

Minutes
Planning and Zoning Commission
January 24, 2018

After determining that a quorum was present, the Planning and Zoning Commission of the City of Denton, Texas convened in a Work Session on **Wednesday, January 24, 2018 at 4:00 p.m.** in the City Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which time the following items were considered:

PRESENT: Chair Jim Strange, Commissioners: Alfredo Sanchez, Larry Beck, and Tim Smith, Andrew Rozell, Margie Ellis, and Steve Sullivan.

ABSENT: None.

STAFF: Athenia Green, Deborah Viera, Robert Makowski, Pritam Deshmukh, Chad Allen, Hayley Zagurski, Karen Hermann, Scott McDonald, Shandrian Jarvis, Cindy Jackson, Ron Menguita, Richard Cannone, and Victor Flores.

[WORK SESSION](#)

Chair Strange called the Work Session to order at 4:05 p.m.

1. [Clarification of agenda items listed on the agenda for this meeting. This is an opportunity for Commissioners to ask questions of staff on the Consent and Regular Agenda items, which may include a full briefing on an item in the order it appears on the regular session agenda. Any such briefing will be repeated in regular session.](#)

Shandrian Jarvis, DRC Administrator, presented Public Hearing Item 4A. Staff recommends denial of this request. The Commission discussed the potential for an overlay district, and concerns regarding the site and proposed development.

Chair Strange stated Public Hearing Items 4B, 4C, and 4D have all been withdrawn. There was no further discussion.

2. [Work Session Reports:](#)

- A. [Hold a discussion regarding court rulings on overlay districts. \(Victor Flores\)](#)

Victor Flores, Deputy City Attorney, provided a brief presentation regarding overlay districts. The Commission discussed height requirements, design standards, and allowed uses in overlays versus straight zoning districts. There was no further discussion.

- B. [Receive a report, hold a discussion, and provide staff comments regarding the proposed amendments to the City of Denton Drainage Design Criteria Manual and the Transportation Design Criteria Manual in order to update the standards associated with those criteria and receive information from staff regarding the procedure for such amendments. \(Pritam Deshmukh and Chad Allen\)](#)

Chad Allen, Deputy City Engineer, and Pritam Deshmukh, Program Engineer, provided a presentation regarding the Criteria Manuals.

The Commission discussed Traffic Impact Analysis and opportunities for the Commission to provide citizens with input regarding the development of streets.

The Commission questioned the utility design lifespan. Ronnie Parish, Teague, Nall and Perkins, 1517 Centre Place Drive # 320, Denton, Texas, stated water and sewer would last approximately 20-30 years, asphalt approximately 20 years, and concrete approximately 40 years.

Allen requested the Commission to email any additional comments to him or Deshmukh. There was no further discussion.

Chair Strange called a recess from 5:37 p.m. to 5:48 p.m.

- C. [Receive a report, hold a discussion and provide direction regarding repealing and replacing Section 35.17 of the Denton Development Code. \(Deborah Viera\)](#)

Deborah Viera, Assistant Director of Environmental Services, provided a presentation regarding this item. She discussed the notification processes and next steps regarding the update.

Viera stated she will come back before this Commission on February 6, 2018, to complete the Work Session and hold the Public Hearing.

There was no further discussion. Chair Strange closed the Work Session at 6:25 p.m.

[REGULAR MEETING](#)

The Planning and Zoning Commission convened in a Regular Meeting on **Wednesday, January 24, 2018 at 6:30 p.m.** in the City Council Chambers at City Hall, 215 E. McKinney at which time the following items were considered:

Chair Strange called the Regular Meeting to order at 6:32 p.m.

1. [PLEDGE OF ALLEGIANCE:](#)
 - A. U.S. Flag
 - B. Texas Flag

2. [CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES FOR:](#)

A. [December 13, 2017](#)

Commissioner Tim Smith motioned, Commissioner Larry Beck seconded to approve the December 13, 2017 meeting minutes. Motion approved (7-0). Commissioner Alfredo Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

B. [January 10, 2018](#)

Commissioner Tim Smith motioned, Commissioner Steve Sullivan seconded to approve the January 10, 2018 meeting minutes. Motion approved (5-0-2). Commissioner Alfredo Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Commissioner Tim Smith "aye", and Chair Jim Strange "aye". Commissioner Margie Ellis and Commissioner Andrew Rozell abstained.

3. [CONSENT AGENDA:](#)

- A. [Consider a request by Jim/Heritage, LP for approval of a preliminary plat of the Denton Carmax Addition. The approximately 34.37-acre site is generally located on the west side of I-35E, approximately 3,200 feet southeast of State School Road in the City of Denton, Denton County, Texas. \(PP17-0019, Carmax, Hayley Zagurski\).](#)
- B. [Consider a request by Robson Denton Development, LP for approval of a preliminary plat of Robson Ranch Unit 17-3 Addition. The approximately 5.87 acre site is generally located on the west side of Michelle Way and north of Robson Ranch Road in Denton County, Texas. \(PP17-0006, Robson Ranch 17-3, Ron Menguita\)](#)
- C. [Consider a request by Robson Denton Development, LP for approval of a final plat of Robson Ranch Unit 17-3 Addition. The approximately 5.87 acre site is generally located on the west side of Michelle Way and north of Robson Ranch Road in Denton County, Texas. \(FP17-0010, Robson Ranch 17-3, Ron Menguita\)](#)
- D. [Consider a request by Robson Denton Development, LP for approval of a final plat of Robson Ranch Unit 2-5 Addition. The approximately 21.66 acre site is generally located on the east side of Orangewood Trail and north of Robson Ranch Road in Denton County, Texas. \(FP17-0013, Robson Ranch 2-5, Ron Menguita\)](#)
- E. [Consider a request by Westpark Group, LP and Rayzor Investments Ltd. for approval of a conveyance plat of Lots 11R, 13R, and 13R-1 of the Westpark Addition. The approximately 92.72-acre site is generally located at the southeast](#)

corner of the Jim Christal Road and Western Boulevard intersection in the City of Denton, Denton County, Texas. (CV17-0007, 5000 SF Cold Storage, Hayley Zagurski).

Commissioner Andrew Rozell motioned, Commissioner Margie Ellis seconded to approve the Consent Agenda. Motion approved (7-0). Commissioner Alfredo Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

4. PUBLIC HEARINGS:

- A. Hold a public hearing and consider a request by GDHI Homes LLC to rezone approximately 13 acres from a Neighborhood Residential 2 (NR-2) District to a Neighborhood Residential 6 (NR-6) District. The subject properties are located at 1322 and 1520 Audra Lane. (Z17-0026b, Audra Tract, Shandrian Jarvis). This item is being continued from the December 13, 2017 meeting of the Planning and Zoning Commission.

Chair Strange informed the citizens that Public Hearing items 4B, 4C, and 4D have all been withdrawn.

Chair Strange opened the Public Hearing for item 4A. Shandrian Jarvis, DRC Administrator, presented this item. She stated staff recommends denial of this request. The applicant is also present.

Jarvis and the Commission discussed on-street parking and fire lane requirements for the fire apparatuses.

Thomas Fletcher, applicant, Kimley-Horn and Associates, 5750 Genesis Ct, Frisco, Texas, provided a brief presentation. He stated they currently have a concept plan for the site to develop single-family residential. He stated they are open for overlay recommendations. Fletcher provided the concerns of the neighbors based on the January 16, 2018, neighborhood meeting.

Fletcher and Commissioner Smith discussed the number of proposed units per acre along with the proposed number of lots for the development.

Commissioner Rozell questioned the frontage lot width, Fletcher stated it is a minimum of 50 feet.

Commissioner Beck questioned if the setbacks were discussed during the recent neighborhood meeting. Scott Pangburn, Kimley-Horn and Associates, 5313 Golden Wheat Lane, McKinney, Texas, stated the proposed setbacks are in line with the zoning requirements. Commissioner Beck questioned the number of attendees during the neighborhood meeting. Pangburn stated approximately 15 people attended the meeting.

Brad Shelton, applicant, 2925 Country Club Road, Denton, Texas, did not have a presentation, but was available for questions.

Commissioner Beck questioned the concerns of the citizens during the neighborhood meeting. Shelton stated the biggest concerns were front yard setbacks and fire lane access for the fire apparatuses.

Chair Strange questioned if an overlay was added in order to limit the number of lots developed, would the applicant be in favor of that recommendation. Shelton confirmed.

The following individuals spoke during the Public Hearing:

- Jerry Steger, 2408 Whispering Oaks, Denton, Texas, opposed to the request.
- David Zoltner, 2501 Timber Trail, Denton, Texas, opposed to the request.
- Marc Pottorf, 2508 Whispering Oaks, Denton, Texas, opposed to the request.
- Mary Pottorf, 2508 Whispering Oaks, Denton, Texas, opposed to the request.
- Vernon Mann, 2224 Lattimore, Denton, Texas, opposed to the request.

The following individual did not wish to speak but provided a speaker card:

- Deb Armintor, 2003 Mistywood Lane, Denton, Texas, opposed to the request.

The citizens discussed their concerns regarding setback requirements, the impact to the existing neighboring residential areas, building materials to be compatible with the existing neighborhoods, on-street parking concerns, fire apparatus access concerns, lack of sidewalks, and the number of proposed lots for the development.

There was no one else to speak, Chair Strange closed the Public Hearing.

Commissioner Rozell stated he would motion to approve the request, the proposal will align with the neighboring developments. Chair Strange questioned if the applicant agrees to the overlay conditions. Fletcher agreed to the conditions.

Commissioner Andrew Rozell motioned, Commissioner Tim Smith seconded to approve the request subject to the following overlay conditions: **1.** The subject property will be limited to detached single-family only; **2.** The number of single-family dwelling units must not exceed 54 units; and **3.** The minimum front yard setback shall be 20 feet. Motion approved (7-0). Commissioner Alfredo Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

- B. [Hold a public hearing and consider a request by Rayzor Inv. Ltd. to rezone approximately 2 acres from a Neighborhood Residential Mixed Use -12 \(NRMU-12\) district to a Community Mixed-Use General \(CM-G\) district. The subject property is located at 1101 W. University Drive, in the City of Denton, Denton County, Texas \(Z17-0027, Pecan Creek Crossing, Shandrian Jarvis\). This item has been renoticed to the February 7, 2018 Planning and Zoning Commission meeting.](#)

This item has been withdrawn.

- C. [Hold a public hearing and consider a request by Denton Surgicare Real Estate Ltd and C2 Residential Ltd to rezone approximately 11.42 acres from a Community](#)

Mixed Use General (CM-G) District to a Neighborhood Residential Mixed-Use (NRMU) District. The property is generally located on the east side of Sam Bass Boulevard and north of Londonderry Lane in the City of Denton, Denton County, Texas. (Z17-0003, Coventry II Apartments, Hayley Zagurski). This item has been renoticed to the February 7, 2018 Planning and Zoning Commission meeting.

This item has been withdrawn.

- D. Hold a public hearing and consider a request by Denton Surgicare Real Estate Ltd and C2 Residential Ltd for a Specific Use Permit to allow for a multi-family residential use on 10.68 acres of land. The property is generally located on the east side of Sam Bass Boulevard and north of Londonderry Lane in the City of Denton, Denton County, Texas. (S17-0011, Coventry II Apartments, Hayley Zagurski). This item has been renoticed to the February 7, 2018 Planning and Zoning Commission meeting.

This item has been withdrawn.

5. PLANNING AND ZONING COMMISSION PROJECT MATRIX:

- A. Planning and Zoning Commission project matrix

The Commission discussed upcoming agenda items, and requests to add to the matrix. There was no further discussion. Chair Strange adjourned the Regular Meeting at 8:05 p.m.