

Minutes
Planning and Zoning Commission
January 11, 2017

After determining that a quorum was present, the Planning and Zoning Commission of the City of Denton, Texas will convene in a Work Session on Wednesday, January 11, 2017 at 4:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

Commissioners: Chair Jim Strange, Margie Ellis, Vice-Chair Devon Taylor, Steve Sullivan, Gerard Hudspeth, and Larry Beck.

Staff: Shandrian Jarvis, Munal Mauladad, Jon Fortune, Aaron Leal, Julie Wyatt, Muzaib Riaz, Earl Escobar, and Cathy Welborn.

Absent: Commissioner Andrew Rozell, Mike Bell and Hayley Zagurski.

Work Session

Chair Strange called the Work Session to order at 4:35 p.m.

Shandrian Jarvis, Development Review Committee Administrator, introduced Matt Goebel and Tareq Wafaie with Clarion Associates. Matt Goebel and Tareq Wafaie presented a presentation to go over the steps for the update to the Denton Development Code (DDC). Matt Goebel stated the goals for the updated DDC are to make it easier and clearer to use, ensure an open and inclusive process, and respect Denton's past efforts and decisions and to focus on solutions that work. Goebel stated that the scope of work will be divided into three tasks: **1.** Project initiation; **2.** Draft new DDC; and **3.** DDC adoption.

Commissioner Beck questioned if the 2013 assessment report is located on the website. Jarvis stated no, however, staff will provide a copy.

Wafaie stated the plan is to reorganize the DDC to make it more user friendly. Wafaie stated staff has also requested to make a new table of contents for easier utilization, and to also add illustrations, tables and other graphics to help explain the text. Clarion Associates would like to create established tailored standards, for the Infill and Redevelopment process. Goebel stated they anticipate a complete code update by the end of 2017 and the fine tuning would happen in the spring of 2018.

Commissioner Sullivan questioned what caused the gap of time for completing the DDC. Jarvis stated during the interim review there was a lot of high level staff turnover and priorities changed.

Commissioner Beck questioned Goebel if the new DDC is going to be accessible on the website. Goebel stated yes their intent is to have the code more accessible and easier to find.

Commissioner Ellis stated she is very excited about the update, but questioned who makes up the Planning and Zoning Commission (P&Z) Subcommittee. Goebel stated this is something that will be decided by the P&Z Commissioners. The intent is that the P&Z Subcommittee could provide immediate feedback and to read the drafts and detail. Chair Strange stated during the next P&Z meeting they will be taking nominations and appointing for the Planning and Zoning Subcommittee.

Commissioner Hudspeth stated the following items he would like to see in the new DDC: **1.** Allow neighborhoods the ability to grow without a lot of stipulations. **2.** Appendix that shows old and new active codes to allow better judgement. **3.** Allowed communication that allows builders or contractors to provide feedback applying to the inspectors. **4.** To document or record the meetings for reference of the changes. **5.** Wants the reasons why they picked the changes for Denton. **6.** When writing out explanations use bullet points not complete sentences.

Chair Strange stated that as Clarion looks at different criteria for in-fill to look closely at the discount on the fees and the ability for percentage of variance, to open those challenging sites that have been overlooked for twenty to thirty years to finally give enough incentive for developer, builder or property owner to build on those sites.

Shandrian Jarvis, Development Review Committee Administrator, questioned if the Commissioner's had any questions regarding the items on the Consent Agenda.

Commissioner Ellis stated she had a question regarding the Teasley Trails Final Plat. Commissioner Ellis stated that Lot 18 Block B has a hashed mark on it, but it wasn't listed in the notes. Julie Wyatt, Senior Planner and Earl Escobar, Engineering Development Review Manager, stated that it was missed and should not be there. They both stated the error would be corrected before the final plat is signed.

Julie Wyatt, Senior Planner, presented Item for Individual Consideration 4A.

Commissioner Beck questioned why this particular amount of property was chosen for the Denton Energy Center. Jon Fortune, Assistant City Manager, stated that the Airport received a state grant to expand the runway, at the same time Denton Municipal Electric (DME) was looking for land for the new Energy Center. DME and the Airport coverage that is why this plan will be done in phases.

Shandrian Jarvis, Development Review Committee Administrator, stated there is no land use plans for phase 3 at the moment, the General Development Plan (GDP) is intend for the City's need so the public info structure requirements are met. Commissioner Beck questioned why this location for the future Loop 288 is different from what the mobility plan originally showed.

Earl Escobar, Engineering Development Review Manager, stated when the Texas Department of Transportation took a better look at the alignment they took in account more accurate information such as flood plain, gas wells, and sub stations that is why the alignment shifted a little more East than what the Mobility Plan showed.

Commissioner Beck questioned if there is concern of some type of negative nature from the Energy Center, running off into Hickory Creek and flow into Lake Lewisville. Gary Vickery with Teague, Nall and Perkins, stated there will be a sediment pond at the south west corner that will help to trap all impurities.

Commissioner Taylor questioned if there will be clarification on the Final Plat regarding road way circulation. Vickery stated yes, due to the size of the buildings there has to be a second point of access to the site.

Julie Wyatt, Senior Planner, presented Item for Individual Consideration item 4B.

Commissioner Beck questioned if the flood plain was going to be effected by Jim Christal Road or the right-of-way. Earl Escobar, Engineering Development Review Manager, stated it will be affected when Jim Christal is widened it will impact it due to adding culverts to go under the road way, but that will be addressed at later date.

Muzaib Riaz, Associate Planner, presented Item for Individual Consideration item 4C.

Commissioner Beck questioned if the glass is going to withstand a hail storm. Scott Wagner, with RED Development stated that the percentage of glass meets the building code and energy code requirements.

Commissioner Taylor stated to Scott Wagner that with all future Rayzor Ranch Development it would be nice to see the master plan for that area. Riaz complied to start using an updated site plan. Commissioner Hudspeth stated that he is unable to tell from the site plan if there is going to be access from Panhandle Street to I-35. Wagner stated after the I-35 expansion then there will be access, however until than it will be barricaded off.

Muzaib Riaz, Associate Planner, presented Item for Individual Consideration 4D.

Commissioner Hudspeth questioned if there are bike racks located near the proposed theater. Riaz stated there are bike racks located on the site.

Julie Wyatt, Senior Planner, presented Public Hearing item 5A. Commissioner Beck stated this area is open land, he commented that we should consider rezoning it all Regional Center Commercial Downtown (RCCD). Commissioner Beck asked if the information provided in the backup is only specific to Zimmerer Kubota. Wyatt stated when staff looks at a rezoning case they try to remove the specific request and just look at the zoning district and what the permitted uses are.

Chair Strange closed the Work Session at 6:00 p.m.

REGULAR MEETING

Chair Strange opened the Regular Meeting at 6:30 p.m.

The Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, January 11, 2017 at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney at which time the following items will be considered:

1. PLEDGE OF ALLEGIANCE

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

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES FOR:

A.PZ17-006 Consider approval of the Planning and Zoning Commission meeting minutes.

Vice-Chair Devin Taylor motioned, Chair Jim Strange seconded to approve the November 30, 2016 meeting minutes. Motioned approved (5-0). Vice Chair Devin Taylor "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye". Commissioner Larry Beck "abstained".

Vice Chair Devin Taylor motioned, Commissioner Margie Ellis seconded to approve the meeting minutes for December 11, 2016. Motion approved (5-0). Vice-Chair Devin Taylor "aye", Commissioner Larry Beck "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye". Commissioner Steve Sullivan "abstained"

3. CONSENT AGENDA

- A. PP16-0007 Consider a request by Robson Denton Development for a Preliminary Plat of Unit 17-1 of Robson Ranch. The approximately 44 acre site is located west of Michelle Way Street, approximately 1,095 feet north of Robson Ranch Road. (PP16-0007, Robson Ranch Unit 17-1, Julie Wyatt)
- B. FP16-0026 Consider a request by Robson Denton Development for a Final Plat of Unit 17-1 of Robson Ranch. The approximately 44 acre site is located west of Michelle Way Street, approximately 1,095 feet north of Robson Ranch Road. (FP16-0026, Robson Ranch Unit 17-1, Julie Wyatt)
- C. FP16-0015 Consider a request by LGI Homes - Texas, LLC for a Final Plat of Beaver Creek, Ph 1B. The approximately 29 acre site is located north of North Loop 288, approximately 455 feet west of Stuart Road. (FP16-0015, Beaver Creek Ph 1B, Julie Wyatt)
- D. FP15-0048 Consider a request by DR Horton Texas, LP for a Final Plat of Teasley Trails, Phase 2. The approximately 26.3 acre site is generally located 245 feet south of Bent Oaks Drive and 505 feet west of Teasley Lane. (FP15-0048, Teasley Trails, Phase 2, Julie Wyatt)
- E. FP16-0025 Consider a request by Cavender Investment Properties F, LTD for a Final Plat of the Cavender Investment Properties F, Ltd Subdivision, Lot 1. The 2.9368 acre site is generally located along the west side of the Interstate Highway 35 southbound service road.

approximately 970 feet south of West University Drive. (FP16-0025, C av e nder's Boot City, Hayley Zagurski).

Commissioner Larry Beck motioned, Commissioner Margie Ellis seconded to approve the Consent Agenda. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Gerard Hudspeth "aye".

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A.GDP16-0002 Consider a request by Teague Nall and Perkins, Inc., for a General Development Plan for approximately 340 acres of land generally located south of Jim Christal Road, west of Masch Branch Road and north of Tom Cole Road in the City of Denton, Denton County, Texas. (GDP16-0002, Denton Energy Center, Mike Bell)

Julie Wyatt, Senior Planner, presented item 4A.

Commissioner Ellis questioned if any studies were done due to the size of the flood plain. Earl Escobar, Engineering Development Review Manager, stated that there are two flood plains on this property and the development will not impact either one. Commissioner Ellis questioned if there was a study done on the run off of the development and what the impact would be.

The applicant Gary Vickery, with Teague, Nall and Perkins, stated they did not do an actual drainage study, they are making sure to keep all improvements outside of those flood plains. Vickery also stated that all the runoff from the development will go south west into a sediment pond before it is discharged into the stream.

The following individual requested to speak:

Paul Meltzer, 1914 West Oak Street, Denton Texas. Opposed to this request.

The Commissioners had no further questions regarding this item.

Vice-Chair Devin Taylor motioned, Commissioner Gerard Hudspeth seconded to approve this request. Motioned approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".

Chair Strange stated Public Hearing item PZ17-010 for Robson Ranch has been withdrawn.

B. PP16-0021 Consider a request by Teague Nall and Perkins, Inc., for a Preliminary Plat of Lot 1, Block A, of the Denton Energy Center Addition. The approximately 169.85 acre tract is generally located on the south side of Jim Christal Road, approximately one mile east of C. Wolfe Road. (PP16-0021, Denton Energy Center, Mike Bell)

Julie Wyatt, Senior Planner, presented item 4B.

Vice-Chair Taylor stated he has concerns regarding the size and scale of lot 1 block A. He questioned how it is all inclusive, and how only fifteen percent of it is planned to be developed. Vice-Chair Taylor also stated how there is a lack of detail transportation circulation, he expects to see those items in the final plat.

Commissioner Ellis questioned why this item was purposed this way. Applicant Gary Vickery with Teague Nall and Perkins, stated the question is why there is just a single lot, and it's because currently there is just a single use at this time.

Commissioner Gerard Hudspeth motioned, Chair Jim Strange seconded to approve this request. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".

- C. [SP16-0016 Consider a request by DB Denton II, LLC for approval of a site plan for a furniture store to be located within the Rayzor Ranch South RR-2 District on Lot 15, Block 1, of the Rayzor Ranch Town Center. The approximately 3.34 acre site is generally located on the northbound service road of I-35 North, approximately 500 feet north of Scripture Street. The property is subject to the Rayzor Ranch Overlay District \(Ord. No. 2016-312\). \(SP16-0016, Rayzor Ranch Rooms to Go, Mike Bell\)](#)

Muzaib Riaz, Associate Planner, presented item 4C.

Commissioner Beck questioned the amount of parking. Riaz stated Rayzor Ranch the Overlay District does not have a maximum limit for parking. Vice-Chair Taylor questioned why there are not parking requirements. Riaz stated there is a minimum parking requirement.

Commissioner Hudspeth requested clarification on how Panhandle Street will function during the development. Daniel Stuart, with Cates- Clark & Associate at 14800 Quorum Drive, Dallas TX stated the plan with the Texas Department of Transportation (TXDOT) will be built with a right-in and it will not be built with an exit as of today. Stuart also stated when TXDOT moves the on-ramp to I-35 then they will be able to make Panhandle Street an exit to I-35.

Vice-Chair Taylor questioned once people get to the store how would they exit. Stuart stated there will be an access road built with the development that will allow exit. Commissioner Sullivan questioned when they anticipated Panhandle Street connecting to Bonnie Brae Street. Scott Wagner stated it would depend on development fronting or adjacent to Bonnie Brae Street.

Commissioner Gerard Hudspeth motioned, Commissioner Larry Beck seconded to approve this request. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".

Muzaib Riaz, Associate Planner, presented item 4D.

- D. SP16-0022 Consider a request by DB Denton II, LLC for approval of a Site Plan for a movie theater to be constructed within the Rayzor Ranch RR-1 District located on Lot 10R-1, Block A, of the Rayzor Ranch Town Center. The approximately 7.86 acre property is generally located between I-35N and Heritage Trail Boulevard, approximately 1,500 feet south of West University Drive (US 380). (SP16-0022, Rayzor Ranch Movie Theater, Mike Bell)

Commissioners had no questions regarding this item.

Commissioner Larry Beck motioned, Vice-Chair Devin Taylor seconded to approve this item. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Gerard Hudspeth "aye".

5. PUBLIC HEARINGS

A.Z16-0026 Hold a public hearing consider a request by JA Miller/Bess Miller Survivors Trust to rezone approximately 7.95 acres from a Regional Center Commercial Neighborhood (RCC-N) District to a Regional Center Commercial Downtown (RCC-D) District. The property is generally located on the west side of North Interstate Highway 35, approximately 455 feet north of Schuyler Street in the City of Denton, Denton County, Texas. (Z16-0026, Zimmerer Kubota, Hayley Zagurski).

Chair Strange opened the Public Hearing.

Julie Wyatt, Senior Planner, presented Public Hearing item 5A. There was no one to speak on this item.

Chair Strange closed the Public Hearing.

Commissioner Hudspeth questioned James Conley at 1405 W. Chapman Road, Sanger Texas, if Kubota's corporate office is relocating to Grapevine, Texas. James Conley stated he believes their corporate office is in Fort Worth, Texas and has no knowledge that they are moving it. Commissioner Ellis questioned if they would be closing the site that is located on Loop 288 and moving to the new one. Conley stated that the information he has received from the client is that this would most likely be a second site.

Commissioner Gerard Hudspeth motioned, Commissioner Larry Beck seconded. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".

B. PZ17-010 Hold a public hearing and consider making a recommendation to City Council

regarding a Unified Gas Well Plan for Planned Development 173 (PD-173) District, Robson Ranch, to address compatibility between residential development and gas wells and associated infrastructure. The subject property is approximately 2,725 acres generally located north of Robson Ranch Road, approximately 5,540 feet west of the I-35W Robson Ranch Road On-Ramp. (Robson Ranch Unified Gas Well Plan, Julie Wyatt) This item has been withdrawn.

This item was withdrawn by the applicant.

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

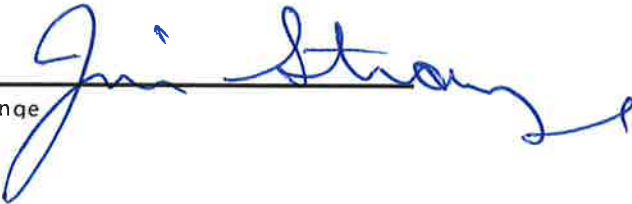
A. PZ17-007 Planning and Zoning Commission project matrix.

Chair Strange questioned when he would receive the summary regarding his request for Ryan Road and Mayhill Road. Shandrian Jarvis, Development Review Committee Administrator, stated Earl Escobar, Engineering Development Review Manager, had the summary for the Commissioners.

Chair Strange closed the Regular Meeting at 7:20 p.m.

X

Jim Strange
Chair



X

Catherine Welborn
Administrative Assistant III

