

THE PLANNING AND ZONING COMMISSION OF THE TOWN OF BARTONVILLE MET IN REGULAR SESSION ON THE 3RD DAY OF JANUARY 2024 AT THE TOWN OF BARTONVILLE TOWN HALL, LOCATED AT 1941 E JETER ROAD, BARTONVILLE, TEXAS WITH THE FOLLOWING COMMISSIONERS PRESENT, CONSTITUTING A QUORUM:

Gloria McDonald, Chair
Ralph Arment, Vice Chair
Brenda Hoyt-Stenovitch, Commissioner
Don Abernathy, Commissioner
Larry Hayes, Commissioner
Pat Adams, Alternate 1

Commissioners Absent:

Rick Lawrence, Alternate 2

Town Staff Present:

Thad Chambers, Town Administrator
Shannon Montgomery, Town Secretary
Ed Voss, Town Attorney

A. CALL MEETING TO ORDER

Chair McDonald called the meeting to order at 7:00 pm.

B. PLEDGE OF ALLEGIANCE

Chair McDonald led the Pledge of Allegiance.

C. PUBLIC PARTICIPATION

If you wish to address the Commission, please fill out a "Public Meeting Appearance Card" and present it to the Town Administrator, preferably before the meeting begins. 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 Public Participation portion of the meeting or when the item is considered by the Planning & Zoning Commission.

There was no public participation.

D. APPROVAL OF MINUTES

1. Discuss and consider the approval of the December 6, 2023, Regular Planning & Zoning Commission Meeting Minutes.

Motion made by Commissioner Hoyt-Stenovitch, seconded by Commissioner Abernathy, to approve the December 6, 2023, Regular Planning & Zoning Commission Meeting Minutes as presented.

VOTE ON THE MOTION

AYES: McDonald, Arment, Abernathy, Hayes, and Hoyt-Stenovitch

NAYS: None

VOTE: 5/0

E. PUBLIC HEARINGS AND REGULAR ITEMS

- 1. Public Hearing to receive comment and make a recommendation of 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, to establish a Conditional Use Permit for a restaurant with drive-through and approving an accompanying Site Plan on a 1.34-acre tract or parcel of land situated in Lot 3, Block A, of DCFWSD #7 Retail Center Addition, in the Town of Bartonville, Denton County, Texas. The subject property is located west of the intersection of Justin Road and E Jeter Road, in Bartonville, Texas. The applicant is Jennifer Gansert of Kimley-Horn and Associates, Inc. on behalf of Andy’s Frozen Custard. [Town File #CUP-2023-006 and SP-2023-003].**

Town Administrator Chambers provided a presentation of the application and addressed questions from the Commissioners.

Applicants Jennifer Gansert of Kimley-Horn and Associates and Josh Braun of Andy’s Frozen Custard were present and addressed questions from the Commissioners.

Chair McDonald opened the Public Hearing at 7:26 pm. After recognizing there was no one wishing to speak, Chair McDonald closed the Public Hearing at 7:27 pm.

Motion made by Commissioner Hayes, seconded by Commissioner Hoyt-Stenovitch, to recommend approval of CUP-2023-006 as presented and approval of SP-2023-003 with the following conditions:

1. All parking area lighting shall be installed and operated so as not to reflect or shine on adjacent properties and in accordance with the standards established in the Barton Zoning Ordinance Section 13.3.7 and Chapter 28; and
2. The trash receptacle shall be screened with an eight-foot-tall screen constructed of masonry materials of like and similar materials to those of the primary structure.

VOTE ON THE MOTION

AYES: McDonald, Arment, Abernathy, Hayes, and Hoyt-Stenovitch

NAYS: None

VOTE: 5/0

- 2. Public Hearing to receive comment and make a recommendation of 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, to establish a Conditional Use Permit for a restaurant with drive-through and approving an accompanying Site Plan on a 0.75-acre tract or parcel of land situated in Lot 3, Block A, of DCFWSD #7 Retail Center Addition, in the Town of Bartonville, Denton County, Texas. The subject property is located west of the intersection of Justin Road and E Jeter Road, in Bartonville, Texas. The applicant is Rama Madanat of Bowman Engineering & Consulting, Inc. on behalf of Swig Bartonville. [Town File #CUP-2023-007 and SP-2023-004].**

Town Administrator Chambers provided a presentation of the application and addressed questions from the Commissioners.

Applicants Rama Madant and Kofi Addo of Bowman Engineering & Consulting were present and addressed questions from the Commissioners.

Chair McDonald opened the Public Hearing at 7:42 pm. After recognizing there was no one wishing to speak, Chair McDonald closed the Public Hearing at 7:44 pm.

Motion made by Commissioner Abernathy seconded by Commissioner Hoyt-Stenovitch, to recommend approval of CUP-2023-007 as presented and approval of SP-2023-004 with the following conditions:

1. All parking area lighting shall be installed and operated so as not to reflect or shine on adjacent properties and in accordance with the standards established in the Barton Zoning Ordinance Section 13.3.7 and Chapter 28; and
2. The trash receptable shall be screened with an eight-foot-tall screen constructed of masonry materials of like and similar materials to those of the primary structure.
3. Prior to issuance of a Certificate of Occupancy, the applicant shall either 1) provide a shared parking agreement between the two lease areas for Swig and Andy's Frozen Custard to the Town of Bartonville, or 2) add one parking space to address the one space shortage.

VOTE ON THE MOTION

AYES: McDonald, Arment, Abernathy, Hayes, and Hoyt-Stenovitch

NAYS: None

VOTE: 5/0

F. FUTURE ITEMS

Discussion only, no action taken.

G. ADJOURNMENT

Chair McDonald adjourned the meeting at 7:49 pm.

APPROVED this the 7th day of February 2024.

APPROVED:

Gloria McDonald, Chair

ATTEST:

Shannon Montgomery, TRMC, Town Secretary