

Minutes  
Planning and Zoning Commission  
August 8, 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 8, 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:** Vice-Chair Andrew Rozell. Commissioners: Alfredo Sanchez, Tim Smith Larry Beck, Mat Pruneda, and Margie Ellis.

**ABSENT:** Commissioner: Steve Sullivan.

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

Vice-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.

Commissioner Beck referred to Consent Agenda Item 3A, questioning if Mills Road is a Collector Street and will remain a Collector Street. Sean Jacobson, Assistant Planner, stated he cannot confirm, however he does know there are no plans to widen Mills Road at this time.

Hayley Zagurski, Senior Planner, presented Items for Individual Consideration 4B. Commissioner Beck questioned if the entrance will be at the rear of the building. Zagurski confirmed. Commissioner Beck questioned if the existing IHOP Restaurant near the University of North Texas will close down. Zagurski stated that is her understanding. Zagurski stated staff recommends approval of the request.

Hayley Zagurski, Senior Planner, presented Items for Individual Consideration 4C. Commissioner Smith questioned the additional parking. Zagurski stated the applicant will be present during the Regular Meeting to explain their request for additional parking spaces. There is also a school onsite that will be included in the reason for needing additional parking. Zagurski stated staff recommends approval of the request.

Sean Jacobson, Assistant Planner, presented Public Hearing 5A. Staff recommends approval of the request. The applicant will be present during the Public Hearing.

1 2. Work Session Reports:

2  
3 The Work Session Items were heard out of order.

4  
5 1. Project Matrix Update: Hold a discussion on rezoning RD5X and Rural Residential  
6 areas to a residential district.

7  
8 Ron Menguita, Principal Planner, presented this item. He provided update regarding the Denton  
9 Development Code, and the Community Vision Statement. There are almost 111 parcels that have  
10 not been zoned and are still classified as RD-5X. Those properties will need to be zoned soon, or  
11 they will remain with the RD5 zoning classification.

12  
13 Menguita discussed the involuntary annexation process. Commissioner Smith questioned the  
14 regulations in the extraterritorial jurisdiction. Menguita stated there are regulations, however, staff  
15 cannot regulate items such as land use and design standards.

16  
17 Commissioner Beck questioned if the future RR zoning process will be more complicated than the  
18 RD-5X process. Menguita stated it would be a similar process.

19  
20 Commissioner Smith questioned a continuation of this presentation that would cover gas well  
21 details. Menguita stated staff could present at an upcoming Work Session to cover those details.

22  
23 A. Hold a reception honoring Jim Strange for serving six years on the Planning and  
24 Zoning Commission.

25  
26 The Commission and staff thanked Strange for serving on the Commission for six years. Strange  
27 thanked staff and his fellow Commissioners for all their hard work over the years. He also thanked  
28 Pete Kamp and Dalton Gregory for appointing him to serve on the Commission.

29  
30 Vice-Chair Rozell closed the Work Session at 6:03 p.m.

31  
32 REGULAR MEETING

33  
34 Vice-Chair Rozell called the Regular Meeting to order at 6:40 p.m.

35  
36 The Planning and Zoning Commission convened in a Regular Meeting on **Wednesday, August 8,**  
37 **2018 at 6:30 p.m.** in the City Council Chambers at City Hall, 215 E. McKinney at which time the  
38 following items were considered:

39  
40 1. PLEDGE OF ALLEGIANCE:

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

43  
44 2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION  
45 MINUTES FOR:

1           A.     July 25, 2018

2  
3     Commissioner Larry Beck motioned, Commissioner Margie Ellis seconded to approve the July  
4     25, 2018 meeting minutes. **Motion approved (4-0-1)**. Commissioner Alfredo Sanchez, “aye”,  
5     Commissioner Larry Beck, “aye”, Commissioner Tim Smith, “aye”, and Commissioner Margie  
6     Ellis, “aye”. Vice-Chair Andrew Rozell and Mat Pruneda abstained.

7  
8     3.     CONSENT AGENDA:

9  
10    A.     Consider a request by Aaron Graves on behalf of Cope Equities, LLC for approval  
11    of a Preliminary Plat of the Cope Addition. The approximately 14.766 acre site is  
12    generally located at the northeast corner of N. Mayhill Road and Mills Road, in the  
13    City of Denton, Denton County, Texas. (PP18-0007, Cope Addition, Sean  
14    Jacobson).

15  
16    B.     Consider a request by Zimmerer Denton, LLC for approval of a final plat of the  
17    Kubota Addition, Lots 1 & 2, Block A. The approximately 7.95-acre site is  
18    generally located on the west side of the I-35 frontage road, approximately 460 feet  
19    north of Schuyler Road in the City of Denton, Denton County, Texas. (FP18-0009,  
20    Kubota Addition, Hayley Zagurski).

21  
22     Commissioner Tim Smith motioned, Commissioner Margie Ellis seconded to approve the Consent  
23     Agenda. **Motion approved (5-0)**. Commissioner Alfredo Sanchez, “aye”, Commissioner Larry  
24     Beck, “aye”, Commissioner Tim Smith, “aye”, and Commissioner Margie Ellis, “aye”, Vice-Chair  
25     Andrew Rozell, “aye” and Commissioner Mat Pruneda, “aye”.

26  
27     4.     ITEMS FOR INDIVIDUAL CONSIDERATION:

28  
29    A.     Consider and appoint a member for the Planning and Zoning Commission Chair  
30    and Vice-Chair positions.

31  
32     Commissioner Tim Smith motioned, Commissioner Larry Beck seconded to nominate Andrew  
33     Rozell as the Chair position. **Motion approved (5-0)**. Commissioner Alfredo Sanchez, “aye”,  
34     Commissioner Larry Beck, “aye”, Commissioner Tim Smith, “aye”, and Commissioner Margie  
35     Ellis, “aye”, Vice-Chair Andrew Rozell, “aye” and Commissioner Mat Pruneda, “aye”.

36  
37     There were no other nominations for the Chair position. Vice-Chair Rozell accepted the  
38     nomination.

39  
40     Commissioner Larry Beck motioned, Commissioner Tim Smith seconded to nominate Margie  
41     Ellis as the Vice-Chair position. **Motion approved (5-0)**. Commissioner Alfredo Sanchez, “aye”,  
42     Commissioner Larry Beck, “aye”, Commissioner Tim Smith, “aye”, and Commissioner Margie  
43     Ellis, “aye”, Vice-Chair Andrew Rozell, “aye” and Commissioner Mat Pruneda, “aye”.

44  
45     There were no other nominations for the Vice-Chair position. Commissioner Ellis accepted the  
46     nomination.

- 1 B. [Consider a request by DB Denton II LLC for approval of a Site Plan for an IHOP](#)  
2 [restaurant building to be constructed within the Rayzor Ranch South RR-2 District](#)  
3 [located on a portion of Lot 23 and part of Lot 24, Block A, of the Rayzor Ranch](#)  
4 [South Addition. The approximately 1.00-acre property is generally located along](#)  
5 [the I-35 Frontage Road approximately 1,060 feet north of Scripture Street. \(SP18-](#)  
6 [0018, IHOP Rayzor Ranch, Hayley Zagurski\)](#)  
7

8 Hayley Zagurski, Senior Planner, presented this request. Staff recommends approval of the  
9 request. Commissioner Ellis questioned why a portion of another lot has not be filed with the City  
10 at this time. Zagurski stated it has been approved, however, they have not submitted their  
11 Execution Package.

12  
13 The applicant was present but did not wish to speak. There was no further discussion.

14  
15 Commissioner Tim Smith motioned, Commissioner Margie Ellis seconded to approve this request.  
16 **Motion approved (5-0).** Commissioner Alfredo Sanchez, “aye”, Commissioner Larry Beck,  
17 “aye”, Commissioner Tim Smith, “aye”, and Commissioner Margie Ellis, “aye”, Vice-Chair  
18 Andrew Rozell, “aye” and Commissioner Mat Pruneda, “aye”.

- 19  
20 C. [Consider a request by Faith Tabernacle Assembly of God for approval of an](#)  
21 [Alternative Development Plan for a proposed parking lot expansion on 7.91 acres](#)  
22 [located at on the southwest corner of the intersection of Audra Lane and Lattimore](#)  
23 [Street in the City of Denton, Denton County, Texas. The property is currently zoned](#)  
24 [Neighborhood Residential 4 \(NR-4\) District. This site received approval of an ADP](#)  
25 [on January 20, 2010 for deviations from the minimum tree canopy and](#)  
26 [compatibility buffer requirements. The purpose of this is to deviate from the](#)  
27 [requirements of the previously approved ADP as well as Sections 35.13.7.B](#)  
28 [Landscape and Tree Canopy Requirements and 35.13.13.10 Access, Parking, and](#)  
29 [Circulation Requirements of the Denton Development Code. \(ADP18-0005, Faith](#)  
30 [Tabernacle Parking Lot, Hayley Zagurski\).](#)  
31  
32

33 Hayley Zagurski, Senior Planner, presented the request. Staff recommends approval of the request.  
34 There was no one to speak on this item, and no discussion.

35  
36 Commissioner Tim Smith motioned, Commissioner Alfredo Sanchez seconded to approve there  
37 request. **Motion approved (5-0).** Commissioner Alfredo Sanchez, “aye”, Commissioner Larry  
38 Beck, “aye”, Commissioner Tim Smith, “aye”, and Commissioner Margie Ellis, “aye”, Vice-Chair  
39 Andrew Rozell, “aye” and Commissioner Mat Pruneda, “aye”.

40  
41 5. [PUBLIC HEARINGS:](#)  
42

- 43 A. [Hold a public hearing and consider making a recommendation to City Council](#)  
44 [regarding a request by Jon Featherston on behalf of Victory & 288 LLC for a zoning](#)  
45 [change from Neighborhood Residential Mixed Use \(NRMU\) to a Community](#)  
46 [Mixed Use General \(CM-G\) District. The 0.744 acre site is generally located](#)

1 [southwest of the intersection of East University Drive and Loop 288, in the City of](#)  
2 [Denton, Denton County, Texas. \(Z18-0012, Victory Addition, Sean Jacobson\).](#)

3  
4 Chair Rozell opened the Public Hearing. Sean Jacobson, Associate Planner, presented the request.  
5 The applicant is present. Staff recommends approval of the request. Jacobson stated staff has not  
6 received any returned responses.

7  
8 Commissioner Smith questioned the intent for the proposed rezoning.

9  
10 Jon Featherston, applicant, 10755 Sandhill Road, Dallas, Texas, stated the intent is to demolish  
11 the existing structures on the site and rebuild a new gas station and convenience store.

12  
13 Commissioner Beck stated this will be a nice change to the area.

14  
15 There was no one else to speak, Chair Rozell closed the Public Hearing.

16  
17 Commissioner Beck motioned, Commissioner Tim Smith seconded to approve the request.  
18 **Motion approved (6-0).** Commissioner Larry Beck, “aye”, Commissioner Tim Smith, “aye”,  
19 Commissioner Margie Ellis, “aye”, Commissioner Alfredo Sanchez, “aye”, Commissioner Mat  
20 Pruneda, “aye”, and Chair Andrew Rozell, “aye”.

21  
22 6. [PLANNING AND ZONING COMMISSION PROJECT MATRIX:](#)

23  
24 A. [Matrix](#)

25  
26 Commissioner Smith requested an additional Work Session to discuss the RR zoning district.

27  
28 Richard Cannone, Planning Director, stated staff will try to bring that item forward at the next  
29 Planning and Zoning Commission meeting. There are a few other items for discussion as well,  
30 such as an update on the Tree Code.

31  
32 Commissioners Ellis and Beck thanked Strange for his time on the Commission. Commissioner  
33 Beck welcomed Mat Pruneda.

34  
35 There was no further discussion. Chair Rozell adjourned the Regular Meeting at 7:05 p.m.