



Lavon Planning & Zoning Commission Meeting

Minutes

August 13, 2013

I. MEETING CALLED TO ORDER AT 7:04 P.M. BY CHAIRMAN SMITH

Members Present: Seat One Ernest Cody
 Seat Two David Barnhart, Vice Chair
 Seat Three Trey Smith, Chairman
 Seat Four Bill Bonney

Members Absent: Seat Five David Rosenquist

Staff Present: City Secretary Chris Wess

Legal Representative: Brenda McDonald

Council Present: Council Member and Liaison Deborah Nabors

Commission and
Board Members: President of EDC Kay Wright, Executive Director EDC Pam Mundo, EDC
 Board Member David Piekarski

Visitors: 2

There was a Quorum Present.

II. CHAIRMAN SMITH LEAD THE COMMISSION AND VISITORS IN THE PLEDGE OF ALLEGIANCE

III. INVOCATION

Chairman Smith led the Invocation.

IV. ITEMS OF INTEREST AND COMMUNICATIONS

None

V. CITIZENS' COMMENTS

None

VI. DISCUSSION

A. Planning and Zoning Commission to present a slide show and narrate the different elements of the draft Comprehensive Plan (Smith) Chairman Smith narrated a brief explanation of the Comprehensive Plan while Commissioner Cody ran the slide show presentation. He answered a variety of questions such as why does Lavon needs a Comprehensive Plan. The answer was: one of the reasons is that the State Law requires it and also if gives Lavon some control on how the City will grow and develop in the future.



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VII. PUBLIC HEARING

- A. Chairman Smith opened the Public Hearing at 7:31 p.m.
- B. Chairman Smith opened the floor to receive public comment for or against the draft Comprehensive Plan.

EDC President Wright wanted to let the Commissioners know that they are on board one hundred percent with the Comprehensive Plan that the P & Z has put together. EDC Executive Director Mundo talked about the EDC and their function in the City of Lavon. Vice Chair Barnhart explained that the Comprehensive Plan cannot be specific to projects.

Chairman Smith closed the discussion of the Comprehensive Plan 7:54 p.m.

- C. Chairman Smith opened the floor at 7:55 p.m. to receive public comment for or against the zoning Change application for temporary specific use made by Mario Sinacola & Sons Excavating Inc. for the purpose of a temporary concrete plant. This site will be located on the south side of SH78 between SH205 and Geren.

Robert Bentz Project Manager from Mario Sinacola was there to answer any questions and brought a diagram with him. He stated that the traffic lanes will be switched in November or the first of December, before the beginning of the year. Vice Chair Barnhart had a question about when the paving would take place. The reply was that originally it was to be April of next year, but now is it moved up to November. Mr. Bentz stated the temporary plant will be in place until the end of the project which will be June of 2015. Legal Representative Brenda McDonald said the Commissioners can put restitutions, conditions, and recommendations on the Zoning Change application for the temporary concrete plant. Mr. Bentz stated the temporary concrete plant will follow TCEQ regulations.

- D. Chairman Smith closed the floor to public comment.
- E. Chairman Smith closed the Public Hearing 8:15 p.m.

VIII. ITEMS FOR CONSIDERATION AND ACTION

- A. Planning & Zoning Commission to Consider and Act on determining its recommendation to the City Council concerning the temporary specific use zoning application made by Mario Sinacola & Sons, Inc. City Secretary Wess had some concerns about the temporary concrete plant being in place longer than the original 18 months. She stated the property belongs to Grand Heritage and changing the length of time will change Grand Heritages Zoning Designation. Brenda McDonald cautioned that the way the temporary use specifications are written, if it is less than 18 months it is temporary use, but if it is greater than 18 months, it is a Zoning Ordinance Amendment. She also relayed she is not sure if the owner has signed off on the application because it was supposed to be for temporary use, and if it does become a change of Zoning the property owner needs to sign off on the Ordinance. City Secretary Wess confirmed she would need a letter from the owner stating they are ok with the Change in the length of time for the temporary plant. Brenda McDonald



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suggested later on in the project, around 14 months that Mario Sinacola put in for a Text Amendment to extend the length of time so a Zoning Ordinance Amendment does not have to be put in place. Vice Chair Barnhart relayed that there are a couple issues he wanted to go over. He believes dust control is necessary and accessing SH205 could be dangerous. He stated any kind of traffic should be controlled by flagmen and warning signs. Mr. Bentz confirmed there will be warning signs up and flagmen will be used when necessary. Brenda McDonald asked if the plant would be in operation 7 days a week or Monday thru Saturday. Mr. Bentz said that there is a rare occasion where they will work on a Sunday, but most of the time it is Monday thru Saturday.

Motion: Vice Chair Barnhart made a motion to recommend to City Council to accept the specific use permit for up to 18 months or upon final acceptance of TXDOT project with the condition, that there will be dust control maintained at all times on the property, advance warning signs with a traffic control plan be in place at all times, and one more condition-the batch plant will not be used after 7:00 p.m. or before the hour of 6:00 a.m.

Second: Commissioner Bonney

In Favor: Chairman Smith, Vice Chairman Barnhart, Commissioners Bonney and Cody

Opposed: None

Motion: Carried

- B. Planning & Zoning Commission to Consider and Act on procedures for amending and adopting the Comprehensive Plan. (Cody) Commissioner Cody went over the changes he made to Ver. 1.1. It was stated that a copy of the Comprehensive Plan should be sent out to all the City of Lavon Boards so they could have a notification of the Plan. Brenda McDonald explained that this Comprehensive Plan will be amended and changed as needed for the City.

Motion: Commissioner Bonney motioned to accept flow chart with revisions changing #25 to #24, and #21 to #25, which will then make Ver. 1.1 become Ver. 1.2

Second: Vice Chair Barnhart

In Favor: Chairman Smith, Vice Chairman Barnhart, Commissioners Bonney and Cody

Opposed: None

Motion: Carried

Request to extend the meeting at 8:57 p.m.

Motion: Vice Chair Barnhart made a motion to extend the meeting for 15 minutes.

Second: Commissioner Bonney

In Favor: Chairman Smith, Vice Chairman Barnhart, Commissioners Bonney and Cody

Opposed: None

Motion: Carried



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- C. Planning & Zoning Commission to Consider and Act on Comprehensive Plan Elements. (Smith) Commissioner Bonney relayed he has a draft version 0.4 of the complete Comprehensive Plan Elements.

Motion: Commissioner Bonney moved that a copy be sent to City Council for their approval of Comprehensive Plan draft Version 0.4.

Second: Commissioner Cody

In Favor: Chairman Smith, Vice Chairman Barnhart, Commissioners Bonney and Cody

Opposed: None

Motion: Carried

- D. Planning & Zoning Commission to consider and Act on updating the Proposed City of Lavon Zoning Ordinance. (Rosenquist) Chairman Smith stated Commissioner Rosenquist is out of town and no action will be taken on item D.

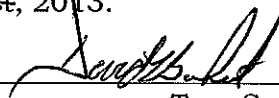
IX. SETTING FUTURE MEETINGS AND AGENDA

Commissioners need to meet with EDC to discuss future projects. The Commission also needs to consider and Act on any Text Amendment changes on the zoning ordinance. Commissioner Cody stated he would not be at the next P & Z meeting.

X. PRESIDING OFFICER TO AJOURN PLANNING & ZONING COMMISSION MEETING

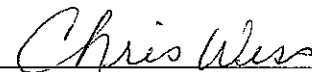
Commissioner Smith adjourned the Planning & Zoning Meeting at 9:12 p.m.

Duly passed and approved on this 22nd day of ~~August~~^{October}, 2013.



Trey Smith, Chairman
David Barnhart, Vice Chair

Attest:



Chris Wess, City Secretary