

NOTICE OF
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING
TOWN OF PROVIDENCE VILLAGE, TEXAS
PROVIDENCE VILLAGE TOWN HALL
1745 F.M. 2931
MONDAY, MARCH 10, 2014
7:00 P.M. Regular Session

MINUTES

REGULAR SESSION 7:00 p.m.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Roberson called the meeting to order at 7:02 p.m. Town Council members present were Alderman Lynn Jaco, Mayor Pro-Tem Earnest Law, Alderman Dave Shuck and Alderman Darren Vader, being a quorum. Alderman Steve Miller was absent.

II. ACTION ITEMS

- (b) Conduct the first public hearing to receive input on the proposed Zoning Ordinance, Subdivision Ordinance and the Comprehensive Master Plan Ordinance.

Mayor Roberson announced that the council would move directly to Action Item VI(b) in order to accommodate the number of people present who wish to speak during the public hearing. Mayor Roberson then gave a brief summary of the history of developing the zoning and subdivision ordinances. Alderman Shuck motioned to close Town Council regular session meeting and convene into Public Hearing; Alderman Jaco seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Roberson opened Public Hearing at 7:05 p.m.

Town Attorney, Philip Mack Furlow, gave a summary of the zoning ordinance and the need for a zoning ordinance to keep certain structures from being put in against the Town's wishes. Mr. Furlow then explained the zoning map and the protection that various zoning regions provide the Town as it relates to buildings and sizes. Mr. Furlow provided definitions of the business zones, industry zones, multifamily and manufactured homes. Mr. Furlow further stated that although there are no current plans for any multifamily or manufactured homes in the designated zoning areas, if an individual desired to plan for such housing, they would still be required to obtain approval from the Town Council before any building could happen. Mr. Furlow stated that this was the Town's way of putting businesses on notice that the Town Council values its residents and that the residents do not want business that are not

orientated to a residential environment. It helps minimize the ability of development of business that would devalue residential property.

Mr. Furlow explained that the ordinances, by nature, are complex, but that the chart helps provide a roadmap to developers of what options are available and what would require a special permit obtained from the Town Council.

Alderman Shuck voiced his opinion about the ordinance and stated that he has lived here since 2003. He emphasized that becoming a Town has given the residents some control over what happens in their community. He stated that without becoming a town, the residents would have absolutely no control over what was built in their community, nor could they do anything to rectify any damage done to property values. He further stated that if the City of Little Elm had annexed Providence Village, we would be totally at their mercy.

Alderman Jaco voiced her concerns and support of the ordinance and becoming a town. She further stated that the Town needed to have something in place to prevent the development and building of structures and businesses the Town does not want.

Alderman Shuck also spoke regarding the legal requirements for designating all zone areas and how failing to providing zoning for all potential types of residential, business and industry areas would subject the Town to potential legal issues.

David Peters, who resides at 3346 Regent Dr., Dallas, Texas and is partial owner of the property located at US Hwy 380 and FM 2931, spoke in opposition of the zoning ordinance, stating that it was too restrictive. Mr. Peters stated that he was a resident of the community. He also stated that he was not one of the greedy investors, just that he wanted to sale his property to one of those greedy investors for three million instead of one million and that the restrictiveness of the Town's zoning ordinance would diminish his profit margin. Mr. Peters also stated that typically Town's will work with various property owners and developers to obtain their input before developing a zoning ordinance and that the Town did not initial such work sessions.

Julie Anderson who resides at 9941 Martha's Vineyard Circle, originally requested to speak in opposition of the ordinance, but has since changed her position.

Aaron Ketchard, who resides at 750 High Willow Dr., Prosper, Texas, stated that he represented Barry Rich of RPM Construction, who owns the property located on the southwest corner of Fishtrap Rd. and FM 2931, also known as the TBK mulch yard, and that he was only present to gather information.

Valorie Freeman, a resident who resides as 9920 Cherokee Oaks, stated that she owns the property on the south side of the TBK mulch yard and has been there since 1994, and stated that she was in opposition to the zoning ordinance.

Lindsey Horner, who resides at PR 2708, needs to determine if her property is actually included in the corporate limits of the Town.

Lee Dodd, a resident who resides at 10395 Cedar Lake Dr., asked about the process for obtaining a special use permit. Philip Mack Furlow explained at the process for obtaining a special use permit, which included approval from the Town Council. There was further discussion regarding the special use request process and posting of zoning change notice on the property and to adjoining property owners.

There was further discussion regarding expansion plans for Fishtrap Rd. and how the Providence HOA CCR's would apply.

Janet Leigh, a resident who resides at 1920 Hartwell Ct., discussed how other states have handled zoning issues and the detrimental effect it has had on property values.

There were no further requests to speak at the public hearing and Alderman Shuck motioned to close the Public Hearing and reconvene into Town Council regular session; Alderman Jaco seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Roberson closed the Public Hearing and reconvene Town Council regular session at 8:08 p.m. at which time a recess was called at 8:08 p.m.

Mayor Roberson reconvened the Town Council regular session at 8:17 p.m.

III. PLEDGE OF ALLEGIANCE

- a. United States Flag
- b. Texas Flag:
 - i. Honor the Texas Flag I pledge allegiance to thee Texas, one State under God, one and indivisible

IV. OPEN FORUM:

Open Forum is for information only. The Council can take no action. No charges and/or complaints will be heard against any elected official, appointed official or employee of the Town unless presented in writing as prescribed in Chapter 22, paragraph 22.043 of the Local Government Code. Speaking time will be limited to three (3) minutes.

**Please note* Anyone wishing to furnish the Town Council with copies/handouts regarding their item of interest must provide 9 copies and present them to the Town Secretary for distribution to the Town Council.*

Don Fisher, President of the Providence HOA reported to the Town Council that the pools resurfacing was complete. Also reported on the current opening on the HOA board and the pancake breakfast scheduled for April 19th. There were no requests to address the Town Council in open forum.

Alderman Jaco motioned to close open forum; Mayor Pro-Tem Law seconded. Motion carried: 4 in favor; 0 opposed.

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- a. Monthly Reports from Committees: Communications, Emergency Preparedness, HOA, Ordinance and Transition

Communication Committee – Nothing to report.

Emergency Preparedness Committee – Nothing to report.

HOA – Nothing to report.

Ordinance Committee – Nothing to report.

Transition Committee – Nothing to report.

- b. Staff Reports

Code Enforcement – Connie Hansen gave a brief summary of Mike Carroll’s written report.

Law Enforcement – Nothing to report.

Town Secretary/Municipal Court – Nothing to report.

Alderman Jaco motioned to close the committee and staff reports; Alderman Shuck seconded. Motion carried: 4 in favor, 0 opposed.

VI. CONSENT AGENDA – Items are considered self-explanatory and will be enacted with one motion. There will be no separate discussion of these items unless so requested by at least one member of the Town Council.

- a. Minute Approval
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

Alderman Jaco motioned to approve the consent agenda; Mayor Pro-Tem Law seconded. Motion carried: 4 in favor, 0 opposed.

VII. ACTION ITEMS

- a. Consider and discuss presentation by State Representative Pat Fallon.

Mayor Roberson announced that State Representative Pat Fallon was not available to address the Town Council due to being called away on business on short notice. Mayor Roberson have a summary of State Representative Fallon’s accomplishment his freshman year in Austin and emphasized that he has done the things he pledged to do while in office.

- b. Conduct the first public hearing to receive input on the proposed Zoning Ordinance, Subdivision Ordinance and the Comprehensive Master Plan Ordinance.

Address earlier in the Council Meeting.

- c. Consider, discuss and act upon approval of any recommended revisions to the proposed Zoning Ordinance, Subdivision Ordinance and the Comprehensive Master Plan Ordinance prior to second public hearing scheduled for April 5, 2014.

Alderman Shuck stated that he doesn't see any need to make changes at this time to the proposed ordinances.

- d. Consider, discuss and act upon approval of Special Event Permit Application SEP2014-001 from the Providence HOA for the Easter Eggstravaganza event at the Providence Community Center on April 19, 2014.

Alderman Jaco motioned to approve the Special Event Permit Application SEP2014-001 for the Easter Eggstravaganza; Alderman Shuck seconded. Motion carried: 4 in favor, 0 opposed.

- e. Consider, discuss and act upon Providence Village Road Inspection Report for 1st Quarter 2014 conducted by Denton County Public Works.

Alderman Shuck motioned to accept the 1st Quarter 2014 Providence Village Road Inspection Report submitted by the Denton County Public Works Department; Alderman Jaco seconded. Motion carried: 4 in favor, 0 opposed.

- f. Consider, discuss and act upon approval of Certificate of Unopposed Candidates for the May 10, 2014 General Election.

Alderman Jaco motioned to approve the Certificate of Unopposed Candidates for the May 10, 2014 General Election; Mayor Pro-Tem Law seconded. Motion carried: 4 in favor, 0 opposed.

- g. Consider, discuss and act upon approval of order cancelling May 10, 2014 General Election.

Mayor Pro-Tem Law motioned to approve the order cancelling the May 10, 2014 General Election; Alderman Jaco seconded. Motion carried: 4 in favor, 0 opposed.

- h. Consider, discuss and act upon approval of Final Plat of Harbor Village at Providence Phase 6B and clarification of approval of the Development Plans for Paving, Drainage and Utility Improvements of Harbor Village at Providence Phase 6B erroneously entitled on the plans as “Development Plans for Paving, Drainage and Utility Improvements of Seaside Village at Providence Phase 6B.”

Alderman Jaco motioned to approve the Final Plat of Harbor Village at Providence Phase 6B; Mayor Pro-Tem Law seconded. Motion carried: 4 in favor, 0 opposed.

- i. Discuss legal and administrative status involving CCN and asset transfer from Providence Village Water Control and Improvement District to Mustang Special Utility District.

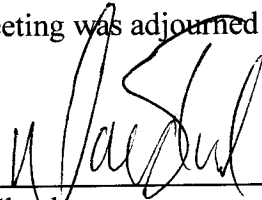
Philip Mack Furlow stated that there was nothing to report and there was no need for executive session.

- j. Identify agenda items to be discussed at future meeting.
 - 1. Zoning;
 - 2. Beautification of Town Hall.

VIII. ADJOURNMENT

Mayor Pro-Tem Law motioned to adjourn the Town Council meeting; Alderman Jaco seconded. Motion carried: 4 in favor, 0 against.

Meeting was adjourned at 8:45 p.m.



David B. Shuck
Mayor, Town of Providence Village, Texas

6/9/14
Date Minutes Approved



Connie S. Hansen
Town Secretary

6/9/14
Date Minutes Approved

