

STATE OF TEXAS §
COUNTY OF DENTON §
TOWN OF BARTONVILLE §

The regular monthly meeting of the Planning and Zoning Commission of the Town of Bartonville was held on June 7, 2006, at 7:00 p.m., in the Bartonville Town Hall. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted at 3:00 p.m. on June 3, 2006, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

Present:	Absent:
Ralph Arment, Chairman	Jim Langford
Gloria McDonald, Vice Chairman	
Betty Medlock	
Don Abernathy	

Also present: Debbie E. Millican, Town Secretary
David Berman, Assistant Town Attorney
Gary Vickery, Town Engineer

This constituting a quorum, the following business took place:

Chairman Arment called the meeting to order at 7:00 p.m.

The Commissioners considered the May 3, 2006, Regular Monthly Meeting minutes. Betty Medlock moved to approve the May 3, 2006, regular monthly meeting minutes, as presented. Gloria McDonald seconded the motion. For: Medlock, McDonald and Arment. Against: None. Abstain: Abernathy. Mr. Abernathy stated that he had not been present at the meeting and felt he should abstain from voting on approval of the minutes. The motion carried 3 -0-1.

No one chose to speak.

Commissioners participated in a public hearing and considered recommendations to the Town Council regarding Ordinance 390-06, An Ordinance of the Town of Bartonville, Texas, amending the Code of Ordinances by amending Chapter 14, Zoning, Exhibit "A," Zoning Ordinance, by amending Chapter 2, Section 2.2., Definitions, by amending the definition of Kennels (105) to include Animal Boarding; by amending the definition of Shopping Center to include Shopping Malls and Strip Malls; by providing a definition for Strip Mall; by amending (193) Veterinary Hospital to incorporate a provision for a Veterinary Clinic; by amending Chart 4.3 by deleting the column for Minimum Lot Width and replacing with a column for Minimum Street Frontages; and by amending the Land Use Table by deleting Veterinarian Hospital from said Chart.

Chairman Arment opened the hearing and stated there was no applicant in that the proposed ordinance was initiated by the P&Z Commission and the Town Council.

Call to Order

ACTION: Approve Minutes

Open Forum

Ord 390-06 Public Hearing

Hearing Opened

Chairman Arment asked to hear from those in favor or in opposition to the proposed ordinance. No one chose to speak.

In Favor/Opposed

Chairman Arment closed the hearing to public comment. Gloria McDonald stated that during deliberations regarding possible revisions to the Land Use Chart, it had been her understanding that small animal clinics would only be allowed in RB, VC and GC districts

Hearing Closed

Gloria McDonald moved to recommend to the Town Council that Ordinance 390-06, be approved as revised to require Conditional Use Permits for small animal veterinarian clinics in the RB, VC and GC zoning districts. Betty Medlock seconded the motion. For: Unanimous. The motion carried 4 to 0.

ACTION: Approve Ordinance 390-06

Commissioners considered recommendations to the Town Council regarding approval of Ordinance 391-06, an Ordinance of the Town of Bartonville, Texas, amending the Code of Ordinances by amending Chapter 10, Subdivision Regulations, Exhibit "A" Subdivision Ordinance, by amending Section 1.16., Definitions, by adding bbb, to provide a definition for Flag Lot; by amending Section 3.1(p) to provide for Cul-de-Sacs in Subdivisions of five or more Lots only; by amending Section 3.5(a) through Subsection (C) to provide for Minimum Size Requirements and a prohibition for Flag Lots. The Commissioners discussed the proposed ordinance with revisions to the text regarding lot access onto arterial and collector streets and minimum frontages for cul-de-sacs.

Development Regulation Amendments

Don Abernathy moved to recommend to the Town Council that Ordinance 391-06 be approved with revisions to 3.5 (c) that retain the language from the original ordinance that provided for Engineer approval of lot access onto arterial and collector streets and further revised to reflect a 60' minimum street frontage for cul-de-sacs. Ralph Arment seconded the motion. For: Unanimous. The motion carried 4 to 0.

ACTION: Approve Ordinance 391-06

Commissioners considered recommendations to the Town Council regarding approval of the Final Plat for the proposed Liberty Crossing Addition. The proposed development will create 18 residential lots ranging in size from one (1) to 1.931 acres and is located in the Extraterritorial Jurisdiction of the Town of Bartonville, adjacent to the Tuscany Hills Addition located on Frenchtown Road in the Extraterritorial Jurisdiction of the Town of Argyle, Texas. Residents of the Tuscany Hills Addition Chris James, Paula Mabry, Dr. Marsden and Mike Mabry expressed concerns regarding the traffic impact to their neighborhood. Chris James suggested that access to the new development be through Keith Road rather than through the Tuscany Hills Addition. Gary Vickery stated that Keith Road was not a public road and that the only public access available was to the north through Tuscany Hills. Mr. James also expressed concern that the residents of Tuscany Hills had not been notified of the proposed subdivision. Town Attorney David Berman explained that public hearings and notification were not required by law, in that subdivision regulations are administrative and not discretionary. Mr. Berman stated that if the proposed development was in compliance with the subdivision regulations, state law dictated that the development must be approved. Paula Mabry reiterated Mr. James's concerns

Liberty Crossing Final Plat

regarding traffic and stated that they had been told when they purchased their lots that Genoa Drive would not be extended. Mike Mabry concurred with the statements of Mr. James and Ms. Mabry. Dr. Marsden expressed concern that his private access to Keith Road would be eliminated. Surveyor Jerry Yensan stated that access to Keith Road would be unchanged. Developer Steve Watson stated that the development had been no secret if one phone call had been placed to Town Hall in Argyle or Bartonville.

Gary Vickery presented staff recommendations to approve the final plat with the ROW along the north boundary line being labeled as such on the face of the plat.

Gloria McDonald moved to recommend that the Town Council approve the Final Plat for the Liberty Crossing Addition conditioned upon compliance with the Town Engineer's recommendations dated May 30 and June 2 and with the ROW along the north boundary line being labeled as Right-of-Way. Betty Medlock seconded the motion. For: Unanimous. The motion carried 4 to 0.

ACTION: Approve Final Plat Liberty Crossing

The Commissioner's and staff reviewed and discussed: Ordinance 361-05, Zoning Regulations and Ordinance 336-03, Development Regulations. Commissioners discussed: 1) amending the Land Use Chart in the Zoning Regulations to prohibit strip malls in all zoning districts, excepting VC and GC districts; 2) to remove the oil and gas regulations from the zoning regulations and adopt a stand alone ordinance regulating drilling operations; 3) adopting zero impact drown stream requirements; and 4) amending the road bond requirements for gas well permits and adding provisions for road damage assessments to be collected at the time a gas well permit is issued. No formal action was taken.

Work Session

There being no further business to come before the body, Chairman Arment declared the meeting adjourned at 9:05 p.m.

ADJOURNMENT

APPROVED this the 5th day of July 2006.

Approved:

Ralph Arment, Chairman

(Seal)

Attest:

Debbie E. Millican, Town Secretary