.

Pet Lodging means an establishment that offers a variety of services such as, but not limited to: boarding, grooming, daycare, and training services.

Place means an open, unoccupied space other than a street or alley permanently established or dedicated as the principal means of access to property abutting thereon.

Recreational vehicle storage facility means a commercial facility in a controlled access and screened compound that leases spaces for the long term storage of private boats, trailers, campers and recreational vehicles.

Residence means a building occupied as the abiding place of one or more persons in which the use and management of sleeping quarters, all appliances for cooking, ventilating, heating or lighting are under one control and which shall include single-family dwellings, which shall be the principal building on any lot in residential districts.

Restaurant or cafe means a building or portion of a building, not operated as a dining room in connection with a hotel or boarding house, where food is served for pay and for consumption in the building, and where provisions may be made for serving food on the premises outside the building.

Screening device means a screening device shall consist of a barrier of stone, brick, pierced brick or block, uniformly colored wood, or other permanent material of equal character, density, and acceptable design, at least six feet in height, where the solid area equals at least 65 percent of the wall surface, including an entrance gate or gates; or foliage of an acceptable combination of these materials.

Seasonal color means landscape areas used for annual and perennial flowers intended to maintain year-round color accents.

Self-storage facilities (mini-warehouse) means a building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the dead storage of a customer's goods or wares. The rented space shall be for private use only.

Senior adult housing means a housing development that is restricted to people that are 55 years old and over.

Setback means the minimum horizontal distance between the front wall of any projection of the building, excluding steps and unenclosed porch and the street line.

Sexually-oriented business or adult business means a sex parlor, nude studio, modeling studio, love parlor, adult bookstore, adult movie theater, adult video arcade, adult movie arcade, adult video store, adult motel, or other commercial enterprise the primary business of which is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer as regulated by Chapter 4, Article II of this Code.

Shopping village means an area consisting of three acres or more arranged according to a site plan to be submitted to and to be approved by the city plan commission and the city council, on which is indicated the amount of the various buildings, parking area, streets, and type of zoning desired. The city plan commission shall require installation of all utilities, drainage structures, the paving of streets, parking

areas, alleys, and the installation of sidewalks in accordance with the city specifications for each type of improvement.

Shrubs means plants that grow vertically in a multi-branched growth pattern.

Story means that part of a building included between the surface of one floor and the surface of the floor next above, or if there be no floor above, that part of the building which is above the surface of the highest floor thereof. A top story attic is a half story when the main line of the eaves is not above the middle of the interior height of such story. The first story is the highest story having its interior floor surface, not more than four feet above the curb level, established or mean street grade, or average ground level, as mentioned in height of buildings in this section.

Street means a thoroughfare which affords principal means of access to property abutting thereon.

Street line means the dividing line between the street and the abutting property.

Structure means anything constructed or erected, which required location on the ground, or attached to something having a location on the ground, including, but not limited to, advertising signs, billboards, and poster panels, but exclusive of customary fences or boundary or retaining walls.

Subdivision developer sales office means and includes structures conforming to the uniform building code used for the purpose of selling residential structures within the immediate proximity of the sales office.

Terminal, motor freight, means the use of property of buildings for the temporary parking motor freight vehicles or trucks of common carriers during loading and unloading and between trips, including necessary warehouse space for storage of transitory freight.

Tourist cabin or trailer camps or recreational vehicle parks means a tract or parcel of land upon which two or more tourist cabins are located, or where temporary accommodations are provided for two or more automobile trailers, tents or house cars, open to the public either free or for a fee.

Understory/accents trees means small evergreen or deciduous perennial woody plants which would grow below the top layer of the forest and typically has unique branching, textural or seasonal color characteristics.

Used car lot means a lot or portion thereof to be used only for the display and sale of automobiles that are in condition to be driven on or off the lot. A used car lot shall not be used for the storage of wrecked automobiles, or the storage of automobile parts.

Variance means a modification or variation of the provisions of this chapter, as applied to a specific piece of property, as distinct from rezoning.

Yard means an open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear, the least horizontal distance between the lot line and the main building shall be used.

Yard, front, means a yard across the full width of the lot extending from line of the main building to the front line of the lot.

Yard, rear, means a yard between the rear lot line and the rear line of the main building and the side lot lines.

Yard, side, means a yard between the building and the sideline of the lot and extending from the front yard to the required minimum rear yard.

Yard, size, means a yard between the main building and the adjacent sideline of the lot, and extending entirely from the front yard to the rear yard thereof.

(Code 1994, § 12.300; Ord. No. 338, § 1, 10-14-2002; Ord. No. 379, § 1, 10-11-2004; Ord. No. 418, § 1, 2-12-2007; Ord. No. 555, § 1, 5-20-2005)

Sec. 52-85. - Accessory buildings.

- (a) An accessory building shall not exceed~~ing~~ 20 feet in height nor may occupy more than 25 percent of the area of a required rear yard.~~but~~
- (b) No accessory building shall be closer than five feet to the main building or closer than two feet to any interior rear or interior side lot line.
- (c) Accessory buildings may be located in the side yard if the accessory building is behind a screening fence.
- (d) Detached garages and Carports are exempt from the screening fence requirement.
- (e) Accessory buildings may be located on the rear lot line with a two-foot setback where the rear lot line is a dedicated alley right-of-way; except that detached garages taking motor vehicular access from the alley shall be set back at least 20 feet from the alley right-of-way.
- (f) Accessory buildings may not be located on or across a dedicated utility or drainage easements.
- (g) Open structures and carports are permitted to encroach the five-foot setback to the main residence. Carports are permitted to encroach the front setback up to the property line. Open structures and Carports shall abide by all other setbacks.

(Code 1994, § 12.1004; Ord. No. 375, § 1, 8-9-2004; Ord. No. 378, § 1, 10-11-2004; Ord. No. [640-18B](#), § 2, 4-9-2018)

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY OF JUSTIN, TEXAS, APPROVING AN AMENDMENT RELATING TO ACCESSORY STRUCTURES AND DEFINITIONS PROVIDING AN INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE/REPEALER CLAUSE, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On March 8, 2022, City Council directed Staff to bring forward an amendment relating to accessory structures and definitions in Chapter 52 of the Code of Ordinances ; 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 amendment the Commission determined that the change was appropriate 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 amendment 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, is amended to as further described in the attached documents.

Section 3. Applicable Regulations/Zoning Ordinance and Zoning Map Amended. Development 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

City Council Meeting

June 14, 2022

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #7

Title: Consider and take appropriate action approving Resolution 583-22 in support of 1171

Department: Administration

Contact: City Manager, Chuck Ewings

Recommendation: Approval of the resolution.

TXDOT consultants requested a resolution of support for the FM 1171 extension project.

City Attorney Review: N/A

RESOLUTION NO. 583-22

**A RESOLUTION OF THE CITY OF JUSTIN, TEXAS,
PROVIDING SUPPORT TO THE TEXAS DEPARTMENT OF
TRANSPORTATION FOR THE PROPOSED ALIGNMENT AND
SCOPE OF THE FM 1171 EXTENSION**

WHEREAS, the City of Justin is a general law city lying and being situated within the County of Denton, State of Texas; and,

WHEREAS, the Texas Department of Transportation (TXDOT) is a Texas state agency responsible for the construction, maintenance and improvement of the State's major thoroughfares including farm-to-market roads; and,

WHEREAS, the City of Justin desires and supports the improvement, expansion, and construction of an east-west transportation corridor, specifically Farm-to-Market Road 1171; and,

WHEREAS, FM 1171 is major thoroughfare that will provide mobility and access to the City of Justin as it is experiencing unprecedented growth, particularly at the intersection of the north-south corridor of FM 156; and,

WHEREAS, the City of Justin desires and supports that Farm-to-Market Road 1171 be grade-separated from the BNSF Railroad for the timely arrival of emergency personnel to all areas; and,

WHEREAS, the City of Justin desires and supports that Farm-to-Market Roads 1171 minimize the impact to existing residents and property owners along the proposed route; and,

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

Section 1. The City of Justin agrees and supports the immediate extension of FM 1171 from Interstate 35W west to FM 156.

Section 2. The City of Justin agrees and supports a six-lane divided road section from Interstate 35W to FM 156 as recommended by TXDOT design consultants.

Section 3. The City of Justin agrees and support the alignment of FM 1171 to follow the technically preferred route as proposed by TXDOT design consultants.

Section 4. The City of Justin encourages TXDOT and other state and local leaders to support the improvement and expansion of FM 1171 as much needed relief for mobility and access in the region.

Section 6. This Resolution shall become effective from and after its date of passage.

DULY PASSED by the City Council of the City of Justin, Texas, this the 14th day of June 2022.

APPROVED:

ELIZABETH WOODALL, MAYOR

ATTEST:

BRITTANY ANDREWS, CITY SECRETARY

City Council Meeting

June 14, 2022

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #8

Title: Consider amending the City Council Social Media Policy

Department: Administration

Contact: City Manager, Chuck Ewings

Recommendation:

Background:

City Council approved a social media policy during its May 24 meeting. A specific phrase that was approved does not meet character limits within social media platforms.

The phrase below is contained in the current policy under Use of Personal Accounts:

1.b. "This account or group page is intended for personal use only. The view, postings, positions, or opinions expressed on this site are my own or those of others in this group, and do not represent those of the City of Justin. If you are a citizen of Justin and would like to discuss city business, please go to the City of Justin page, or contact me at (official email)."

The recommendation is to amend that phrase to the following to meet character limits:

"This account or group page is intended for personal use only. The view, postings, positions, or opinions expressed on this page do not represent those of the City of Justin."

City Attorney Review: N/A

Attachments: None

City Council Meeting

June 14, 2022

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #9

Title: Consider and take appropriate action on the appointment of a Comprehensive Plan Advisory Committee.

Department: Administration

Contact: City Manager, Chuck Ewings

Recommendation:

Background:

As part of the Comprehensive Plan development, a citizen committee will assist the consultants in guiding the process. Several recommendations for membership have been submitted but staff has not confirmed their interest in participating. We will provide the recommended members for consideration during the meeting.

Council Member Mounce has agreed to serve as the council representative on the committee and Lisa Leary has agreed to serve as the Planning and Zoning Commission representative.

City Attorney Review: N/A

Attachments: None

City Council Meeting

June 14, 2022

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #10 (Consent)

Title: Consider and take appropriate action approving City Council meeting minutes dated May 16, 2022 and May 24, 2022.

Department: Administration

Contact: City Secretary, Brittany Andrews

Recommendation: Motion to approve consent items as presented.

Background:

City Attorney Review: N/A

Attachments:

1. May 16, 2022 and May 24, 2022 draft minutes

James Clark, Councilmember
Tomas Mendoza, Councilmember
John Mounce, Councilmember



Jim Tate, Councilmember
Chrissa Hartle, Councilmember

Mayor, Elizabeth Woodall

MINUTES

**State of Texas
County of Denton
City of Justin**

Justin City Council Meeting- May 16, 2022

The Justin City Council Meeting convened into a Regular Session being open to the public the 16th day of May, 2022 at 5:03 pm in the Library Program Room of Justin Municipal Complex, and notice of said meeting giving the time, place, date and subject there of having been posted as prescribed by Article 5 of the Texas Government Code, with the following members present and in attendance to wit: Mayor, Elizabeth Woodall, Mayor Pro Tem, James Clark, Councilmembers, John Mounce, Tomas Mendoza, Jim Tate, and Chrissa Hartle. City Staff: City Manager, Chuck Ewings, and City Secretary, Brittany Andrews.

Convene into Session: Mayor Woodall called the meeting to order at 5:03PM

CONVENE INTO SESSION:

ACTION ITEMS

1. Consider and act on the approval of an Ordinance canvassing and declaring the results for the General Election for May 7, 2022.

Councilman Clark moved to approve Ordinance 725-22 as presented.

Seconded by: Councilman Tate

Aye votes: Councilmembers Tate, Clark, Hartle, Mendoza and Mounce

Motion carries

2. Administer Oath of Office and Certificates of Election.

City Secretary, Brittany Andrews administered the Oath of Office and Certificates of Election to Councilwoman Chrissa Hartle, Councilmember James Clark, and Councilmember Jim Tate.

ADJOURN

With there being no further business, the meeting was adjourned at 5:17PM

Brittany Andrews

Brittany Andrews, City Secretary

Seal:

James Clark, Mayor Pro Tem
Tomas Mendoza, Councilmember
John Mounce, Councilmember



Jim Tate, Councilmember
Chrissa Hartle, Councilmember

Mayor, Elizabeth Woodall

MINUTES

**State of Texas
County of Denton
City of Justin**

Justin City Council Workshop Meeting- May 16, 2022

The Justin City Council Workshop Meeting convened into a Regular Session being open to the public the 16th day of May, 2022 at 4:14 pm in the Library Program Room of Justin Municipal Complex, and notice of said meeting giving the time, place, date and subject there of having been posted as prescribed by Article 5 of the Texas Government Code, with the following members present and in attendance to wit: Mayor, Elizabeth Woodall, Mayor Pro Tem, James Clark, Councilmembers, John Mounce, Tomas Mendoza, Jim Tate, and Chrissa Hartle. City Staff: City Manager, Chuck Ewings, and City Secretary, Brittany Andrews.

Convene into Session: Mayor Woodall called the meeting to order at 4:14PM

CALL TO ORDER AND CONVENE INTO WORKSHOP

WORKSHOP SESSION

1. Discussion regarding City Council rules of conduct and procedure.

Mayor and Council discussed the conduct and procedures both during and when not in session of Council meetings. No Action.

ADJOURN

With there being no further business, the meeting was adjourned at 5:01PM

Brittany Andrews

Brittany Andrews, City Secretary

Seal:



Mayor, Elizabeth Woodall

MINUTES

**State of Texas
County of Denton
City of Justin**

Justin City Council Regular Session Meeting- May 24, 2022

The Justin City Council Meeting convened into a Regular Session being open to the public the 24th day of May, 2022 at 6:00 pm in the Council Chambers of Justin Municipal Complex, and notice of said meeting giving the time, place, date and subject there of having been posted as prescribed by Article 5 of the Texas Government Code, with the following members present and in attendance to wit: Mayor, Elizabeth Woodall, Mayor Pro Tem, James Clark, Councilmembers, John Mounce, Tomas Mendoza, Jim Tate, and Chrissa Hartle. City Staff: City Manager, Chuck Ewings, Finance Director, Josh Armstrong, Public Works Director, Josh Little, City Secretary, Brittany Andrews, and City Attorney, Matthew Butler.

Convene into Session: Mayor Woodall called the meeting to order at 6:00PM
Invocation led by: Mayor Woodall

BUSINESS INTRODUCTION

- ❖ HR Block – no business introduction.

IMPORTANT DATES

- June 4, 2022 Justin Fun Day
- June 7, 2022 Parks and Recreation Advisory Board Meeting
- June 14, 2022 City Council Meeting
- June 16, 2022 Justin Economic Development and Community Development Meeting
- June 21, 2022 Planning and Zoning Commission Meeting
- June 28, 2022 City Council Meeting

STAFF/BOARD UPDATE

- Budget Review – City Manager, Chuck Ewings went through a high-level review with Council.

ACTION ITEMS

1. Discuss, consider and take appropriate action to appoint a Mayor Pro Tem.

**Councilman Tate moved to appoint Councilman Clark as Mayor Pro Tem.
Seconded by: Councilman Clark. Motion dies 3-2**

Councilman Clark moved to appoint Councilman Mounce as Mayor Pro Tem.

Seconded by: Councilman Tate

Aye votes: Councilmembers Tate, Mounce, Hartle, Mendoza and Clark.

Motion carries

WORKSHOP SESSION

2. Discuss speed bumps in residential areas.
3. Discussion regarding a social media policy.
4. Discuss regular session agenda items.

Mayor Woodall called for a break at 7:29PM

Council reconvened at 7:41PM

CONVENE INTO REGULAR SESSION- Immediately Following Workshop Session

PUBLIC COMMENT

In order to expedite the flow of business and to provide all citizens the opportunity to speak, the mayor may impose a three-minute limitation on any person addressing the Council. The Texas Open Meetings Act prohibits the City Council from discussing issues, which the public have not been given a seventy-two (72) hour notice. Issues raised may be referred to City staff for research and/or placed on a future agenda.

Tom Cronberger, 806 12th St. Justin, TX 76247 – Owes an apology for speaking during a nonpublic comment portion of the meeting, he can see where if allowed that can get out of hand. As for the solicitor's permit, he mentioned a QR code being on the cards at a previous meeting, but since then has heard of a scam going around that causes peoples information off their phones to be exposed. Instead of speed humps, maybe have rumble strips put down.

POSSIBLE ACTION ITEMS

5. Consider and take appropriate action 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.

Councilman Clark moved to approve as written . Councilman Mounce made an amendment to extend all SUPs to 6months and for this item be extended from the end date of the current plus 5 months.Councilman Clark accepted the amendment.

Seconded by: Councilwoman Hartle

Aye votes: Councilmembers Tate, Mounce, Hartle, Mendoza and Clark.

Motion carries

6. Consider and take appropriate action regarding Resolution 582-22 amending the City of Justin fee schedule.

Councilman Clark approved Resolution 582-22 as written.

Seconded by: Councilman Tate

Aye votes: Councilmembers Tate, Mounce, Hartle, Mendoza and Clark.

Motion carries

7. Consider and take appropriate action regarding a social media policy.

Councilwoman Hartle made a motion to approve the social media policy as is with section 1B. to state it is manditorially published on the page when the primary intention is to reach citizens of Justin to include all public and private groups.

Seconded by: Councilman Mounce

Aye votes: Councilmembers Tate, Mounce, Hartle, Mendoza and Clark.

Motion carries

8. Consider and take appropriate action to approve a nomination of a candidate to serve on the Denco Board of Managers.

No Action

CONSENT

Any Council Member may request an item on the Consent Agenda to be taken up for individual consideration

9. Consider and take appropriate action to approve Resolution 583-22 suspending the effective date of ONCOR Electric Delivery Company's request for a rate change to permit time to study and establish reasonable rate.
10. Consider and take appropriate action approving City Council meeting minutes dated May 10, 2022.

Councilman Mounce moved to approve all consent items.

Seconded by: Councilwoman Hartle

Aye votes: Councilmembers Tate, Mounce, Hartle, and Mendoza.

Nay votes: Councilman Clark

Motion carries 4-1

EXECUTIVE SESSION

Any item on this posted agenda could be discussed in Executive Session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and Section 551.087 of the Texas Government Code.

- Under Section 551.071, to conduct private consultation with the City Attorney regarding:
 - Oliver Creek Ranch MUD
 - Justin Crossing Development
- Under Section 551.087, Deliberation regarding economic development negotiations:
 - Chapter 380 Agreement with OES

Convene into executive session at 8:10PM

Adjourn into open meeting at 8:21PM

11. Discuss, consider, and act on items discussed in Executive Session.

Councilman Clark made a motion to approve the Chapter 380 agreement as presented.

Seconded by: Councilman Mounce

Aye votes: Councilmembers Tate, Mounce, Hartle, Mendoza and Clark.

Motion carries

FUTURE AGENDA ITEMS

ADJOURN

With there being no further business, the meeting was adjourned at 8:23PM

Brittany Andrews

Brittany Andrews, City Secretary

Seal: