



**CITY OF LAKE WORTH**

**PLANNING AND ZONING COMMISSION AGENDA**

**3805 ADAM GRUBB  
LAKE WORTH, TEXAS 76135  
TUESDAY, DECEMBER 15, 2020**

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**PLANNING AND ZONING COMMISSION: 6:30 PM**

Held in the City Council Chambers

**A. CALL TO ORDER**

**A.1 INVOCATION AND PLEDGE OF ALLEGIANCE**

**A.2 ROLL CALL**

**A.3 CITIZENS PRESENTATION / VISITOR COMMENTS**

The Planning and Zoning Commission is always pleased to have citizens attend its meetings and welcomes comments during the Citizen/Visitor Comments section of the meeting; however, pursuant to the Texas Open Meetings Act, Commission cannot deliberate or vote on issues not posted on the agenda. Therefore, those types of items must be posted 72 hours prior to the Planning and Zoning Commission meeting. If it is not posted, no deliberation between Commission members may occur; Commission may only respond with specific factual information or recite existing policy. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Commission for items listed as public hearings will be recognized when the public hearing is opened. For citizens wishing to speak on a non-public hearing item, they may either address the Commission during the Citizen Comments portion of the meeting or when the item is considered by the Planning and Zoning Commission. Negative or disparaging remarks about City personnel will not be tolerated. If you wish to address the Commission, speakers are requested to fill out a "Public Meeting Appearance Card" and present it to the City Secretary, prior to the presiding officer calling the meeting to order. Comments will be limited to three (3) minutes per speaker and (6) minutes for those with a translator.

**B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS**

B.1 Approve minutes of the November 17, 2020 regular Planning & Zoning Commission meeting.

**C. PUBLIC HEARINGS**

C.1 Public hearing to consider Planning & Zoning Case No. PZ-2020-17, an ordinance

amending Ordinance No. 1169, the Comprehensive Zoning Ordinance of the City of Lake Worth, by amending Article 14.300, Section 14.302 "Definitions" to provide definitions for "Body Piercing", "Intradermal Cosmetics" (Permanent Makeup) and "Tattooing"; amending Article 14.400, Section 14.403 Table of Uses by adding "Intradermal Cosmetics" to the "Barber/Beauty Shops, Salons" and "Spa-Beauty, Health, Massage" categories; by adding "Medical Clinics" to the "Office, Health Services" category; and by adding "Tattooing/Body Piercing" to the Land Use Table; and by removing "Medical Clinics" from the "Medical Care Facilities, Hospitals" category.

**D. EXECUTIVE SESSION**

The Planning and Zoning Commission may enter into closed Executive Session as authorized by Chapter 551, Texas Government Code. Executive Session may be held at the end of the Regular Session or at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the city attorney (551.071) as to the posted subject matter of this Planning and Zoning Commission meeting.

The Planning and Zoning Commission may confer privately with its attorney to seek legal advice on any matter listed on the agenda or on any matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Texas Government Code.

**E. EXECUTIVE SESSION ITEMS - PLANNING AND ZONING COMMISSION MAY TAKE ACTION ON ANY ITEMS DISCUSSED IN EXECUTIVE SESSION LISTED ON THE AGENDA.**

**F. ADJOURNMENT**

Certification

I do hereby certify that the above notice of the meeting of the Lake Worth Planning and Zoning Commission was posted on the bulletin board of City Hall, 3805 Adam Grubb, City of Lake Worth Texas in compliance with Chapter 551, Texas Government Code on Friday, December 11, 2020 at 3:30 pm.

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City Secretary

**This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (817) 237-1211 ext. 105 for further information.**

**Lake Worth Planning and Zoning Commission Meeting -  
December 15, 2020**

**Agenda Item No. B.1**

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**FROM:** Suzanne Meason, Planning & Zoning Administrator  
**ITEM:** Approve minutes of the November 17, 2020 regular Planning & Zoning Commission meeting.

**SUMMARY:**

The minutes are approved by majority vote of the Commission at the Planning and Zoning Commission meeting.

The Planning and Development office prepares action minutes for each Planning and Zoning Commission meeting. The minutes for the previous meeting are placed on the agenda for review and approval by the Commission. Upon approval of the minutes, an electronic copy will be uploaded to the City's website.

**FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

November 17, 2020 Planning and Zoning Commission Meeting Minutes

**RECOMMENDED MOTION OR ACTION:**

Approve minutes of the November 17, 2020 regular Planning & Zoning Commission meeting.

**MINUTES OF THE REGULAR MEETING  
OF THE PLANNING & ZONING COMMISSION OF THE  
CITY OF LAKE WORTH, TEXAS  
HELD IN CITY HALL, COUNCIL CHAMBERS, 3805 ADAM GRUBB  
TUESDAY, NOVEMBER 17, 2020**

**REGULAR MEETING: 6:30 PM**

**A. CALL TO ORDER.**

Chair Sherrie Kubala-Watkins called the Planning & Zoning Commission meeting to order at 6:30 p.m.

**A.1 INVOCATION AND PLEDGE OF ALLEGIANCE.**

Commissioner Patty Biggers gave the invocation and attendees recited the pledge of allegiance.

**A.2 ROLL CALL.**

Present:	Diane Smith	Place 1
	Sherrie Kubala Watkins	Chair, Place 2
	Patty Biggers	Place 4
	Troy Jones	Place 5
	Coy Pennington	Alternate Place 6
	Don Riley	Alternate Place 7

Absent:	Jeannie Turley	Place 3
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Staff Present:	Stacey Almond	City Manager
	Barry Barber	Director of Building Development
	Suzanne Meason	Planning and Zoning Administrator
	Alicia Kreh	City Attorney

Alternate Place #6, Coy Pennington and Alternate Place #7, Don Riley were voting members for certain items on the agenda; due to one regular member absence and one member recusing herself from two of the agenda items.

**A.3 CITIZENS PRESENTATION / VISITOR COMMENTS.**

There were no requests to speak from the public.

**B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS**

**B.1 APPROVE MINUTES OF THE OCTOBER 20, 2020 REGULAR PLANNING AND ZONING COMMISSION MEETING.**

**APPROVED**

**COMMISSIONER DIANE SMITH MADE A MOTION, SECONDED BY COMMISSIONER PATTY BIGGERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.**

**MOTION TO APPROVE CARRIED 5-0.**

**C. PUBLIC HEARINGS**

**C.1 PUBLIC HEARING TO CONSIDER PLANNING & ZONING CASE PZ-2020-14, AN ORDINANCE AMENDING ORDINANCE NO. 1169, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE WORTH BY CHANGING THE ZONING DISTRICT CLASSIFICATION FROM “PC” PLANNED COMMERCIAL TO “C” COMMERCIAL FOR AN APPROXIMATELY 1.0257 ACRE PARCEL OF LAND KNOWN AS BLOCK 1, LOT 3, LAKE WORTH TOWNE CROSSING ADDITION, OR MORE COMMONLY KNOWN AS 4041 PAUL MEADOR DRIVE, LAKE WORTH, TEXAS AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE.**

**APPROVED**

Chair Sherrie Kubala-Watkins opened the public hearing at 6:35 pm and called on staff to present the case.

Ms. Suzanne Meason presented the case to the Commission. She advised that this was the request on Madison Black who desires to develop the property. Before it can be developed it would have to be changed from the “PC” Planned Commercial zoning district to the “C” Commercial zoning district under the City’s new Comprehensive Zoning Ordinance. The Commission was given an excerpt containing the land use table, which outlines what uses are allowed in the “C” Commercial zoning. Notice of the public hearing was mailed out to all those property owners within two hundred (200’) foot of the subject property and published in the Fort Worth Star Telegram. Ms. Meason reported that she had received two (2) public comments forms back which were in favor of the request.

Madison Black, 5213 El Campo Dr., Ft Worth, Texas, the applicant was present to answer any questions. She advised that she wanted to open a HTeaO business on the site. Ms. Black noted that the best way to describe the business was that it was like the "Starbucks" of iced tea. She advised that there were locations in Weatherford, Bedford, Plano, Carrollton and many other locations to be developed in Texas. She advised that this would be her first store, and she expected to open two (2) additional stores.

There being no one else in the audience wishing to speak, Chair Sherrie Kubala-Watkins closed the public hearing at 6:39 pm and called for a motion.

**COMMISSIONER TROY JONES MADE A MOTION, SECONDED BY COMMISSIONER DIANE SMITH, TO APPROVE PLANNING AND ZONING CASE #PZ-2020-14.**

**MOTION TO APPROVE CARRIED 5-0.**

**C.2 PUBLIC HEARING TO CONSIDER PLANNING & ZONING CASE PZ-2020-15, AN ORDINANCE AMENDING THE 2035 FUTURE LAND USE PLAN MAP FROM PLANNED MIXED USE TO SINGLE-FAMILY-HIGH DENSITY FOR AN APPROXIMATELY 15.06 ACRE TRACT OF LAND KNOWN BY METES AND BOUNDS AS A TRACT OF LAND SITUATED IN THE JACOB WILCOX SURVEY, ABSTRACT NO. 1741, CITY OF LAKE WORTH, TARRANT COUNTY, TEXAS; AND BEING PART OF A TRACT OF LAND DESCRIBED IN THE WARRANTY DEED TO NORTH CORRIDOR REALTY LTD., RECORDED IN INSTRUMENT NO. D206356748, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF AZLE AVENUE (A VARIABLE WIDTH RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF PAUL MEADOR DRIVE (A CALLED 80-FOOT RIGHT-OF-WAY) SAME BEING THE NORTHWEST CORNER OF LOT 1, BLOCK A, OF AZLE ADDITION, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. D217018314, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 89°15'51" EAST, WITH SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 1050.47 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°15'51" EAST, CONTINUING WITH SAID SOUTH RIGHT-OF-WAY LINE OF AZLE AVENUE, A DISTANCE OF 98.02 FEET TO THE NORTHWEST CORNER OF LOT 7, BLOCK 1 OF LOTS 6, 7, & 8, BLOCK 1, SUMMIT PARK, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-206, PAGE 73, PLAT RECORDS, TARRANT COUNTY, TEXAS; THENCE SOUTH 0°45'21" EAST, WITH THE WEST LINE OF SAID SUMMIT PARK PART OF THE WAY, A DISTANCE OF 846.35 FEET TO A POINT IN THE NORTH LINE OF LOT 2R, BLOCK 1, OF COURAGE ADDITION, BLOCK 1, LOT 2R, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. D205303025, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 74°15'56" WEST, WITH SAID NORTH LINE OF LOT 2R, BLOCK 1, A DISTANCE OF 475.53 FEET TO THE NORTHWEST CORNER**

OF SAID LOT 2R, BLOCK 1; THENCE SOUTH 15°39'44" WEST, WITH THE WEST LINE OF SAID LOT 2R, BLOCK 1, A DISTANCE OF 304.09 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2R, BLOCK 1, AND BEING IN THE NORTH LINE OF LOT 3 OF LAKE WORTH CENTER, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-145, PAGE 6, PLAT RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 74°17'22" WEST, WITH SAID NORTH LINE OF LOT 3, A DISTANCE OF 260.27 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, SAME BEING THE NORTHEAST CORNER OF LOT 1, BLOCK A, OF THE LAKE WORTH TOWNE CENTER LOTS 1-4, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. D194043046, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE WITH SAID NORTH LINE OF LOT 1, BLOCK A, AND LOT 4, BLOCK A OF SAID LAKE WORTH TOWNE CENTER ADDITION, THE FOLLOWING COURSES AND DISTANCES: NORTH 81°10'41" WEST, A DISTANCE OF 575.52 FEET; NORTH 81°06'45" WEST, A DISTANCE OF 34.31 FEET; THENCE NORTH 56°37'40" EAST, OVER AND ACROSS SAID NORTH CORRIDOR REALTY LTD. TRACT, A DISTANCE OF 590.14 FEET TO THE MOST SOUTHERNLY SOUTHEAST CORNER OF LOT 1, BLOCK A, OF AZLE ADDITION, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. 0217018314, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 53°13'08" EAST, WITH A SOUTHEAST LINE OF SAID LOT 1, BLOCK A, A DISTANCE OF 263.55 FEET TO THE MOST EASTERLY SOUTHEAST CORNER OF SAID LOT 1, BLOCK A; THENCE OVER AND ACROSS SAID NORTH CORRIDOR REALTY LTD. TRACT, THE FOLLOWING COURSES AND DISTANCES: NORTH 61°35'11" EAST, A DISTANCE OF 650.14 FEET; NORTH 11°07'14" EAST, A DISTANCE OF 32.66 FEET; NORTH 4°45'07" EAST, A DISTANCE OF 21.07 FEET TO THE POINT OF BEGINNING AND CONTAINING 15.06 ACRES OF LAND MORE OR LESS, OR MORE COMMONLY LOCATED OFF AZLE AVE/PAUL MEADOR/BOAT CLUB RD, LAKE WORTH, TEXAS AND BY AMENDING THE 2035 FUTURE LAND USE MAP TO REFLECT SUCH CHANGE.

### **APPROVED**

Chair Sherrie Kubala-Watkins opened the public hearing at 6:42 pm for agenda item C.2 and C.3, which are Planning and Zoning Case No. PZ-2020-15 and PZ-2020-16 and called on staff to present the cases.

Ms. Suzanne Meason presented the cases to the Commission. Mrs. Meason stated this was the request of Arnold Pent the property owner of the large tract of land behind the existing Wal-Mart, specifically a 15.06-acre tract of that land which he was requesting be changed on the 2035 Future Land Use Plan Map and the zoning changed from Mixed Use Planned Development to Multi-Family. Ms. Meason advised that notice had been mailed to those property owners within two hundred (200') feet of the subject property and published in the Fort Worth Star Telegram; the Lake Worth Independent School District was notified as well due to the zoning request involving multi-family development.

Ms. Meason had received the following public comments forms back as of the packet preparation date:

**In Favor** of the request:

TSCA-335 Limited Partnership - Lake Worth Shopping Center (6346 Lake Worth Blvd./3937 Boat Club Road.

**In Opposition** of the request:

Amol Kansagra - Meineke Automotive Repair Shop (4041 Boat Club Road)

Ms. Meason advised that there had not been any contact with the school district.

Mr. Brady Blair with Flournoy Development in Columbus, GA was in attendance and had a brief presentation for the Commission and audience. Mr. Blair gave the history of his company which was started in 1967 and was privately owned until 2018 when they were purchased by Kajima a very large construction company in Japan. That company has a headquarters in Atlanta, GA which handles all the United States companies. They have their own construction company and management company. They do nothing but market rate apartments. This will be the fifteenth (15) or sixteenth (16) project they have done in the Dallas/Fort Worth area. This project planned is for 288 market rate units: three-story garden style apartments. The company is excited for this project because it is in a good location and their market study shows that there are no comps for this type of product in Lake Worth. There are other apartments in the area, but they are older or are tax-credit income restricted communities. Mr. Blair noted that the target group to occupy the apartments would be young professionals, single or married; generally, do not have kids or will later in life and empty nesters that are looking to downsize, but want to stay close to familiar surroundings. The units are mostly one bedroom, some two bedroom and some three bedrooms. The rent rates range from \$1100 - \$1600 a month and the overall project value is around forty (40) to forty-five (45) million. A project of this magnitude would generate somewhere between \$850,000-\$900,000 in property tax revenue a year. The community will have typical amenities: pool, grilling areas, dog parks, conference room/work area, game room, and clubhouse. It will be a completely gated community with automated entry. Construction time frame is approximately ten (10) to eleven (11) months until the clubhouse and first units are ready to lease and then the remaining units being ready to lease in an additional four (4) to five (5) months. Mr. Blair had an example elevation of what the buildings may look like and a general site layout for reference. The main entry will be off Azle Avenue and a resident only secondary access off Boat Club Rd. The drainage creek that runs through the property will be cleaned up, and kept as natural as possible and utilized as an amenity for the residents. Mr. Blair feels that this is a great location for a much-needed product.



Commissioner Diane Smith asked if the second and third stories were walkups and about lighting on the property.

Mr. Blair advised that they would be walkups and that the property would be very well lit and secure without projecting too much light on neighboring properties. Applicants are screened financially and have a criminal background check done as well. He did note again that they would be building and managing the apartment community.

Chair Sherrie Kubala-Watkins asked if anyone in the audience wished to speak in favor of the request. She then asked if there was anyone in the audience wishing to speak in opposition of the request.

**In Opposition** of the request:

Brian McWilliams, 6301 Big Bend Trail asked about security at the community. He touched on the public safety aspect, addition of children to the school district, inadequate utilities in the area, and potential crime related to apartment communities. He feels that an apartment community would further these issues.

Amol Kansagra - Meineke Automotive Repair Shop (4041 Boat Club Road) advised that he was conflicted on the issue as he is all for city grow as that provides growth for his business, but in other cities he has had businesses near apartments that in his experience tend to be bulgarized.

Mr. Blair responded to some of the concerns voiced. He advised that the market study done did not show for many children to be living on the property. The target audience for the community is going to be young professionals, mature professionals, married professionals without kids, empty nesters, and roommate situations. As far as the security is concerned, he reiterated that the community would be completely gated/fenced and would have security lighting and other security measures; and that was as much for the residents of the community as for those businesses around the community as well.

Commissioner Diane Smith asked the height of the fencing around the community.

Mr. Blair advised that would just be dependent on the site itself and was not really known at this time. Height and materials would be something that would have to be looked at during site planning.

Terry Reynold, Manager for the Meineke Automotive expressed his concern as to burglary and vandalism of businesses in close proximity of the apartment community.

Mr. McWilliams asked about traffic counts and if a study had been done as to the impact the apartments would have on Azle Avenue and Boat Club Rd traffic.

Jennifer Gansert with Kimley-Horn and Associates noted that a preliminary traffic study had been conducted and will be submitted with the official site plan submittal; but the report shows that those two intersections are rated at an E rating. Roads are rated from A-F, with A-D being okay and E and F being failing. While it is classified as an E, the study does not show the project to make the rating any worse than it already is. They noted in the study some recommendations for items that can be done to try to help with the issues.

Commissioner Troy Jones asked if this were not something that could be tabled in order to work out the concerns with lighting, security, etc.

Mrs. Stacey Almond, City Manager explained that pertaining to those items, that would be something that would be worked out in the site planning process and did not have bearing on the zoning items at hand.

There being no one else in the audience wishing to speak, Chair Sherrie Kubala-Watkins closed the public hearing at 7:16 pm and called for a motion.

**COMMISSIONER TROY JONES MADE A MOTION, SECONDED BY COMMISSIONER COY PENNINGTON, TO APPROVE PLANNING AND ZONING CASE #PZ-2020-15 AND PLANNING AND ZONING CASE #PZ-2020-16.**

**MOTION TO APPROVE CARRIED 5-0. COMMISSIONER PATTY BIGGERS RECUSED HERSELF FROM THE VOTE.**

**C.3 PUBLIC HEARING TO CONSIDER PLANNING & ZONING CASE PZ-2020-16, AN ORDINANCE AMENDING ORDINANCE NO. 1169, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE WORTH BY CHANGING THE ZONING DISTRICT CLASSIFICATION FROM “PC” PLANNED COMMERCIAL AND “M-PD” MIXED PLANNED DEVELOPMENT TO “MF” MULTIFAMILY FOR AN APPROXIMATELY 15.06 ACRE TRACT OF LAND KNOWN BY METES AND BOUNDS AS A TRACT OF LAND SITUATED IN THE JACOB WILCOX SURVEY, ABSTRACT NO. 1741, CITY OF LAKE WORTH, TARRANT COUNTY, TEXAS; AND BEING PART OF A TRACT OF LAND DESCRIBED IN THE WARRANTY DEED TO NORTH CORRIDOR REALTY LTD., RECORDED IN INSTRUMENT NO. D206356748, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF AZLE AVENUE (A VARIABLE WIDTH RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE**

OF PAUL MEADOR DRIVE (A CALLED 80-FOOT RIGHT-OF-WAY) SAME BEING THE NORTHWEST CORNER OF LOT 1, BLOCK A, OF AZLE ADDITION, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. D217018314, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 89°15'51" EAST, WITH SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 1050.47 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°15'51" EAST, CONTINUING WITH SAID SOUTH RIGHT-OF-WAY LINE OF AZLE AVENUE, A DISTANCE OF 98.02 FEET TO THE NORTHWEST CORNER OF LOT 7, BLOCK 1 OF LOTS 6, 7, & 8, BLOCK 1, SUMMIT PARK, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-206, PAGE 73, PLAT RECORDS, TARRANT COUNTY, TEXAS; THENCE SOUTH 0°45'21" EAST, WITH THE WEST LINE OF SAID SUMMIT PARK PART OF THE WAY, A DISTANCE OF 846.35 FEET TO A POINT IN THE NORTH LINE OF LOT 2R, BLOCK 1, OF COURAGE ADDITION, BLOCK 1, LOT 2R, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. D205303025, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 74°15'56" WEST, WITH SAID NORTH LINE OF LOT 2R, BLOCK 1, A DISTANCE OF 475.53 FEET TO THE NORTHWEST CORNER OF SAID LOT 2R, BLOCK 1; THENCE SOUTH 15°39'44" WEST, WITH THE WEST LINE OF SAID LOT 2R, BLOCK 1, A DISTANCE OF 304.09 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2R, BLOCK 1, AND BEING IN THE NORTH LINE OF LOT 3 OF LAKE WORTH CENTER, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLATE THEREOF RECORDED IN VOLUME 388-145, PAGE 6, PLAT RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 74°17'22" WEST, WITH SAID NORTH LINE OF LOT 3, A DISTANCE OF 260.27 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, SAME BEING THE NORTHEAST CORNER OF LOT 1, BLOCK A, OF THE LAKE WORTH TOWNE CENTER LOTS 1-4, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. D194043046, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE WITH SAID NORTH LINE OF LOT 1, BLOCK A, AND LOT 4, BLOCK A OF SAID LAKE WORTH TOWNE CENTER ADDITION, THE FOLLOWING COURSES AND DISTANCES: NORTH 81°10'41" WEST, A DISTANCE OF 575.52 FEET; NORTH 81°06'45" WEST, A DISTANCE OF 34.31 FEET; THENCE NORTH 56°37'40" EAST, OVER AND ACROSS SAID NORTH CORRIDOR REALTY LTD. TRACT, A DISTANCE OF 590.14 FEET TO THE MOST SOUTHERNLY SOUTHEAST CORNER OF LOT 1, BLOCK A, OF AZLE ADDITION, AN ADDITION TO THE CITY OF LAKE WORTH, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. 0217018314, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 53°13'08" EAST, WITH A SOUTHEAST LINE OF SAID LOT 1, BLOCK A, A DISTANCE OF 263.55 FEET TO THE MOST EASTERLY SOUTHEAST CORNER OF SAID LOT 1, BLOCK A; THENCE OVER AND ACROSS SAID NORTH CORRIDOR REALTY LTD. TRACT, THE FOLLOWING COURSES AND DISTANCES: NORTH 61°35'11" EAST, A DISTANCE OF 650.14 FEET; NORTH 11°07'14" EAST, A DISTANCE OF 32.66 FEET; NORTH 4°45'07" EAST, A DISTANCE OF 21.07 FEET TO THE POINT OF BEGINNING AND CONTAINING 15.06 ACRES OF LAND MORE OR LESS, OR MORE COMMONLY

**LOCATED OFF AZLE AVE/PAUL MEADOR/BOAT CLUB RD, LAKE WORTH, TEXAS AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE .**

**APPROVED**

Chair Sherrie Kubala-Watkins had opened and closed the public hearing for both items C.2 and C.3 at the same time.

Staff presented the cases together and heard comments from the public. A motion was made pertaining to both agenda items C.2 and C.3 at the same time.

**D. EXECUTIVE SESSION**

The Planning and Zoning Commission may enter into closed Executive Session as authorized by Chapter 551, Texas Government Code. Executive Session may be held at the end of the Regular Session or at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the city attorney (551.071) as to the posted subject matter of this Planning and Zoning Commission meeting.

The Planning and Zoning Commission may confer privately with its attorney to seek legal advice on any matter listed on the agenda or on any matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Texas Government Code.

There was no Executive Session needed.

**E. EXECUTIVE SESSION ITEMS – THE PLANNING AND ZONING COMMISSION MAY TAKE ACTION ON ANY ITEMS DISCUSSED IN EXECUTIVE SESSION LISTED ON THE AGENDA.**

No items for this category.

**F. ADJOURNMENT**

Chair Sherrie Kubala-Watkins adjourned the meeting at 7:20 p.m.

**APPROVED:**

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Sherrie Kubala Watkins, Chair  
Planning & Zoning Commission

**ATTEST:**

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Suzanne Meason  
Planning & Zoning Administrator

**Lake Worth Planning and Zoning Commission Meeting -  
December 15, 2020**

**Agenda Item No. C.1**

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**FROM:** Suzanne Meason, Planning & Zoning Administrator

**ITEM:** Public hearing to consider Planning & Zoning Case No. PZ-2020-17, an ordinance amending Ordinance No. 1169, the Comprehensive Zoning Ordinance of the City of Lake Worth, by amending Article 14.300, Section 14.302 "Definitions" to provide definitions for "Body Piercing", "Intradermal Cosmetics" (Permanent Makeup) and "Tattooing"; amending Article 14.400, Section 14.403 Table of Uses by adding "Intradermal Cosmetics" to the "Barber/Beauty Shops, Salons" and "Spa-Beauty, Health, Massage" categories; by adding "Medical Clinics" to the "Office, Health Services" category; and by adding "Tattooing/Body Piercing" to the Land Use Table; and by removing "Medical Clinics" from the "Medical Care Facilities, Hospitals" category.

**SUMMARY:**

Section 14.201 General Administration of the Comprehensive Zoning Ordinance provides for the authority to amend, supplement, or change by ordinance the regulations herein established.

From time to time staff and/or the Commission or Council may find it necessary to amend the zoning ordinance.

After a review of the zoning definitions the zoning ordinance did not provide for "intradermal cosmetics", which is also know as permanent makeup and tattooing.

Staff is proposing to add the following definitions to the Land Use Table:

- Body Piercing;
- Intradermal Cosmetics (added to the Barber/Beauty Shops, Salons and Spa-Beauty, Health, Massage); and
- Tattooing (added and permitted in C, HC, MU-PD, I and LI zoning districts).

Staff is proposing to remove and replace the following definitions to the Land Use Table:

- Medical Clinics (removed from the Medical Care Facilities, Hospitals category and placed in the Office, Health Services category).

For changes that do not apply to specific property; these changes are usually textual in nature, notice of public hearings of the Planning & Zoning Commission and City Council shall be given by publication in the city's newspaper of record (Fort Worth Star Telegram) without the necessity of notifying property owners by mail. Such notice shall state the time and place of such hearings and shall be published not less than fifteen (15) days prior to the public hearings.

Notice of the public hearings was published in the Fort Worth Star Telegram on Wednesday, November 25, 2020.

**FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

Ordinance No. XXXX

Public Hearing Notice

**RECOMMENDED MOTION OR ACTION:**

Move to approve Planning & Zoning Case No. PZ-2020-17, an ordinance amending Ordinance No. 1169, the Comprehensive Zoning Ordinance of the City of Lake Worth, by amending Article 14.300, Section 14.302 "Definitions" to provide definitions for "Body Piercing", "Intradermal Cosmetics" (Permanent Makeup) and "Tattooing"; amending Article 14.400, Section 14.403 Table of Uses by adding "Intradermal Cosmetics" to the "Barber/Beauty Shops, Salons" and "Spa-Beauty, Health, Massage" categories; by adding "Medical Clinics" to the "Office, Health Services" category; and by adding "Tattooing/Body Piercing" to the Land Use Table; and by removing "Medical Clinics" from the "Medical Care Facilities, Hospitals" category.

**ORDINANCE NO XXXX**

**AN ORDINANCE OF THE CITY OF LAKE WORTH, TEXAS, AMENDING ORDINANCE NO. 1169, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE WORTH, BY AMENDING ARTICLE 14.300, SECTION 14.302, "DEFINITIONS" TO PROVIDE DEFINITIONS FOR "BODY PIERCING", "INTRADERMAL COSMETICS (PERMANENT MAKEUP)", AND "TATTOOING"; AMENDING ARTICLE 14.400, SECTION 14.403 "TABLE OF USES" BY ADDING "INTRADERMAL COSMETICS" TO THE "BARBER/BEAUTY SHOPS, SALONS" AND "SPA - BEAUTY, HEALTH, MASSAGE" CATEGORIES; BY ADDING MEDICAL CLINICS TO THE "OFFICE, HEALTH SERVICES" CATEGORY; BY ADDING "TATTOOING/BODY PIERCING" TO THE LAND USE TABLE; AND BY REMOVING "MEDICAL CLINICS" FROM THE "MEDICAL CARE FACILITIES, HOSPITALS" CATEGORY; PROVIDING A PENALTY; PROVIDING A CUMULATIVE CLAUSE PROVIDING FOR SEVERABILITY; PROVIDING SAVINGS; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lake Worth is a Home Rule City acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City possesses all the rights, powers, and authorities possessed by all home rule municipalities, including the authority to regulate land uses under Chapter 211 of the Texas Local Government Code; and

**WHEREAS**, the City's Planning and Zoning Commission and the City Council of the City of Lake Worth, Texas in accordance with state law and the ordinances of the City, have given the required notices and have held the required public hearings regarding the adoption of this ordinance amendment; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE WORTH, TEXAS:**

**SECTION 1.  
INCORPORATION OF RECITALS**

The above and foregoing recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.  
AMENDMENT TO ZONING ORDINANCE  
ARTICLE 14.300**

Section 14.302, "Definitions" of the Code of Ordinances of the City of Lake Worth, Texas, is amended by adding the following definitions to read as follows:



**BODY PIERCING** – The practice of creating an opening in a person’s body, other than the individual’s earlobe, to insert jewelry or another decoration or to perform implants.

**INTRADERMAL COSMETICS (PERMANENT MAKEUP)** – A type of permanent tattoo, in which a needle inserts colored ink into the skin to look like eyeliner, lip liner, eyebrows, or other similar makeup.

**TATTOOING** – A permanent indelible mark, figure, design, or word that is intentionally fixed or placed on the human body by scarring or inserting pigments or ink under the skin using needles, scalpels, or other related equipment.

**SECTION 3.  
AMENDMENT TO ZONING ORDINANCE  
ARTICLE 14.400**

Section 14.403 “Land Use Table” of the Code of Ordinances of the City of Lake Worth, Texas, is amended by adding intradermal cosmetics to the Barber/beauty shops, salons and Spa – beauty, health, massage categories; by adding medical clinic to the office, health services category; by adding tattooing/body piercing to the land use table, and by removing medical clinic from the medical care facilities, hospitals category, as shown in the table below:

ZONING DISTRICT											
	PF	SF 7.5	SF 0	MF	MH	C	HC	MU PD	LI	I	NA S
Barber / beauty shops, salons, intradermal cosmetics						P	P	P	P	P	X
Spa – beauty, health, massage, intradermal cosmetics						P	P	P			X
Office, health services, medical clinics						P	P	P			X
Tattooing/body piercing						P	P	P	P	P	X
Medical care facilities, hospitals	CUP			X		P		P	P	P	X

**SECTION 4.  
PENALTY CLAUSE**

Any person, firm, or corporation violating any of the provisions of this Ordinance shall be punished by a penalty of a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense and each and every day such offense continues shall be deemed to constitute a separate offense.

**SECTION 5.  
CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of all other ordinances of the City of Lake Worth, Texas except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 6.  
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council of the City of Lake Worth that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 7.  
SAVINGS CLAUSE**

That all rights and remedies of the City of Lake Worth are expressly saved as to any and all violations of the provisions of any Ordinances affecting the development or use of land, which have accrued at the time of the effective date of the Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinance, same shall not be affected by the Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 8.  
ENROSS AND ENROLL CLAUSE**

That the City Secretary of the City of Lake Worth is hereby directed to engross and enroll this Ordinance by copying the exact caption and effective date in the minutes of the City Council of the City of Lake Worth and by filing this Ordinance in the Ordinance records of the City.

**SECTION 9.  
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED** on the 12th day of January, 2021.

**CITY OF LAKE WORTH**

By: \_\_\_\_\_  
Walter Bowen, Mayor

**ATTEST:**

\_\_\_\_\_  
Monica Solko, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Drew Larkin, City Attorney

CITY OF LAKE WORTH  
NOTICE OF PUBLIC HEARING  
PLANNING AND ZONING COMMISSION  
AND CITY COUNCIL

ZONING ORDINANCE AMENDMENT  
PLANNING & ZONING CASE #PZ-2020-17

The Planning and Zoning Commission of the City of Lake Worth, Texas, will conduct the first of two public hearings at 6:30 p.m. on Tuesday, December 15, 2020, at Lake Worth City Council Chambers, 3805 Adam Grubb, Lake Worth, Texas 76135 to hear public comment and consider recommendations to the Planning & Zoning Commission regarding an ordinance amending Ordinance No. 1169 the Comprehensive Zoning Ordinance of the City of Lake Worth by amending Article 14.300, Section 14.302 Definitions to provide for a definition for “Body Piercing”, “Intradermal Cosmetics”, also known as “Permanent Makeup” and “Tattooing”; and by amending Article 14.400, Section 14.403 Table of Uses to add “Intradermal Cosmetics” to the Barber/Beauty Shops, Salons and Spa-Beauty, Health, Massage category; add Medical Clinics to the Office, Health Services category; add Tattooing/Body Piercing to the Land Use Table being permitted in the “I” Industrial and “LI” Light Industrial zoning districts; and remove Medical Clinics from the Medical Care Facilities, Hospitals category. The City Council will conduct a second Public Hearing at 6:30 p.m. on Tuesday, January 12, 2021, at Lake Worth City Council Chambers, 3805 Adam Grubb, Lake Worth, Texas 76135 to hear public comment and consider an ordinance amending Ordinance No. 1169 the Comprehensive Zoning Ordinance of the City of Lake Worth by amending Article 14.300, Section 14.302 Definitions to provide for a definition for “Body Piercing”, “Intradermal Cosmetics”, also known as “Permanent Makeup” and “Tattooing”; and by amending Article 14.400, Section 14.403 Table of Uses to add “Intradermal Cosmetics” to the Barber/Beauty Shops, Salons and Spa-Beauty, Health, Massage category; add Medical Clinics to the Office, Health Services category; add Tattooing/Body Piercing to the Land Use Table being permitted in the “I” Industrial and “LI” Light Industrial zoning districts; and remove Medical Clinics from the Medical Care Facilities, Hospitals category. All interested parties are encouraged to attend.