



VILLAGE OF VOLENTE

MINUTES

City Council/Planning and Zoning Commission
Special Called Joint Meeting
6:00 P.M., Tuesday, January 31, 2017
16100 Wharf Cove, Volente, TX 78641

A. ITEMS OPENING THE MEETING

1. Call to Order

Mayor Beck called the meeting to order at 6:08 p.m.

2. Call Roll

Planning and Zoning Commission

Present: Carufel, Mitchell, Scudder, and Roucloux

Absent: Barrick (recused)

A quorum was established.

City Council

Present: Baker, Beck, Fleenor, Fogarasi, Hopkins, and Yenawine

Absent: None

A quorum was established.

Also in attendance: City Attorney Buckle, City Engineer Dickey and City Secretary Vicuña

B. GENERAL BUSINESS AND ACTION ITEMS

1. Request from Kellie Rush-Frie, on behalf of Loved Homes of Volente, to rezone land at 7505 and 7601 Reed Drive; 15307, 15311, and 15315 FM 2769 from SR1 to C2; and 15401 FM 2769 from C1 to C2

- i. Staff Presentation

Kellie Rush-Frie provided an updated concept plan and engineer summary report.

City Engineer, Marc Dickey, highlighted what he looked for while reviewing the plans and went over the revised plan submitted during the meeting. He noticed there may be some issues with site development regarding non-conforming structures depending on the remodel plan, but the layout appears to work.

Mayor Beck stated that the rezoning requirement for a conceptual site plan has been met with the documents provided. The permitting process covered under site development comes later.

Dickey agreed with the statement.

ii. Applicant Presentation

Michael Whitson, Big Star Properties, LLC, introduced the presentation and gave background on behalf of Loved Homes.

Kellie Rush-Frie, continued with the detailed portion of the presentation. (Slides can be viewed in the City Secretary's office)

Hopkins reiterated Rush-Frie's statement that lots 3, 4 and 5 will be platted as one lot that cannot be broken up and sold separately. Rush-Frie agreed. Hopkins then asked if the size of lot 2 would support the use. Rush-Frie clarified that lots 10, 1 and 2 would also be platted into a single lot as well.

Mayor Beck suspended the City Council meeting at 7:07 and turned the meeting over to Planning and Zoning Chair Richard Roucloux.

Roucloux called the P&Z meeting to order at 7:07 p.m.

Roucloux clarified for the public that the hearing was for the zoning of the lots only. The permitting process will come later.

iii. Public Hearing

It was clarified that City Council would have a second public hearing later in the evening if P&Z moves to make a recommendation to Council.

Roucloux opened the public hearing at 7:09 p.m.

1. **Walt Thompson, Reed**, clarified that he does not have an issue with VJ's reopening. He then expressed his concern regarding the timing of the hearings, commercial septic backing up to residential, and runoff issues. Stated that once the lots are zoned commercial nothing else can be done.
2. **Kristi Belote, Buddy**, in favor of the rezoning.
3. **Mary McIndoe, Randolph Lot 6**, in favor of the rezoning.
4. **John Schotzhauer, Jackson**, in favor of the rezoning.
5. **Babs Yarbrough, Joy**, in favor of the rezoning.
6. **Bob Steichen, FM 2769**, in favor of the rezoning.
7. **Joyce Beck, Booth**, in favor of the rezoning.
8. **Rebecca Yeater, Lime Creek**, in favor of the rezoning.
9. **Judy Graci, Booth**, not happy with the process.
10. **Terry Spurlin, Booth**, in favor of the rezoning.
11. **Linda Olson, Booth**, in favor of the rezoning.
12. **Mattie Adams, Booth**, not happy with the process.
At this time Commissioner Scudder read the CCRs to the room.
13. **Allison Thrash, FM 2769**, not happy with the process.
14. **Sean Ryan, Sherman**, in favor of the rezoning.

15. **Sam Furman, Reed**, in favor of the rezoning.
16. **Jack Hirschhon, Reed**, in favor of the rezoning.
17. **Bill Connors, Lakeview**, in favor of the rezoning.
18. **David Gordon, Booth**, process should be followed.
19. **Art Kissinger, Lime Creek**, in favor of the rezoning.

Chairman Roucloux closed the public hearing at 8:30 p.m.

- iv. Discussion and Possible Action from Planning and Zoning Commission
Discussion among the Commission with questions to the applicants.

Scudder motioned for Planning and Zoning to recommend that Council re-zone lots 1 and 10 to C2, and lots 3, 4 and 5 to C1. Motion seconded by Carufel. Motion carried.

- v. Possible Recommendation of Planning and Zoning Commission to Council
Planning and Zoning adjourned their meeting at 9:05 p.m.
- vi. Discussion and Possible Action by Council

Council reconvened at 9:06 p.m. Chairman Roucloux presented the Commission's recommendation to Council.

1. Second Public Hearing
Mayor Beck opened the second public hearing at 9:10 p.m.
1. **Kristi Belote, Buddy**, in favor of rezoning.
2. **Judy Graci, Booth**, not happy with the process.
3. **Bill Connors, Lakeview**, in favor of rezoning.
4. **Babs Yarborough, Joy**, in favor of rezoning.
5. **Allison Thrash, FM 2769**, everyone wants a small town feel.
6. **Nancy Carufel, Joy**, in favor of rezoning.
7. **Joyce Beck, Booth**, in favor of rezoning.
8. **Jack Hirschhon, Reed**, in favor of rezoning.
9. **David Gordon**, not comfortable with rezoning lots 3, 4 and 5.
10. **Cynthia Mallow, Reed**, concerned about lots 3, 4, and 5.
11. **Bill Connors, Lakeview**, in favor of rezoning.
12. **Babs Yarborough**, in favor of rezoning.
13. **Sam Furman**, in favor of rezoning.

Mayor Beck closed the public hearing at 9:31 p.m.

Council discussed and considered the recommendation and public comments.

Fogarasi motioned to accept the Planning and Zoning Commission's recommendation to change the zoning, per their recommendation, under the specific restrictive covenants that will be reviewed and defined over the next 60 days that must include in the covenants that Loved Homes use lots 10, 1 and 2 for

restaurant, grocery store, coffee shop and storage, and other restrictive covenants that are mutually negotiated. Hopkins seconded the motion.

Ayes - 5 Nays - 0 Abstentions - 0

C. ADJOURNMENT

Mayor Beck adjourned the meeting at 12:28 a.m.

PASSED AND APPROVED ON September 19th, 2017

Signed:

Attest:

Ken Beck, Mayor

Nicole Vicuña, City Secretary