



PLANNING AND ZONING COMMISSION MEETING AGENDA

June 05, 2024 at 6:30 PM

Town Hall - 1941 E. Jeter Road, Bartonville, TX 76226

A. CALL MEETING TO ORDER

B. 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 Secretary, 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.

D. APPROVAL OF MINUTES

1. Discuss and consider the approval of the May 1, 2024, Planning & Zoning Commission Regular Meeting Minutes.

E. PUBLIC HEARINGS AND REGULAR ITEMS

1. Discuss and make a recommendation 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, to change the zoning designation from Agriculture (A) to Residential Estates 2 (RE-2) on a 12-acre tract or parcel of land identified as Lot 1R & Lot 2R, Block A, J. Burke Survey, Abstract No. 42, in the Town of Bartonville, Denton County, Texas. The subject property is located on the southeast corner of Broome Road and Porter Road in Bartonville, Texas. The applicant is McAdams, representing property owners Rusty and Martha Rice. [Town of Bartonville ZC-2024-001.]
2. Discuss and make a recommendation regarding an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Exhibit C and Chapter 19 (Accessory Building and Use Regulations), to permit the installation and operation of Recycling Collection Bins in the Town of Bartonville. The applicant is Filip Filipov, representing Texas Green Team. [Town of Bartonville ZC-2024-002.]
3. Discuss and consider the July 2024 Planning and Zoning Commission Meeting Date.

F. FUTURE ITEMS

G. ADJOURNMENT

The Planning and Zoning Commission reserves the right to adjourn into a closed meeting or executive session as authorized by Texas Government Code, Sections 551.001, et seq. (the Texas Open Meetings Act) on any item on its open meeting agenda in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.088 of the Texas Open Meetings Act. Any final action, decision, or vote on a matter deliberated in a closed meeting will only be taken in an open meeting that is held in compliance with Texas Government Code, Chapter 551.

CERTIFICATION

I hereby certify that this Notice of Meeting was posted on the Town Website, and on the bulletin board, at Town Hall of the Town of Bartonville, Texas, a place convenient and readily accessible to the public at all times. Said Notice was posted on the following date and time; and remained posted continuously prior to the scheduled time of said meeting and shall remain posted until meeting is adjourned.

/s/ Shannon Montgomery, Town Secretary

Posted: Thursday, May 30, 2024 prior to 2:00 PM

Agenda Removed from Town of Bartonville Bulletin Board on: _____

By: _____, *Title:* _____



PLANNING AND ZONING COMMUNICATION

DATE: June 5, 2024

FROM: Shannon Montgomery, Town Secretary

AGENDA ITEM: Discuss and consider the approval of the May 1, 2024, Planning & Zoning Commission Regular Meeting Minutes.

Summary: Minutes from May 1, 2024, Planning & Zoning Commission Regular Meeting.

Staff Recommendation: Approve as presented.

Exhibits:

- May 1, 2024, Planning & Zoning Commission Regular Meeting Minutes.

THE PLANNING AND ZONING COMMISSION OF THE TOWN OF BARTONVILLE MET IN REGULAR SESSION ON THE 1ST DAY OF MAY 2024 AT THE TOWN OF BARTONVILLE TOWN HALL, LOCATED AT 1941 E JETER ROAD, BARTONVILLE, TEXAS WITH THE FOLLOWING COMMISSIONERS PRESENT, CONSTITUTING A QUORUM:

Ralph Arment, Vice Chair
 Don Abernathy, Commissioner
 Larry Hayes, Commissioner
 Brenda Hoyt-Stenovitch, Commissioner
 Pat Adams, Alternate 1
 Rick Lawrence, Alternate 2

Commissioner(s) Absent:

Gloria McDonald, Chair

Town Staff Present:

Thad Chambers, Town Administrator
 Shari Borth, Permit Tech / Administrative Assistant

A. CALL MEETING TO ORDER

Vice Chair Arment called the meeting to order at 6:30 p.m.

B. PLEDGE OF ALLEGIANCE

Vice Chair Arment 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 approval of the March 6, 2024, Planning & Zoning Commission Regular meeting minutes.**

Motion made by Commissioner Hoyt-Stenovitch, seconded by Commissioner Abernathy, to approve the March 6, 2024, Planning and Zoning Regular Meeting Minutes as presented.

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

E. PUBLIC HEARINGS AND REGULAR ITEMS

1. Discuss and make a recommendation regarding a Final Plat for a 101.467-acre property situated in the Daniel Cook Survey, Abstract Number 230, and A.M. Feltus Survey, Abstract Number 1594, in the Town of Bartonville, Denton County, Texas. The property is located on the north side of E Jeter Road, approximately 2,185 feet east of the intersection of E Jeter Road and Country Court, in Bartonville, Texas. The applicant is Mycoskie & Associates, Inc., on behalf of Knight's Landing. [Town of Bartonville FP-2024-003.]

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

Vice Chair Arment opened the Public Hearing at 6:32 pm, and after recognizing that no one wanted to speak, closed the Public Hearing at 6:33 pm.

Motion made by Commissioner Abernathy, seconded by Commissioner Hoyt-Stenovitch, to recommend approval of FP2024-003 with the following conditions:

1. Prior to recordation of the final plat, the plat and accompanying planning materials shall be reviewed and approved by the registered sanitarian for the Town of Bartonville, in accordance with Title 30, Texas Administrative Code, Chapter 285, Section 285.4(c).
2. The 10-foot-wide utility easement (UE), the 15-foot-wide water line easement, and the 5-foot-wide drainage easement depicted on the final plat cannot overlap one another in a parallel fashion. Prior to recordation, the final plat shall show these three easements adjacent to one another and the public street, rather than overlapping. These will all fit within the 50-foot building setback, thus not impacting the buildable areas of the lots.
3. In accordance with BDO Section 2.6.5., the final plat shall not be recorded until either:
 - a. All required public improvements have been constructed and accepted by the Town; or
 - b. The Town has received an appropriate surety from the applicant guaranteeing the construction of the required public improvements.
4. Prior to recordation, the final plat shall include a note that stating that the point where the new public street named "Wiesen Way" meets "Hat Creek Court" shall be gated, closed, and accessible for emergency vehicles only.
5. Prior to recordation the Town approval signature box shall be updated to read "Final Plat."

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

F. FUTURE ITEMS

Discussion only, no action taken.

G. ADJOURNMENT

Vice Chair Arment adjourned the meeting at 6:39 pm.

APPROVED this the 5th day of June 2024.

APPROVED:

Gloria McDonald, Chair

ATTEST:

Shannon Montgomery, TRMC, Town Secretary

DRAFT



PLANNING AND ZONING COMMUNICATION

DATE: June 5, 2024

FROM: Thad Chambers, Town Administrator

AGENDA ITEM: Discuss and make a recommendation 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, to change the zoning designation from Agriculture (A) to Residential Estates 2 (RE-2) on a 12-acre tract or parcel of land identified as Lot 1R & Lot 2R, Block A, J. Burke Survey, Abstract No. 42, in the Town of Bartonville, Denton County, Texas. The subject property is located on the southeast corner of Broome Road and Porter Road in Bartonville, Texas. The applicant is McAdams, representing property owners Rusty and Martha Rice. [Town of Bartonville ZC-2024-001.]

Land Use and Zoning: Current land use category is Residential Estates – 2 Acre Lots (RE-2). Current zoning is Agricultural (AG).

Summary: The applicant is the owner of two parcels of land, totaling 38.03 acres, located on the southeast corner of the intersection of Broome Road and Porter Road. The legal description of the property is RICE RANCH ADDITION BLK A LOT 1R. The corresponding Denton CAD parcel numbers are 748022 and 748023. The applicant has applied for a change in the zoning designation on twelve (12) acres of their ownership (this sub-area to be known henceforth as the 'subject property') from Agricultural (AG) to Residential Estates 2 (RE-2) (see Exhibit A).

The subject property is currently vacant, save an energy storage installation.

Zoning Change

Bartonville Zoning Ordinance Appendix A, Section A.1.A.5 lists the criteria of approval for a zoning change:

1. Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map and any other incorporated plan maps;
2. Whether the proposed zoning map amendment is consistent with an annexation or development agreement in effect;
3. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified;
4. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area; and
5. Any other factors which will substantially affect the public health, safety, morals, or general welfare.

The proposed zoning change would amend the zoning designation of the subject property from Agricultural (AG) to Residential Estates 2 (RE-2). In the Bartonville Comprehensive Plan, the RE-2 land use category is described as corresponding with areas that have lot sizes start at a 2-acre minimum and provide for a land use transition from areas of greater intensity and major thoroughfares to the lower-density residential areas. These areas are intended for rural residential development. Lots within the RE-

2 areas must contain a minimum of two acres. A rural atmosphere should be maintained within these areas and street cross sections that provide for a “country” feel is encouraged for local streets. These areas are intended for a greater density of residential development and may serve appropriately as buffers for areas of less intensity. The RE-2 zoning district is one of those listed as appropriate for the RE-2 land use category (Bartonville Zoning Ordinance [BZO] Section 4.1.B, Chart 4.1).

The proposed zoning change is not associated with any annexation or development agreement. The area south of the subject property is zoned RE-2 and has a conditional use permit for an equestrian center. Properties to the north and west of the subject property are also zoned RE-2, based on the official zoning map for the Town of Bartonville. Parcels to the west of and across Porter Road from the subject property are each approximately two acres in size. The proposed zoning change for the subject property will maintain the large lot residential development pattern in place on the surrounding properties.

There are no associated school, street, water, sewer, or other utility plans that will affect or be affected by the proposed zoning change. The Cross Timbers Water Supply Corporation’s water system map shows water service within Porter Road on the subject property’s western side. There are also no factors which will substantially affect the public health, safety, morals, or general welfare.

Staff Recommendation: Approve.

Public Comment: None.

Exhibits:

1. Zoning Change Application Packet
2. Letter mailed to property owners within 200’ with location map and mailing list
3. Published legal notice

Exhibit 1

**Town of Bartonville****Application for Zoning Map Amendment**

All applications must be submitted in accordance with the Submission Schedule attached hereto.

Applicant (Owner or Agent, Specify): McAdams

Mailing Address: 4400 State Highway 121, Suite 800 Lewisville, Tx 75056

Phone: 281-253-5261 Fax: _____

Owner's Name(s) if different: Rusty Rice/ Martha Rice

Owner's Address: 1086 Broome Rd, Bartonville, Texas 76226

Phone: 214-802-3334 Fax: _____

Engineer/Surveyor if applicable: McAdams-Thad Murley

Mailing Address: 4400 State Highway 121, Suite 800 Lewisville, Tx 75056

Phone: _____ Fax: _____

General Location of Property: Porter Road and Broome Rd

Legal Description of Property: Attached
(Attach Complete Metes and Bounds Description)

Nature and reason for Zoning Change: Change from Ag to 2 Acre Residential Lots

Does this request conform with the adopted Land Use Plan? ☒ Yes ☐ No

If the change requested does not conform with the adopted Land Use Plan, you must submit a Land Use Plan Amendment Application.

Current Zoning: AG

I hereby request that the Zoning Designation be changed to: RE-2
(If a PD is proposed, submit PD Application)

I hereby certify that the information concerning this proposed zoning change is true and correct and that I am the owner of record or the authorized¹ for the owner of the above described property.

Marisa Brewer
Signature of Applicant/Owner

3/22/2024
Date

STAFF USE ONLY:

Date Submitted: _____ Fee Paid: _____

Accepted By: _____ Check No. : _____

P& Z Public Hearing: _____ Metes & Bounds Attached: ☐ Yes ☐ No

Council Public Hearing: _____ Notarized Statement: ☐ Yes ☐ No ☐ N/A

¹ A NOTARIZED statement that authorizes the agent to represent the owner(s) in this matter must be attached to this application.



NOTARY FORM

Town of Bartonville

THE FOLLOWING IS TO BE COMPLETED BY EACH OWNER THAT IS NOT SIGNING THIS APPLICATION.

Dated: March 12, 2024

I, Martha S Rice, owner of the Property located at 1086 Broome Rd, Bartonville do hereby certify that I have given my permission to McAdams to submit this zoning amendment application.

Martha S Rice
Print Name

Martha S. Rice
Signature of Owner

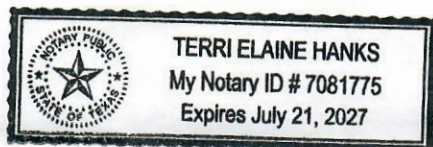
1086 Broome Road, Bartonville, Texas 76226
Address

214-802-3334
Phone No.

State of Texas §
County of DALLAS §

Before me, TERRI E. HANKS, a Notary Public in and for said County and State, on this day personally appeared Martha S. Rice known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

(Seal)



Terri E. Hanks
Notary

Legal Description
12.000 Acres
part of
Rice Ranch Addition
Town of Bartonville
Denton County, Texas

Being a portion of Lots 1R and 2R, Block A, Rice Ranch Addition, an addition to the Town of Bartonville, Denton County, Texas, according to the plat thereof recorded in Document Number 2018-528, Plat Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at the northwest corner of said Lot 2R, and being at the intersection of the south line of Bromme Road and the east line of Porter Road;

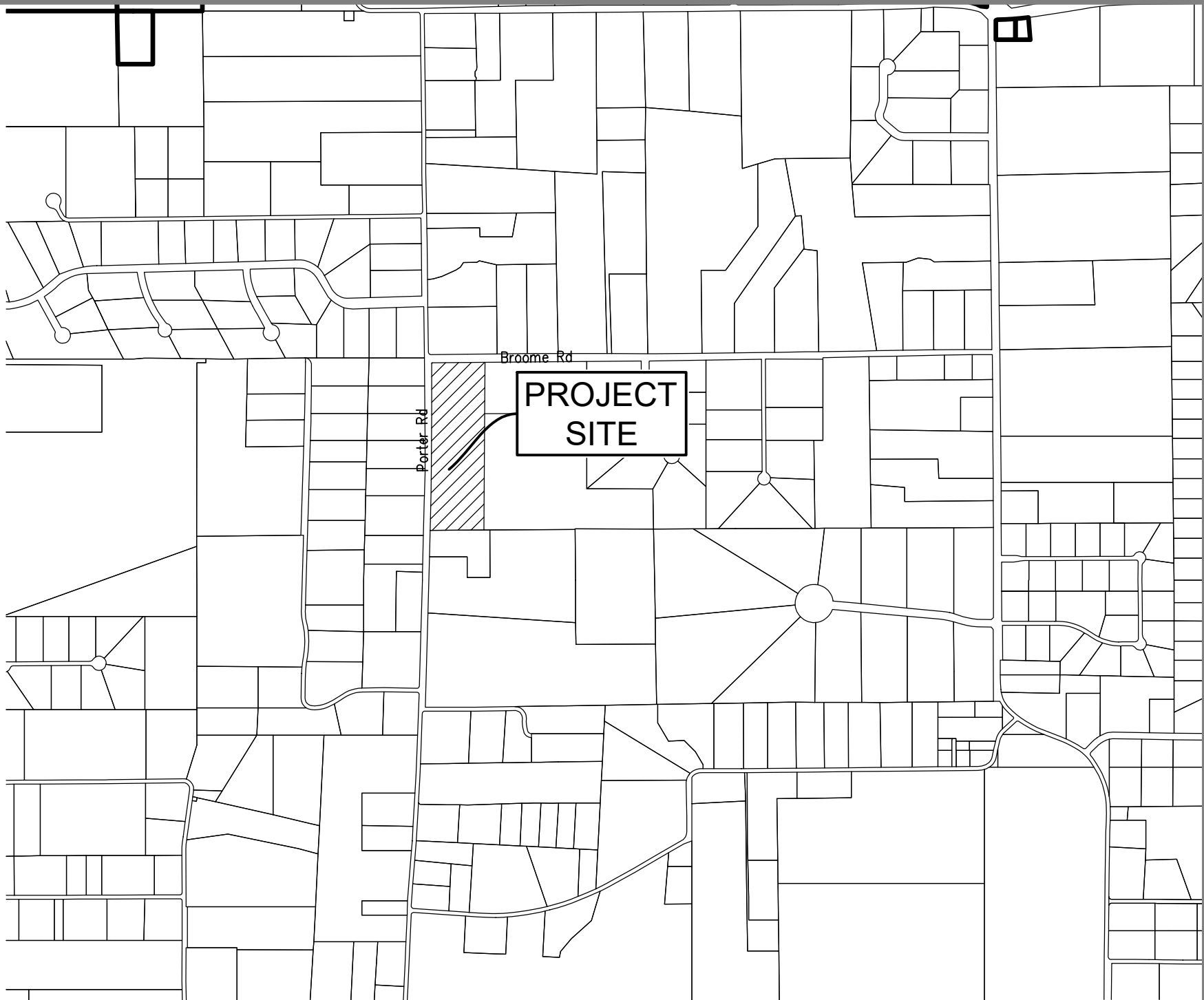
THENCE N 89°20'47" E, 396.61 feet;

THENCE S 00°19'50" E, 1270.56 feet;

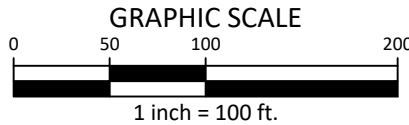
THENCE S 89°40'10" W, 426.97 feet;

THENCE N 01°02'27 E, 1268.69 feet, to the POINT OF BEGINNING and containing approximately 12.000 acres of land.

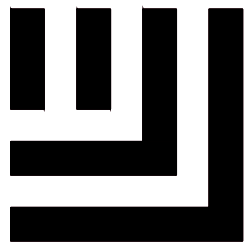
M:\Projects\SPEC\2023\SPEC23572 Rice Ranch\04-Production\Planning and Exhibits\Planning\040 Zoning\2024-03-15 SPEC23572 Zoning Exhibit.dwg, 3/17/2024 9:23:34 AM, Maria Brewer



Vicinity Map 1"=1000'



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



McADAMS

The John R. McAdams Company, Inc.
111 Hillside Drive
Lewisville, Texas 75057

phone 972. 436. 9712
fax 972. 436. 9715
TBPE: 19762 TBPLS: 10194440

www.mcadamsco.com

CLIENT

Rusty Rice

RICE RANCH
ZONING EXHIBIT

12.00 AC

Lot 1R, Lot 2R Block A
J. Burke Survey, Abstract No. 42
1086 Broome Rd, Bartonville, Texas 76226

REVISIONS

NO.	DATE	DESCRIPTION
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PLAN INFORMATION

PROJECT NO.	SPEC23572
FILENAME	2024-03-15 SPEC23572 ZONING EXHIBIT.DWG
CHECKED BY	RR
DRAWN BY	MB
SCALE	1"=100'
DATE	3/22/2024

SHEET

ZE

Exhibit 2



1941 E. Jeter Road, Bartonville, TX 76226 817-693-5280

May 23, 2024

«NAME»

«ADDRESS»

«CITY», «STATE» «ZIP»

Re: Proposed Zoning Change

Dear Property Owner:

The Planning and Zoning Commission for the Town of Bartonville, Texas will conduct a Public Hearing at 6:30 pm on June 5, 2024, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas, 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, to change the zoning designation from Agriculture (A) to Residential Estates 2 (RE-2) on a 12-acre tract or parcel of land identified as Lot 1R & Lot 2R, Block A, J. Burke Survey, Abstract No. 42, in the Town of Bartonville, Denton County, Texas. The subject property is located on the southeast corner of Broome Road and Porter Road in Bartonville, Texas. The applicant is McAdams, representing property owners Rusty and Martha Rice. The Town of Bartonville file number for this application is ZC-2024-001.

The Town Council will conduct a second Public Hearing at 6:30 pm on June 18, 2024, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas, to hear public comment and consider the proposed Zoning Change and recommendations of the Planning and Zoning Commission.

All interested parties are encouraged to attend.

Sincerely,

Thad Chambers, CPM
Town Administrator
Town of Bartonville

ZC-2024-001 Broome Rezoning Request Mailing List*Item E1.*

NAME	ADDRESS	CITY	STATE	ZIP
ALTENHOFEN, DAWN M	858 BROOME RD	BARTONVILLE	TX	76226-8211
BARRINGTON HILLS HOA C/O BARBARA D NUNNELEY	1845 PRECINCT LINE RD STE 100	HURST	TX	76054-3109
BEVERS, RONNY R & JENNIE REBECCA	589 PORTER RD	ARGYLE	TX	76226-8226
BRYANT, GARY WADE & COLYN BAKER TRS BRYANT REVOCABLE LIVING TRUST	987 BROOME RD	BARTONVILLE	TX	76226-8206
BUCCINO, EDWARD & AMANDA	1095 BROOME RD	ARGYLE	TX	76226-8207
CRANBERRY VENTURES LLC	875 PORTER RD	BARTONVILLE	TX	76226
D & L TAYLOR FAMILY LIMITED PARTNERSHIP	1240 BEDFORD LN	LEWISVILLE	TX	75077-3733
GONYA, DAVID E JR & ANNE MG	1139 BROOME RD	BARTONVILLE	TX	76226-8282
LEAST, MICHAEL & CYNTHIA	1022 GENE PERRY CT	ARGYLE	TX	76226-8289
LIEBER, SOLON JAMES & TAMBERLY L	800 STONEWOOD BLVD	ARGYLE	TX	76226-8265
PEELER, LESLIE A	1026 GENE PERRY CT	ARGYLE	TX	76226-8289
RICE, PHILIP R & MARTHA S	PO BOX 600308	DALLAS	TX	75360-0308
ROBERSON, DON M	1027 BROOME RD	BARTONVILLE	TX	76226-8207
RUSSELL, BRIDGET	1644 BARRINGTON HILLS BLVD	BARTONVILLE	TX	76226-8291
SHELL, GENE P & LORELEI B TRTS OF THE SHELL REVOCABLE TRUST	726 PORTER RD	ARGYLE	TX	76226-8219
SCOTKA, DANELLE L & RONALD L TRUST	1010 GENE PERRY CT	ARGYLE	TX	76226-8289
SEAMAN, GEORGE L & ANDREA A	654 PORTER RD	ARGYLE	TX	76226-8218
SUMMERS, CARMEN C	834 PORTER RD	BARTONVILLE	TX	76226-8220
SVOR, BRENT D & LEAH	1018 GENE PERRY CT	ARGYLE	TX	76226-8289
TAYLOR, JOSEPH M & KIMBERLY J	830 PORTER RD	ARGYLE	TX	76226-8220
WILLIAMS, WOODROW	1167 BROOME RD	BARTONVILLE	TX	76226-8282
WORKMAN, CLARIE A & RAYMOND C	690 PORTER RD	BARTONVILLE	TX	76226-8218

Exhibit 3

Denton Record-Chronicle
2413 Fort Worth Dr
(940) 387-7755

I, David Goolcharran, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Denton Record-Chronicle, a publication that is a "legal newspaper" as that phrase is defined for the city of Denton, for the County of Denton, in the state of Texas, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:
May. 18, 2024

Notice ID: upS9jWe4r0nTHXjigJMm
Notice Name: 05.18.24 PH Notices - PZ 06.05 & TC 06.18.24

PUBLICATION FEE: \$70.56

I declare under penalty of perjury that the foregoing is true and correct.

David Goolcharran

Agent

SHANNEA H HOLMES
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires August 1, 2026

VERIFICATION

State of New Jersey
County of Hudson

Signed or attested before me on this: 05/22/2024

Shanea H. Holmes

Notary Public
Notarized remotely online using communication technology via Proof.

TOWN OF BARTONVILLE
NOTICE OF PUBLIC
HEARINGS

The Planning and Zoning Commission for the Town of Bartonville, Texas will conduct Public Hearings beginning at 6:30 p.m. on June 5, 2024, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas, to hear public comment and consider the following:

- 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, to change the zoning designation from Agriculture (A) to Residential Estates 2 (RE-2) on a 12-acre tract or parcel of land identified as Lot 1R & Lot 2R, Block A, J. Burke Survey, Abstract No. 42, in the Town of Bartonville, Denton County, Texas. The subject property is located on the southeast corner of Broome Road and Porter Road in Bartonville, Texas. The applicant is McAdams, representing property owners Rusty and Martha Rice. The Town of Bartonville file number for this application is ZC-2024-001.
- recommendations to the Town Council regarding an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Exhibit C and Chapter 19 (Accessory Building and Use Regulation s), to permit the installation and operation of Recycling Collection Bins in the Town of Bartonville. The applicant is Filip Filipov, representing Texas Green Team. The Town of Bartonville file number for this application is ZC-2024-002.

The Town Council will conduct second Public Hearings beginning at 6:30 p.m. on June 18, 2024, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas, to hear public comment and consider the proposed Zoning Change and recommendations of the Planning and Zoning Commission. All interested parties are encouraged to attend.

drc 05/18/2024



PLANNING AND ZONING COMMUNICATION

DATE: June 5, 2024

FROM: Thad Chambers, Town Administrator

AGENDA ITEM: Discuss and make a recommendation regarding an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Exhibit C and Chapter 19 (Accessory Building and Use Regulations), to permit the installation and operation of Recycling Collection Bins in the Town of Bartonville. The applicant is Filip Filipov, representing Texas Green Team. [Town of Bartonville ZC-2024-002.]

Summary: The applicant has requested a text amendment to the Bartonville Zoning Ordinance (BZO) to permit the installation of recycling collection bins. As this use is not currently found within the BZO, the process described in BZO Section 4.11.C shall be followed to assign a new/unlisted use.

The requested zoning text amendment would provide for a new subsection within Chapter 30, creating a new subsection 30.6 (Recycling Collection Bins).

The proposed zoning text amendment language is found in pages 4-7 within Exhibit 1.

Staff Recommendation: None.

Public Comment: None.

Recommended Conditions:

Should the Planning and Zoning Commission vote to recommend approval of the proposed zoning text amendment, staff recommends considering the following conditions:

1. The proposed Recycling Collection Bins use shall be permitted only with a Conditional Use Permit within the following zoning districts:
 - i. Choose appropriate commercial zoning districts.
2. A recycling collection bin shall not be located within 2,500 feet from another recycling collection bin.
3. The penalty for a violation of the standards and regulations within the code shall be \$500 for each violation.
4. City removal of a recycling collection bin following multiple violations shall be reimbursed by permittee.
5. Application fee (in addition to Conditional Use Permit application fee) shall be \$50 for initial application and \$50 for renewal application.

Exhibits:

1. Zoning Text Amendment Application Packet
2. Published legal notice

Exhibit 1



Town of Bartonville

Application for Zoning Text Amendment

RECEIVED

APR 17 2024

Item E2.

All applications must be submitted in accordance with the Submission Schedule attached hereto.

Applicant: Filip Filipov

Mailing Address: 2614 ANDJON DR, DALLAS, TX 75220

Phone: 714-220-7610

Fax: _____

Email: philip@texgreenteam.com

Zoning Text Amendment: PERMITTING CLOTHING COLLECTION CONTAINERS

I hereby certify that the information concerning this proposed zoning text change is true and correct.



Signature of Applicant/Owner

4/15/2024

Date

STAFF USE ONLY:

Date Submitted: 5/6/2024 Fee Paid: 400.00

Accepted By: _____ Check No. : _____

P & Z Public Hearing: _____

Council Public Hearing: _____

C. Classification of New/Unlisted Uses - It is recognized that new types of land use will arise in the future, and forms of land use not presently anticipated may seek to locate in the Town of Bartonville. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use in the Land Use Charts (Appendix C) shall be made as follows:

1. Initiation:

a. A person, Town department, the Planning and Zoning Commission, or the Town Council may propose zoning amendments to regulate new and previously unlisted uses.

b. A person requesting the addition of a new or unlisted use shall submit to the Town Secretary, or his/her designee, all information necessary for the classification of the use, including but not limited to:

1. The nature of the use and whether the use involves dwelling activity, sales, services, or processing;

2. The type of product sold or produced under the use;

3. Whether the use has enclosed or open storage and the amount and nature of the storage;

We respectfully submit a request for the addition of clothing collection containers as an allowable use on commercial or private properties, subject to the owner's consent. These containers serve as a vital resource for the collection of used textiles, shoes, and textile goods, promoting sustainable practices and reducing textile waste within our community.

Nature of Use: The proposed use involves the installation of designated containers for the collection of used textiles and shoes. With the property owner's consent, these containers will be strategically placed in accessible locations, facilitating easy drop-offs for residents.

Purpose: Our objective is to collect textiles and shoes for reuse or recycling, thereby diverting these materials from landfills and contributing to a more sustainable future.

Location and Storage: The containers will be situated in parking lots to ensure visibility and accessibility. This approach allows individuals to conveniently dispose of their unwanted textiles and shoes without impeding other property uses.

Employment Opportunities: We anticipate the creation of new employment opportunities with the placement of every 10 containers, leading to job growth within our community.

Transportation: Servicing of the containers will be conducted via dedicated box trucks, ensuring efficient collection and maintenance operations.

Operation Hours: The premises will operate during standard business hours to accommodate residents' schedules and ensure accessibility.

Parking and Loading Requirements: We commit to adhering to off-street parking and loading requirements, providing one parking spot per three containers is required.

Environmental Impact: The containers are designed to meet safety standards and generate no noise, odor, fumes, dust, or vibration, ensuring minimal environmental impact.

Public Utilities: No additional public utilities or special services are required, as the operation primarily relies on accessible parking space.

Community Benefits: By incorporating clothing collection containers as an allowable use, we aim to foster a more environmentally conscious community, empower residents to participate in textile recycling efforts, and contribute to the municipality's sustainability goals.

We believe that by embracing this initiative, we can collectively work towards building a more resilient and environmentally friendly community. We appreciate your consideration of this request and look forward to the opportunity to partner with the municipality in promoting sustainable practices.

Sincerely,

Filip Filipov

Texx Team USA

Operations Manager

Ph: 714-220-7610

Email: philip@texgreenteam.com

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF
Bartonville

Item E2.

RECYCLING COLLECTION BINS

SUMMARY

An Ordinance amending the Municipal Code of the City of Bartonville establishing rules, regulations and registrations of Recycling Collection Bins.

LEGISLATIVE INTENT

The City Council notes that the citizens of the United States disposes of more than 242.96 million tons of solid waste each year, 55%-65% of which comes from single family residences. With a national recycling rate of just 33.8% such disposal unnecessarily burdens the state's landfills and contributes to pollution and climate change by emitting greenhouse gases such as CO₂ and methane.

It is the intent of this ordinance to support and encourage, in a responsible manner, the placement and use of attended and unattended recycling collection bins. These bins are most commonly used to collect for recycling, re-sale or re-use general household goods such as clothing, shoes, books and small appliances. When enacted, this ordinance will protect the environment by increasing community recycling and reducing the burden on local landfills, and will improve the economy by creating more jobs and provide goods for reuse and recycling.

Definitions.

Recycling Collection Bin

An attended or unattended receptacle, trailer or container made of metal, wood, steel or similar material for permanent or temporary use, designed or intended for the collection of unwanted clothing, shoes, textiles, books and other household items.

Site Host

The owner or lawful occupant (or their respective representatives) of the site of a Recycling Collection Bin within the City.

Permittee

Any organization, firm or other entity that owns and receives a permit to operate a Recycling Collection Bin in the City pursuant to this Chapter.

§xxx. Qualifications of Permittee and Form of Application.

Item E2.

- A. It shall be unlawful to erect, place, maintain or operate any Recycling Collection Bin without first obtaining a permit issued by the City.
- B. The City shall approve permittee's application if such application fulfills the application requirements under **§xxx. Qualifications of Permittee and Form of Application.**
- C. A permit issued under this Chapter shall be valid for one year and renewable for one-year periods thereafter.
- D. Recycling collection bins owned and/or operated by one entity for the benefit of another entity require the contact information for both entities on the permit application.

§xxx. Fee required.

- A. Initial Application (one-year period) e.g. \$25.00.
- B. Renewal Applications (one-year period) e.g. \$25.00.

§xxx. Qualifications of Permittee and Form of Application.

- A. Name, address and telephone number of contact person of the applicant.
- B. Written consent from the Site Host to place the Recycling Collection Bin on the property, including name, address and telephone number of the Site Host.
- C. Permittee must provide proof to the City of a Certificate of Liability Insurance of at least \$1million covering permittee's Recycling Collection Bins.

§xxx. Proof of Permit

The City shall provide the permittee with one permit sticker for each approved permit. The permit sticker shall be placed in a conspicuous place in front of the recycling collection bin that is installed on the permitted property. The City will provide replacement stickers for (insert value) should the original sticker become damaged, fall off or disappear.

§xxx. Management, Maintenance; Requirements

- A. Permittee must maintain the aesthetic presentation of each recycling collection bin including fresh paint, readable signage and general upkeep.
- B. Permittee must provide to the Site Host a telephone number for requests to respond to recycling collection bin maintenance complaints.
- C. Permittee must respond to recycling collection bin maintenance complaints within 24 hours of receiving notification during regular business hours.
- D. Permittee must remove graffiti within 72 hours following receipt of notice of its existence.
- E. If a recycling collection bin becomes damaged or vandalized, it shall be repaired, replaced or removed within five days of receipt of notice of such condition.

§xxx. Placement of Recycling Collection Bins

- A. Recycling Collection Bins shall be placed on the site in a manner that does not impede vehicular or pedestrian traffic flow.
- B. Recycling Collection Bins shall not be placed in the right-of-way and shall adhere to the set-back standards for the site where they are placed.
- C. Recycling Collection Bins placed on sidewalks must allow for five (5) feet of pedestrian walkway in front of the Recycling Collection Bin.
- D. Recycling Collection Bins shall not be placed within the sight triangle of any intersection.

§xxx. Information and Label Requirement for all Bins

The front of every Recycling Collection Bin shall conspicuously display the following:

- (a) The name, address, telephone number and the Internet Web address of the Owner and Operator the recycling collection bin;

§xxx. Reporting of Recycled Goods.

The Permittee must report the total number of tons of goods diverted from the municipal waste stream in the city. Such reporting should be done on a quarterly basis to the City Clerk by letter or e-mail.

§xxx. Violations and Penalties.

- A. In addition to any other penalties or remedies authorized by law, any permittee which violates any provision of this Chapter shall be subject to a penalty of \$250 for each violation, which includes:
 1. Unpermitted placement of a Recycling Collection Bin;
 2. failure to adequately respond to maintenance request pursuant to this Chapter;
 3. failure to maintain Recycling Collection Bins pursuant to this Chapter;
 4. failure to adhere to Recycling Collection Bin placement and removal provisions pursuant to this Chapter; and
 5. Failures to adhere to all permit requirements pursuant to this Chapter.
- B. If a permittee is found to have willfully violated the provisions of this Chapter and ignores mitigation, on more than 3 occasions in a calendar year, the permittee shall, in addition, be deemed ineligible to place, use or employ a recycling collection bin within the City pursuant to this Chapter for a period of five years, and the City may remove any or all of such permittee's recycling collection bins upon 30 days advance notice.

§ xxx Liability; protections

- A. A Site Host shall have the right to rescind consent for a recycling collection bin to be placed on the property, provided written notice of the rescission is provided to the permittee, as provided in their agreement but in no event less than 10 business days prior, to the recycling collection bin being removed.
- B. The Site Host will be held harmless by the permittee for the removal of an unauthorized recycling collection bin or where removal is necessary to comply with local zoning ordinances.
- C. A Site Host that causes the unauthorized removal of a permitted recycling collection bin pursuant to this chapter is civilly liable to the permittee of that recycling collection bin.
- D. Permittees shall maintain general liability insurance that covers any claims or losses due to the placement, operation or maintenance of the recycling collection recycling collection bin.

Recycle and don't
throw away with



GreenTeam
WORLDWIDE ENVIRONMENTAL GROUP

Item E2.

You can find the dedicated textile/shoes **GREEN BINS**
outside on the parking lot.

the secret double life of donated textiles

NEARLY **100%** OF DONATED TEXTILES ARE RECYCLED

They are separated into three grades:



Recycled fiber
products **SAVE
MONEY** and
RESOURCES
by using existing
materials.



CLOSING THE LOOP

Recycled cloth rags use **LESS
WATER, LESS ENERGY** and
create a **LOWER CARBON
FOOTPRINT** than all other
alternatives.



The second hand
clothing market provides
AFFORDABLE CLOTHING
to those in need and
**ENCOURAGES GLOBAL
ENTREPRENEURSHIP.**

SECOND LIFE ...



Our Advantages



One-of-a-kind, custom-made logistics management system guarantees excellent service and maintenance of all locations.



Ai Integration

Our software uses an algorithm to show us which location needs to be serviced as soon as possible. After receiving this information, we create and optimize routes to collect it in a quick and efficient manner.



Secure Bins

Designed to keep area clean and maintained. Our bins have a secure mechanism that doesn't allow intruders to get in.



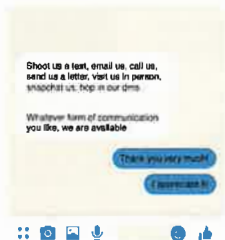
Cleanliness

Our team of dedicated workers gives us live updates of the status of the bins per visit with timestamp. So, we are always aware of what is happening at a location. No surprises



Easy to reach

If any issues arise you can call, text, or email us and we will reply as soon as possible.



Summary

At Green Team Worldwide Environmental Group, we believe in giving 110%. By using Innovative Technology, we help communities prevent clothing waste from ending up in landfill whilst also providing an opportunity for citizens in other countries to afford apparel. We thrive because of our market knowledge and the great team behind our business.



Contact Information

Miglena Minkova
Development Manager
+1 (973) 420 4634
65 Triangle Blvd, Carlstadt,
New Jersey 07072
Miglena.Minkova@GreenTeamWorldwide.com
www.GreenTeamWorldwide.com

Item E2.



GreenTeam

WORLDWIDE ENVIRONMENTAL GROUP



Aiming for a better and cleaner world

greenteamworldwide.com

Our Nonprofit Partners

By hosting one of our bins not only you support the environment, provide people with easy access to recycle unwanted items, but you also support local charities that we make guaranteed donations to such as L.E.A.D., Re-Purpose New Jersey, One Tree Planted and many more local charities.



Re-Purpose
New Jersey

We care deeply about the planet and creating a business that gives back to nature. That's why we're thrilled to share that we're partnering with One Tree Planted to plant trees. Trees clean our air and water, create habitats for biodiversity, contribute to our health and wellbeing, and create jobs for social impact. We're honored to have reforestation through One Tree Planted as an integral part of our business model.



Our Corporate Partners

westwood
FINANCIAL

Regency
Centers.

BRIXMOR
Property Group



MerloneGeier
Partners

Brookfield
Properties



WASHINGTON
PRIME GROUP



Let's Talk About Us

At Green Team Worldwide Environmental Group, we are a team of professionals, committed to high-quality service & innovation. We are passionate about what we do because we believe that by developing recycling efforts, we are being socially responsible and providing value to our communities.

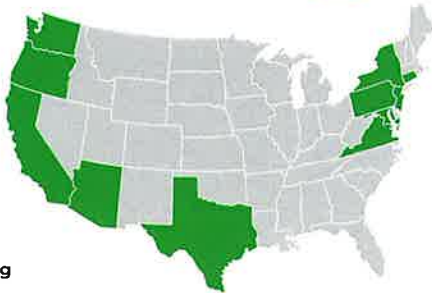
We are constantly expanding our service to provide easy and convenient public recycling solutions for unwanted textiles. We currently service major metropolitan areas in the following states through our subsidiary companies:

Statistics

12
Service
Areas

1000+
Locations
Served

10+
Years of
Experience
10 years collecting
clothing in a
sustainable way



135M
Lbs Prevented
135 Millions pounds of
clothes prevented from
ending up in landfill in
the last 10 years

Texima LLC

- New York
- New Jersey
- Pennsylvania
- Maryland
- District of Columbia
- Virginia
- Connecticut

TexGreen Inc

- Washington
- Oregon
- California
- Arizona

Texx Team USA

- DFW area, Texas

5 Reasons to Host a Bin



Make a positive statement about your commitment to the community and the environment.



Earn guaranteed and steady income on a monthly basis by utilizing parts of your property that usually nobody uses.



Build traffic to your locations by providing easy, convenient and safer way to recycle as more and more people are starting to do so.



Support your customers and community in their efforts to be responsible citizens and improve the health of our planet.



Help underprivileged people around the world find affordable, usable clothing.



Town of Bartonville
1941 E Jeter Rd.
Bartonville, TX 76226

Receipt #: 8457
User: court@townofbartonville.com
Payment Date: 5/6/2024
Batch: 205155 - Card Connect Credit/Debit
Card Batch #1213

100-4122 Zoning/CUP Fee
P&Z Fees

Zoning Text Amendment Application Filip Fi
lipov Clothing Collection: 100-4122

Amount Due: \$400.00
Applied: \$400.00
Balance: \$0.00

5/6/2024

Credit Card: \$400.00
Authorization #: 025310
Convenience Fee: \$12.00
Convenience Fee Authorization #: 025310
*****1656 Visa
Applied: \$400.00
Change: \$0.00

Exhibit 2

Denton Record-Chronicle
2413 Fort Worth Dr
(940) 387-7755

I, David Goolcharran, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Denton Record-Chronicle, a publication that is a "legal newspaper" as that phrase is defined for the city of Denton, for the County of Denton, in the state of Texas, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:
May. 18, 2024

Notice ID: upS9jWe4r0nTHXjigJMm
Notice Name: 05.18.24 PH Notices - PZ 06.05 & TC 06.18.24

PUBLICATION FEE: \$70.56

I declare under penalty of perjury that the foregoing is true and correct.

David Goolcharran

Agent

SHANNEA H HOLMES
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires August 1, 2026

VERIFICATION

State of New Jersey
County of Hudson

Signed or attested before me on this: 05/22/2024

Shanea H. Holmes

Notary Public
Notarized remotely online using communication technology via Proof.

TOWN OF BARTONVILLE
NOTICE OF PUBLIC
HEARINGS

The Planning and Zoning Commission for the Town of Bartonville, Texas will conduct Public Hearings beginning at 6:30 p.m. on June 5, 2024, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas, to hear public comment and consider the following:

- 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, to change the zoning designation from Agriculture (A) to Residential Estates 2 (RE-2) on a 12-acre tract or parcel of land identified as Lot 1R & Lot 2R, Block A, J. Burke Survey, Abstract No. 42, in the Town of Bartonville, Denton County, Texas. The subject property is located on the southeast corner of Broome Road and Porter Road in Bartonville, Texas. The applicant is McAdams, representing property owners Rusty and Martha Rice. The Town of Bartonville file number for this application is ZC-2024-001.
- recommendations to the Town Council regarding an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Exhibit C and Chapter 19 (Accessory Building and Use Regulation s), to permit the installation and operation of Recycling Collection Bins in the Town of Bartonville. The applicant is Filip Filipov, representing Texas Green Team. The Town of Bartonville file number for this application is ZC-2024-002.

The Town Council will conduct second Public Hearings beginning at 6:30 p.m. on June 18, 2024, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas, to hear public comment and consider the proposed Zoning Change and recommendations of the Planning and Zoning Commission. All interested parties are encouraged to attend.

drc 05/18/2024