

**CITY OF VAN ALSTYNE**

**MINUTES**  
**City Council Meeting**  
Van Alstyne City Hall  
152 N Main Drive

**June 8, 2021**  
**6:30 P.M.**

Members present: Mayor Jim Atchison, Ryan Neal, Marla Butler, Bruce Dawsey, Lee Thomas and Katrina Arsenault.

Staff present: Lane Jones, Jennifer Gould, David Ritter, Brooks Wilson and Robert Jaska.

**AGENDA**

1. Call to Order. *Mayor Atchison called the meeting to order at 6:32pm.*
2. Invocation. *Recited by Ryan Neal.*
3. Pledges of Allegiance. *US and Texas.*
4. Citizens Communications. *Craig White, Kevin Murphy and Dennis White each spoke regarding concerns for flooding near their homes in the 1100 - 1300 block of East Jefferson Street and how the proposed development at East Jefferson Street and Lincoln Park Road will impact the flooding issues in their area.*

**EXECUTIVE SESSION**

*In accordance with Chapter 551 of the Texas Government Code (Open Meetings Law), the City Council may meet in a closed Executive Session pursuant to applicable laws.*

5. All items below for Executive Session:

Pursuant to the following designated sections of Texas Government Code, Annotated, Subchapter 551, the Council will enter into executive session to discuss the following items:

- (a) Texas Gov't Code Section 551.071 [Legal Advice] regarding: (i) future development; and (ii) formation of a City Charter Commission.

*City Council recessed into executive session at 8:48pm.*

*City Council reconvened into open session at 7:40pm.*

**OPEN MEETING**

6. Consider and take any action necessary regarding Executive Session items. *No action taken.*

**CONSENT AGENDA**

*Items listed on the consent agenda allow the Council to approve all items together without discussion or individual motions. Items may be removed from the consent agenda on the request of any one member of the Council. Removed items will be discussed and action taken immediately after the consent agenda.*

7. Approval of minutes from the May 11, 2021, Zoning Board of Adjustment and regular City Council meetings.

8. Passage of a resolution setting a public hearing for July 13, 2021 at 6:30 p.m. at Van Alstyne City Hall on the proposed annexation of certain property by the City of Van Alstyne, Texas being a tract of land located in Grayson County, Texas, being a 31.66-acre tract of land located in the William Creager Survey, Abstract No. 201, City of Van Alstyne, Grayson County, Texas; and any right-of-way adjacent to said property; authorizing and directing the City Planner to publish notice of public hearing; and directing the preparation of a service plan. The subject property is generally located on the south side of Ballard Road, approximately 300 feet north of Martin Duke Road, and approximately 2,250 feet east of S. Sherman Street. (*Ballard Tract Annexation Petition*)
9. Passage of a resolution setting a public hearing for July 13, 2021 at 6:30 p.m. at Van Alstyne City Hall on the proposed annexation of certain property by the City of Van Alstyne, Texas; being a tract of land located in Grayson County, Texas, being a 2.00-acre tract of land situated in the Greywood Heights Addition, Lots 24 and 25, City of Van Alstyne, Grayson County, Texas; and any right-of-way adjacent to said property; authorizing and directing the City Planner to publish notice of public hearing; and directing the preparation of a service plan. The subject property is generally located on the east side of Sanford Circle, approximately 550 feet south of Spence Road. (*Greywood Tract Annexation Petition*)

*Lee Thomas made a motion to approve items 7, 8, and 9 listed on the consent agenda. Ryan Neal seconded the motion and the motion passed unanimously.*

#### PUBLIC HEARINGS / REGULAR AGENDA (NON-CONSENT)

15. Conduct a Public Hearing on a request to rezone a 14.920-acre tract of land from an A, Agricultural Zoning District to a MI-2, Heavy Manufacturing/ Industrial Zoning District. The property is situated in the Ashley McKinney Survey, Abstract No. 851, Grayson County, Texas, and is generally located north of FM 3133 and east of the DART railroad right-of-way. (*Rockhill Tract Rezoning Request*)  
*The Public Hearing opened at 7:44pm. Drew Donosky of Claymoore Engineering spoke to the request advising there are no end users or tenants at this time, but they are considering office and warehouse. Chris Johnson and Teresa Gilson expressed concern for possible uses, noise, emissions and general unsightliness. There being no additional comments, the hearing closed at 7:50pm.*
16. Consider and take action on an Ordinance rezoning a 14.920-acre tract of land from an A, Agricultural Zoning District to a MI-2, Heavy Manufacturing/ Industrial Zoning District. The property is situated in the Ashley McKinney Survey, Abstract No. 851, Grayson County, Texas, and is generally located north of FM 3133 and east of the DART railroad right-of-way. (*Rockhill Tract Rezoning Request*)  
*Drew Donosky advised there is no proposed site plan to consider or end user in mind. The only intended use is office and retail. Ryan Neal asked if the tree line between the subject property and the railroad tracks would remain. Mr. Donosky advised that the trees appear to be on the easement and therefore not under their control. The property contingent to the south is also zoned MII-2. Discussion was held regarding possible uses in the proposed zoning classification. Lee Thomas made a motion to approve the requested rezoning. Bruce Dawsey seconded the motion and the motion passed with Lee Thomas, Bruce Dawsey, Ryan Neal and Katrina Arsenault in favor and Marla Butler opposed.*
10. Consider and take any action necessary regarding appointment of a Mayor Pro-Tem. *Marla Butler made a motion to appoint Lee Thomas as Mayor Pro-Tem. Katrina Arsenault seconded the motion and the motion passed with Marla Butler, Katrina Arsenault, Ryan Neal and Bruce Dawsey in favor and Lee Thomas abstaining.*
11. Conduct a Public Hearing on an Ordinance of the City Council of the City of Van Alstyne, Texas, regarding the proposed annexation of a tract of land within the extraterritorial jurisdiction (ETJ) of

the City of Van Alstyne, Grayson County, Texas and described as follows: being an approximately 14.964-acre tract of land situated in the Asbury Cartwright Survey, Abstract No. 251, Grayson County, Texas and generally located approximately 1,200 feet north of Cartwright Road and approximately 1,700 feet west of Cartwright Road. (*High School Tract Annexation*)

*The Public Hearing opened at 8:09pm. Mayor Atchison made three calls for comments and there being none, the hearing closed at 8:10pm.*

12. Consider and take action on an Ordinance annexing certain property by the City of Van Alstyne, Texas, being a tract of land within the extraterritorial jurisdiction (ETJ) of the City of Van Alstyne, Grayson County, Texas and described as follows: being an approximately 14.964-acre tract of land situated in the Asbury Cartwright Survey, Abstract No. 251, Grayson County, Texas and generally located approximately 1,200 feet north of Cartwright Road and approximately 1,700 feet west of Cartwright Road. (*High School Tract Annexation*)

*Katrina Arsenault made a motion to approve the requested annexation. Lee Thomas seconded the motion and the motion passed unanimously.*

13. Conduct a Public Hearing on a request to rezone a 35.4-acre tract of land from an A, Agricultural zoning district to a SF-84, Single-Family Residential Zoning District. The subject property is situated in the James McKinney Survey, Abstract No. 770 and the Charles Fox Survey, Abstract No. 413, Grayson County and generally located at the northeast corner of East FM 121 (E. Jefferson Street) and N. Lincoln Park Road. (*Fourrier Rezoning Request*)

*The Public Hearing opened at 8:11pm. Craig Calhoun detailed the proposed development, current and anticipated traffic impact adding that it follows the comprehensive plan. The development will donate 1.97 acres for the expansion of Lincoln Park Road. Matt Uppole at 374 Sunshine Trail expressed concern due to infrastructure issues suggesting plans need to be reviewed and updated for the east side of town. Dennis White at 1198 E Jefferson Street echoed Mr. Uppole's concerns adding that existing issues need to be fixed or the new development will likely compound issues. Sharron Evans at 267 N Lincoln Park Road expressed concern for traffic because there is only a half mile between Lincoln Park Road and the railroad tracks and detailed flooding concerns providing pictures to illustrate. Lara Montgomery at 320 N Lincoln Park Road expressed concern for flooding and unprepared roads. There being no further comments, the hearing closed at 8:32pm.*

14. Consider and take action on an Ordinance rezoning a 35.4-acre tract of land from an A, Agricultural zoning district to a SF-84, Single-Family Residential Zoning District. The subject property is situated in the James McKinney Survey, Abstract No. 770 and the Charles Fox Survey, Abstract No. 413, Grayson County and generally located at the northeast corner of East FM 121 (E. Jefferson Street) and N. Lincoln Park Road. (*Fourrier Rezoning Request*)

*Discussion was held regarding traffic. As per a recent TxDOT study, E Jefferson Street is at twenty percent capacity; therefore, adding the proposed development will not cause a need for any improvements or expansion. It was clarified that drainage on E Jefferson Street is a TxDOT issue and not something the city can control. Detail was provided related to the city's preliminary plans to extend Lincoln Park Road south to FM 3133 and eventually to County Line Road. Ryan Neal made a motion to approve the proposed rezoning. Lee Thomas seconded the motion and the motion passed unanimously.*

17. Conduct a Public Hearing on a proposed text amendment to Chapter 46, Zoning, by revising Section 46-125, "Table of Uses," to allow Bed and Breakfast land uses through the Specific Use Permit (SUP) process in residential zoning districts. (*Zoning Ordinance Text Amendment – Bed and Breakfast Regulations*)

*The Public Hearing opened at 8:59pm. Mayor Atchison made three calls for comments and there being none, the hearing closed at 8:59pm.*

18. Consider and take action on a proposed text amendment to Chapter 46, Zoning, by revising Section 46-125, "Table of Uses," to allow Bed and Breakfast land uses through the Specific Use Permit

(SUP) process in residential zoning districts. (*Zoning Ordinance Text Amendment – Bed and Breakfast Regulations*)

*Interim Planner Brooks Wilson advised the proposed change will allow a Bed and Breakfast in all residential uses with a Specific Use Permit which goes through the zoning process. Lee Thomas made a motion to approve the proposed text amendment. Katrina Arsenault seconded the motion and the motion passed unanimously.*

19. Conduct a Public Hearing to obtain citizen input regarding a proposed text amendment to Chapter 46, “Zoning,” by adding a new Section 46-90, “CF-Community Facilities” as a new zoning district and making revisions to the Schedule of Uses and other parts of the Zoning Ordinance to effect this change. (*Zoning Ordinance Text Amendment – Community Facilities Zoning District*)

*The Public Hearing opened at 9:04pm. Mayor Atchison made three calls for comments and there being none, the hearing closed at 9:04pm.*

20. Consider and take action on a proposed text amendment to Chapter 46, “Zoning,” by adding a new Section 46-90, “CF-Community Facilities” as a new zoning district and making revisions to the Schedule of Uses and other parts of the Zoning Ordinance to effect this change. (*Zoning Ordinance Text Amendment – Community Facilities Zoning District*)

*Interim Planner Brooks Wilson detailed the need for a Community Facilities zoning district. Marla Butler made a motion to approve the proposed text amendment. Ryan Neal seconded the motion and the motion passed unanimously.*

21. Conduct a Public Hearing on a proposed text amendment to Chapter 46, “Zoning,” by adding new residential regulations, by declaring certain residential zoning districts “obsolete;” establishing three new residential zoning districts; amending Appendix 1-A and 1-B; adding definitions; renumbering certain sections; and making nonsubstantive revisions to the Schedule of Uses and other parts of the Zoning Ordinance to effect the proposed changes. (*Zoning Ordinance Text Amendment – Residential Standards*)

*The Public Hearing opened at 9:08pm. Interim Planner Brooks Wilson detailed the proposed changes. Mayor Atchison made three calls for comments and there being none, the hearing closed at 9:15pm.*

22. Consider and take action on a proposed text amendment to Chapter 46, “Zoning,” by adding new residential regulations, by declaring certain residential zoning districts “obsolete;” establishing three new residential zoning districts; amending Appendix 1-A and 1-B; adding definitions; renumbering certain sections; and making nonsubstantive revisions to the Schedule of Uses and other parts of the Zoning Ordinance to effect the proposed changes. (*Zoning Ordinance Text Amendment – Residential Standards*)

*Discussion was held regarding alleys, rear entry, setbacks, agriculture lots, agriculture uses and livestock and the definition of masonry. Ryan Neal made a motion to approve the proposed text amendment. Marla Butler seconded the motion and the motion passed unanimously.*

23. Consider and take any action necessary regarding (re)appointments to serve on the Planning and Zoning Commission Places 1, 3, 5 and Alternate 1. *Ryan Neal made a motion to postpone appointments to the July regular meeting and continue those currently seated. Marla Butler seconded the motion and the motion passed unanimously.*

24. City Manager’s Report. *Lane Jones detailed activities for the prior month, reported on increased permit activity, various projects underway and FY2022 budget development.*

25. Mayor and Council Closing Comments. *Mayor Atchison thanked citizens for their participation and Brooks Wilson for her work on the Zoning Ordinance. Marla Butler detailed upcoming community events.*

26. Adjournment. *Mayor Atchison adjourned the meeting at 9:37pm.*

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Jim Atchison, Mayor

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Jennifer Gould, City Clerk