

Minutes
Planning and Zoning Commission
August 22, 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, August 22, 2018 at 5:00 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 Andrew Rozell. Commissioners: Alfredo Sanchez, Tim Smith, Larry Beck, Mat Pruneda, Jason Cole, and Margie Ellis.

ABSENT: None.

STAFF: Athenia Green, Hayley Zagurski, Julie Wyatt, Ron Menguita, Richard Cannone, Cindy Jackson, Sean Jacobson, and Jerry Drake.

Chair Rozell called the Work Session to order at 5:04 p.m.

WORK SESSION

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.](#)

Cindy Jackson, Senior Planner, presented Consent Agenda Item 3B. Commissioner Beck questioned if the stub outs are for future development. Jackson confirmed; however, they are not for future developments with this developer.

Hayley Zagurski, Senior Planner, presented Public Hearing Item 4A. Commissioner Smith questioned the detention area. Zagurski stated there is an area behind Wal-Mart with a large detention facility that is an acceptable size for water runoff.

Commissioner Smith questioned if there would be designated parking for the commercial versus residential uses. Zagurski confirmed, there should be signage to address the parking.

Commissioner Rozell questioned if the applicant has worked out a plan with Wal-Mart for the detention area. Zagurski confirmed.

Julie Wyatt, Senior Planner, presented Public Hearing Item 4C.

1 2. [Work Session Reports](#)

2
3 A. [Receive an update regarding the Denton Development Code Subchapter 13, Tree](#)
4 [Preservation and Landscape Standards.](#)

5
6 Richard Cannone, Deputy Director, presented this item. Commissioner Beck questioned if an
7 exempt tree could be considered a quality tree. Cannone stated staff is currently working on that
8 topic. The last Committee on the Environment meeting was to discuss whether there should be
9 exempt trees.

10
11 The Commission discussed tree preservation and native trees to the area.

12
13 Chair Rozell closed the Work Session at 6:16 p.m.

14
15 [REGULAR MEETING](#)

16
17 Chair Rozell called the Regular Meeting to order at 6:37 p.m.

18
19 The Planning and Zoning Commission convened in a Regular Meeting on **Wednesday, August**
20 **22, 2018 at 6:30 p.m.** in the City Council Chambers at City Hall, 215 E. McKinney at which time
21 the following items were considered:

22
23 1. [PLEDGE OF ALLEGIANCE:](#)

- 24 A. U.S. Flag
25 B. Texas Flag

26
27 2. [CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION](#)
28 [MINUTES FOR:](#)

- 29
30 A. [August 8, 2018](#)

31
32 Commissioner Tim Smith motioned, Commissioner Margie Ellis seconded to approve the August
33 8, 2018 meeting minutes. **Motion approved (7-0).** Commissioner Margie Ellis, “aye”,
34 Commissioner Tim Smith, “aye”, Commissioner Larry Beck, “aye”, Commissioner Alfredo
35 Sanchez, “aye”, Commissioner Jason Cole, “aye”, Commissioner Mat Pruneda, “aye”, and Chair
36 Andrew Rozell, “aye”.

37
38 3. [CONSENT AGENDA:](#)

- 39
40 A. [Consider a request by Survivor’s Trust for approval of a Final Plat of the Fireside](#)
41 [Addition. The approximately 30 acre site is generally located at the southwest](#)
42 [corner of Hinkle Drive and Windsor Lane in the City of Denton, Denton County,](#)
43 [Texas. \(FP18-0019, Fireside Addition, Julie Wyatt\).](#)
44
45 B. [Consider a request by Preston Alpha Investments, LLC for approval of a general](#)
46 [development plan/preliminary plat of Stark Farms. The approximately 90.99 acre](#)

1 [site is general located at the northwest corner of the intersection of Sherman](#)
2 [Drive/FM 428 and Long Road in the City of Denton, Denton County, Texas.](#)
3 [\(GDP18-003/PP18-0001, Stark Farms, Cindy Jackson\)](#)
4

5 Commissioner Larry Beck motioned, Commissioner Tim Smith seconded to approve the Consent
6 Agenda Items. **Motion approved (7-0).** Commissioner Margie Ellis, “aye”, Commissioner Tim
7 Smith, “aye”, Commissioner Larry Beck, “aye”, Commissioner Alfredo Sanchez, “aye”,
8 Commissioner Jason Cole, “aye”, Commissioner Mat Pruneda, “aye”, and Chair Andrew Rozell,
9 “aye”.

10
11 4. [PUBLIC HEARINGS:](#)
12

- 13 A. [Hold a public hearing and consider making a recommendation to City Council](#)
14 [regarding a request by Bomac Denton Investments, LLC for a Specific Use Permit](#)
15 [to allow for a multi-family use. The 12.37-acre site is generally located on the east](#)
16 [side of Brinker Road, approximately 990 feet south of South Loop 288 in the City](#)
17 [of Denton, Denton County, Texas. \(S17-0007, Enclave at Denton, Hayley](#)
18 [Zagurski\).](#)
19

20 Chair Rozell opened the Public Hearing. Hayley Zagurski, Senior Planner, presented the request.
21 She stated staff recommends approval of the request based on conditions.
22

23 The following individuals spoke during the Public Hearing:

24 Kim McKibben, 1306 W. Hickory Street, Denton, Texas, spoke in opposition. She stated
25 she is concerned with the Environmentally Sensitive Area (ESA) that is adjacent to the property.
26 The parking lot and other adjustments could be made to avoid the tiny ESA on the site. She
27 questioned if there is any protection for the ESA.
28

29 Chair Rozell stated the retaining wall would be located outside of the ESA.
30

31 Kenneth Sambro, applicant, 317 Ed Burr Court, Southlake, Texas, spoke in support of this
32 request. He stated he doesn't have a presentation but is available for questions. He provided
33 clarification regarding the ESA and what was removed for the retaining wall. He stated that amount
34 of the ESA was not counted in the required amount.
35

36 Commissioner Beck questioned if the buildings would each have an elevator. Sambro confirmed.
37

38 Commissioner Smith questioned if there would be dedicated parking for the commercial uses.
39 Burling confirmed, the tenants will have assigned parking spaces and then designated spaces for
40 the commercial uses.
41

42 Chair Rozell questioned the cap on the building height. Sambro stated it would conflict with the
43 parking requirements if it were to increase. Sambro stated the detention pond does have a shared
44 agreement with Wal-Mart.
45

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

1 Commissioner Tim Smith motioned, Commissioner Larry Beck seconded to approve the request
2 based on staff's condition: 1. The provided preliminary site plan, landscape plan, and building
3 elevations are generally consistent with the requirements of the Denton Development Code in
4 terms of site design, landscaping, parking, and building design as provided in DDC 35.6.3. The
5 final site plan, landscape plan, and building elevations shall be consistent with the approved
6 preliminary plans and elevations. **Motion approved (7-0).** Commissioner Margie Ellis, "aye",
7 Commissioner Tim Smith, "aye", Commissioner Larry Beck, "aye", Commissioner Alfredo
8 Sanchez, "aye", Commissioner Jason Cole, "aye", Commissioner Mat Pruneda, "aye", and Chair
9 Andrew Rozell, "aye".

- 10
11 B. [Hold a public hearing and consider making a recommendation to City Council](#)
12 [regarding a request to adjust the Extra-territorial Jurisdiction \(ETJ\) boundary](#)
13 [between the City of Denton and the City of Krum. \(SI18-0001, Krum ETJ](#)
14 [Boundary, Ron Menguita\) THIS ITEM HAS BEEN WITHDRAWN.](#)
15

16 Chair Rozell stated this item has been withdrawn.

- 17
18 C. [Hold a public hearing and consider making a recommendation to City Council](#)
19 [regarding a request by Johnathan Burling and Alexis Kuhn for an initial zoning of](#)
20 [Neighborhood Residential 1 \(NR-1\) District. The 1-acre site is generally located on](#)
21 [the north side of Shiloh Lane, approximately 910 feet east of Swisher Road, in the](#)
22 [City of Denton, Denton County, Texas. \(Z18-0016, Burling Kuhn Addition, Julie](#)
23 [Wyatt\).](#)
24

25 Chair Rozell opened the Public Hearing. Julie Wyatt, Senior Planner, presented the item. Staff
26 recommends approval of the request.

27
28 Commissioner Smith questioned if property owners neighboring the property that are located
29 within the extraterritorial jurisdiction receive a notice. Wyatt stated no.

30
31 The following individuals spoke during the Public Hearing:

32 Jonathan Burling, owner/applicant, 3609 San Lucas Lane, Denton, Texas, spoke in support
33 of the request.

34
35 Commissioner Smith questioned if Burling has spoken with the neighboring property owner.
36 Burling stated no, not directly.

37
38 There was no one else to speak, Chair Rozell closed the Public Hearing.

39
40 Commissioner Margie Ellis motioned, Commissioner Tim Smith seconded to approve the request.
41 **Motion approved (7-0).** Commissioner Margie Ellis, "aye", Commissioner Tim Smith, "aye",
42 Commissioner Larry Beck, "aye", Commissioner Alfredo Sanchez, "aye", Commissioner Jason
43 Cole, "aye", Commissioner Mat Pruneda, "aye", and Chair Andrew Rozell, "aye".
44
45

1 5. [PLANNING AND ZONING COMMISSION PROJECT MATRIX:](#)

2

3 A. [Matrix](#)

4

5 Richard Cannone, Deputy Director, stated the matrix will be updated to provide some training for
6 the new members, and provide an overview for the type of applications that come before the
7 Commission.

8

9 Chair Rozell thanked Athenia Green, Administrative Supervisor, for her time spent serving for the
10 Planning and Zoning Commission. He adjourned the Regular Meeting at 7:15 p.m.

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