

The Bartonville Planning and Zoning Commission held a regular meeting on the 3rd day of March 2021, at 7:00 p.m., in the Council Chambers of Bartonville Town Hall, 1941 East Jeter Road, Bartonville, Texas and via video meeting.

In accordance with order of the Office of the Governor issued March 31, 2020, and in accordance with subsequent orders issued by the Office of the Governor after that date, the Bartonville Planning and Zoning Commission conducted a meeting in person and by video conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19).

Present:

Ralph Arment, Chairperson
Don Abernathy, Commissioner
Brenda Hoyt-Stenovitch, Commissioner
Jim Roberts, Alternate 1

Not Present:

Gloria McDonald, Vice-Chairperson
Harry Otto, Commissioner
Margie Arens, Alternate 2

Also present: Sylvia Ordeman, Town Administrator, Ed Voss, Town Attorney (via video)

There constituting a quorum, the following business took place:

A. CALL TO ORDER

Chairperson Arment called the meeting to order at 7:50 p.m.

B. CLOSED/OPEN SESSION

The Planning and Zoning Commission convened into a closed meeting at 7:51 p.m. pursuant to Texas Government Code Chapter 551, Section 551.071 and reconvened into open session at 8:06 p.m. to discuss matters relating to consultation with Town Attorney as follows:

- a. Consultation with Town Attorney regarding legal issues concerning amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Article 14.02, Ordinance 361-05, the Zoning regulations for the Town of Bartonville, for drive-through uses in the General Commercial (GC) district.
No action taken.
- b. Consultation with Town Attorney regarding legal issues concerning a Site Plan for Happy Huts, LLC.
No action taken.

- c. Consultation with Town Attorney regarding legal issues concerning a Conditional Use Permit for the operation of an equestrian center located at 1310 Gibbon Road.
No action taken.

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Chairperson Arment led the Pledge of Allegiance.

D. PUBLIC PARTICIPATION

There was none.

- E. **APPROVAL OF MINUTES:** Discuss and consider approval of the December 2, 2020 regular meeting minutes.

Commissioner Hoyt-Stenovitch moved to approve the meeting minutes. Commissioner Roberts seconded the motion.

VOTE ON THE MOTION

AYES: Arment, Hoyt-Stenovitch, Roberts
NAYS: Abernathy
VOTE: 3/1

F. REGULAR ITEMS

- 1. Public hearing to hear public comment and consider recommendations to the Town Council regarding an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Article 14.02, Ordinance 361-05, the Zoning regulations for the Town of Bartonville, by amending Division II, Districts, Chapter 13, General Commercial District, Section 13.3, Development and Performance Standards, by adding new subsection C.15, Drive-Throughs, and by amending Appendix C, Land Use Table, amending Drive-Throughs.

Town staff made a summary presentation of the item, stating this item would add drive-throughs to the General Commercial District’s Development and Performance Standards and to the Land Use Table by adding the use of drive-throughs to the General Commercial District as a conditionally permitted use.

Chairperson Arment opened the public hearing at 8:09 pm.

No one spoke in favor.

No one spoke opposed.

Chairman Arment closed the public hearing at 8:09 p.m.

Commissioner Hoyt-Stenovitch asked if noise levels would be considered for drive-throughs. Staff responded that the Town has a noise ordinance in place and that the CUP process would allow P&Z and Town Council to review each application for a drive-through.

Commissioner Abernathy moved to recommend approval to the Town Council on the Ordinance adding performance and CUP standards for drive-throughs. Commissioner Roberts seconded the motion.

VOTE ON THE MOTION

AYES: Arment, Abernathy, Hoyt-Stenovitch, Roberts
NAYS: None
VOTE: 4/0

2. Public hearing to hear public comment and consider recommendations to the Town Council regarding a Site Plan for Happy Huts, LLC being all of a tract of land being described as Block A, Lot 2R, Bartonville Town Hall Addition, Town of Bartonville, Denton County, Texas. The property is generally described as a 2.219-acre tract of land located on the north side of East Jeter Road, more commonly known as 1911 E. Jeter Road, Bartonville, Texas.

Town Staff informed the Commission that in the preceding Board of Adjustment meeting, the applicant did not receive the requested variance for the size of the accessory building. The applicant withdrew his application for the remaining requested variances. The applicant also withdrew his application for the site plan.

Commissioners Abernathy and Roberts left the meeting at 8:16 p.m. due to a Conflict of Interest with Item 3. Affidavits are on file with the Town Secretary.

Due to the lack of a quorum the meeting adjourned at 8:16 pm.

Note: Item 3. as listed below was not discussed due to a lack of a quorum and adjournment of the meeting. The item will be re-noticed to be heard at the April 7, 2021, regular meeting.

3. Public hearing to hear public comment and consider recommendations to the Town Council regarding an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Article 14.02, Ordinance 361-05, Zoning regulations for the Town of Bartonville, by amending, Chapter 5, Agricultural District (AG), Article 5.2, Uses Permitted, by granting a Conditional Use Permit to allow for the operation of an Equestrian Center located at 1310 Gibbons Road, Bartonville, Texas. The property to be considered for the Conditional Use Permit is zoned Agriculture (AG) with Equestrian Center as a permitted use by Conditional Use Permit only.

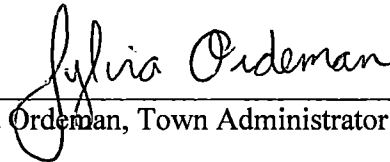
APPROVED this the 7 day of April 2021.

Approved:



Ralph Arment, Chairperson

Attest:



Sylvia Ordeman, Town Administrator