

Minutes
Planning and Zoning Commission
January 25, 2017

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 25, 2017 at 4:00 p.m.** in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items were considered:

PRESENT: Vice-Chair Devin Taylor, Chair Jim Strange, Commissioners: Steve Sullivan, Andrew Rozell, Margie Ellis, and Gerard Hudspeth.

STAFF: Munal Mauladad, Shandrian Jarvis, Ron Menguita, Roman McAllen, Julie Wyatt, Hayley Zagurski, Haywood Morgan, Mike Bell, Earl Escobar, Deborah Viera and Cathy Welborn.

ABSENT: Commissioner Larry Beck.

WORK SESSION

Chair Strange opened the Work Session at 4:11 pm.

1. Clarification of agenda items listed on the agenda for this meeting, and discussion of issues not briefed in the written backup materials.

Shandrian Jarvis, Development Review Committee Administrator, questioned if the Commissioners had any questions regarding the minutes from January 11, 2017 meeting. The Commissioner's had no changes for the meeting minutes.

Jarvis stated on the Consent Agenda there are two plats, both are for the Razyor Ranch Phase 3.

Mike Bell, Senior Planner, stated for the final plat he handed out an updated version, which included the labeling of the lots, the change was they went from Block 1 to Block A and a corner clip at Panhandle Street and I-35. The Commissioners had no questions regarding this item.

Jarvis stated the Item for Individual Consideration 4A would have to be postponed until it can be reposted as an agenda item to create the subcommittee.

Bell presented Item for Individual Consideration 4B. The Commissioners had no questions regarding this item.

Roman McAllen, Historical Preservation Officer, presented Public Hearing item 5A.

Commissioner Rozell questioned how you define Tudor style. McAllen stated it is the steep pitch roof, and you look at the gable in the facade. Commissioner Rozell also questioned what he should be looking for if he was to deny a Historical Landmark Designation.

Munal Mauladad, Director of Development Services, stated the Denton Development Code (DDC) specifies a dual Public Hearing process. The Historical Landmark Commission provides their recommendation to the Planning and Zoning Commission to then this Commission would forward their recommendation to City Council.

Mauladad stated it does sound like an extra step but it allows the Planning and Zoning Commission more insight and they are the recommending body to City Council. Since the Historical Districts are in the Denton Development Code (DDC) and the Special Purpose Districts any changes or amendments have to go through the Public Hearing process.

Jarvis stated Public Hearing item 5C would go before Public Hearing item 5B

Hayley Zagurski, Assistant Planner, presented Public Hearing item 5C.

Commissioner Ellis questioned how a developer would put together their point system. Zagurski stated during their site plan they would submit what they are proposing to meet the point requirements.

Commissioner Ellis requested clarification on the last statement on page 4 of the Compatibility Buffers. Zagurski stated if the width couldn't be met than an alternative could still be proposed. Jennifer DeCurtis, Deputy City Attorney, requested the exact location of the statement Commissioner Ellis questioned.

Commissioner Ellis stated it is in the proposed copy E.4. Zagurski read the statement 35.13.8.E4 out loud for the record: For developments with required buffers, an alternative buffer may be provided with the authorization by the Director of Development Services or designee if the proposed width and combination of elements meets the intent of mitigating or minimizing potential nuisances, as described in the purpose statement in this Section.

Commissioner Rozell questioned if there are any other cities with point systems. Zagurski stated that Austin and Fort Worth both have a similar system.

Commissioner Sullivan stated if a less intensive business category wants to come in and develop property with the category that is already there, then that would require the existing property owner would provide the buffer. Zagurski stated if an industrial use was coming in and the adjoining property is vacant and zoned commercial than the industrial use would provide the buffer. Jarvis stated if you have vacant pieces of property and you want to develop one industrial and one commercial, and the industrial is going in first they would put the buffer in to buffer for the commercial development.

Vice-Chair Taylor questioned how many cases use the waiver clause. Zagurski stated there is no way to track the cases with the waiver clause included, but after speaking with the other planners this is a frequent issue that arises.

Julie Wyatt, Senior Planner, presented Public Hearing item 5B. Wyatt stated if the developer wants front parking than they would have to provide a screen for the front parking.

Commissioner Sullivan questioned how much bike parking is on the square. Wyatt stated that she is unaware but the Bike Coordinator should be at the Regular Meeting. Chair Strange questioned if there is a point system for incorporating bicycles like you do for landscaping. Wyatt stated there is not a credit, but if you provide bike parking in excess of what is required you can reduce your vehicle parking by five percent.

Chair Strange questioned if staff has met with the development community on this amendment. Wyatt stated they have not met with the development community regarding this item, staff felt as if these were administrative fixes.

Commissioner Rozell stated if we know where we want bikes to be than add them, but leverage businesses that need them.

Commissioner Ellis stated this should wait until the Subcommittee and the rewrite of the DDC are moving forward. Commissioner Ellis also stated she didn't understand why we are taking the time to rewrite this when there are things left open on the table to discuss, with entities in the business that it directly effects. Wyatt stated staff felt that way as well but that some of these issues, particularly the front parking screening and parking maximums, were things that needed to go forward more quickly.

Commissioner Ellis questioned Chapter 14.4.A.1, what would happen if someone wanted a three (3) car garage. Wyatt stated staff is wanting to minimize the amount of parking associated with that residential use.

Commissioner Sullivan questioned if the front parking screening would be closer to the curb. Wyatt stated on Texas Department of Transportation (TxDot) roads it would not be closer to the curb, because it will have a 20 foot Private Utility Easement. Staff plans to minimize the landscape area due to its size, to allow the ability to decrease that space to accommodate their development.

Commissioner Sullivan questioned if the road is not TxDot than how far back does the screening have to be. Wyatt stated that it would just have to be out of the right-of-way.

Vice-Chair Taylor questioned how many cities in the Dallas Fort Worth are currently using integrated Stormwater Management (iSWM) standards. Deborah Viera, Environmental Compliance Coordinator, stated there are 15 cities that currently use iSWM.

Jarvis stated iSWM doesn't always increase the cost to do a development if you are able to integrate the lower impact design techniques, it could help to treat the water, meet engineering needs and be cost effective. Jarvis believes staff should work on educating the development community on how to integrate it into their projects to make the implantation process easier.

Chair Strange stated he is open to these amendments, he just wants it to show how much it's going to cost the developer.

Commissioner Hudspeth questioned if the City of Denton is contracted with iSWM for a certain amount of time.

DeCurtis stated there is no contract with iSWM.

Jarvis stated that items 5D and 5E have been withdrawn. She stated item 5E the proposed amendment regarding building materials was noticed incorrectly so it will be postponed indefinitely.

Chair Strange closed the Work Session at 5:45 p.m.

REGULAR MEETING

The Planning and Zoning Commission convened in a Regular Meeting on **Wednesday, January 25, 2017 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 opened the Regular Meeting at 6:34 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. PZ17-023 Consider approval of the Planning and Zoning Commission meeting minutes.

Commissioner Margie Ellis motioned, Commissioner Steve Sullivan seconded to approve the January 11, 2017 meeting minutes. Motioned approved (5-0-1). Vice-Chair Devin Taylor "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye" Commissioner Andrew Rozell abstained from the vote.

3. CONSENT AGENDA

A. PP16-0017 Consider a request by DB Denton II LLC and Allegiance Hillview LP for approval of a Preliminary Plat of the Rayzor Ranch Town Center Phase 3. The 24.95 acre site is generally located between I-35 North and Heritage Trail Boulevard, approximately 500 feet north of Scripture Street. (PP16-0017, Rayzor Ranch Town Center Phase 3, Mike Bell)

B. FP16-0040 Consider a request by DB Denton II LLC and Allegiance Hillview LP for approval of a Final Plat of Lots 13-16, Block 1, Phase 3 of the Rayzor Ranch Town Center. The 7.70 acre site is generally located on the northbound service road of I-35 North, approximately 500 feet north of Scripture Street. (FP16-0040, Rayzor Ranch Town Center Lots 13-16, Mike Bell)

Vice-Chair Devin Taylor motioned, Commissioner Andrew Rozell seconded to approve the Consent Agenda. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Steve

Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Margie Ellis "aye", and Gerard Hudspeth "aye".

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. PZ17-024 Consider nominations and appoint members of the Planning and Zoning Commission to serve on the Planning and Zoning Commission Subcommittee for the Denton Development Code re-write.

Chair Strange stated item 4A was not noticed correctly, therefore, this item would not be heard during this meeting and would need to be renoticed.

B. SP16-0003 Consider a request by DB Denton II, LLC for approval of a Site Plan for an approximately 143,000 square foot retail store to be located within the Rayzor Ranch RR-1 District. The 15.68 acre site is generally located on the east side of I-35 North, approximately 500 feet south of West University Drive (US 380). (SP16-0003, Rayzor Ranch Town Center Pad H, Mike Bell)

Mike Bell, Senior Planner, presented Item for Individual Consideration 4B.

The following individuals spoke on this Item for Individual consideration:

Dustin Gibbs, 300 Washington Street, Monroe, Louisiana. Supports this item.

Vice-Chair Taylor questioned staff regarding the amount of flat wall that can face a parking lot or publicly viewed area's within Rayzor Ranch. Bell stated there is a requirement, however, there is a provision that would allow the applicant to use trees in place of that the requirement. Bell stated the applicant met the requirements because of the amount of trees located in the front of the building.

Vice-Chair Devin Taylor motioned, Commissioner Margie Ellis seconded to approve Item for Individual Consideration 4B. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".

5. PUBLIC HEARINGS

A. HL16-0006 Hold a public hearing and consider making a recommendation to the City Council regarding an application for Historic Landmark Designation for the property located at 2106 North Bell Avenue, located on the southeast corner of North Bell Avenue and Sherman Drive. (HL16-0006, 2106 North Bell Avenue, Roman McAllen)

Chair Strange opened the Public Hearing.

Roman McAllen, Historic Preservation Officer, presented Public Hearing item 5A. The Commissioners had no questions regarding this item.

The following individuals spoke on this item:

Gary Hayden, 2106 N Bell Ave, Denton Texas. Supports this request.

Chair Strange closed the Public Hearing.

Commissioner Andrew Rozell motioned, Commissioner Margie Ellis seconded to approve Public Hearing item 5A. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".

B. DCA17-0003 Hold a public hearing and consider a proposed revision of the Denton Development Code; specifically to amend Subchapters 13 and 14 pertaining to the parking requirements. (DCA17-0003, Parking, Julie Wyatt)

Based on the direction from the Commissioner during the Work Session it was discussed to postpone this item indefinitely. Chair Strange requested if there was any feedback from the Commissioners.

Vice-Chair Taylor stated for the audience this item was a clean-up of the parking standards, but also included changes to parking islands and parking coverage. Vice-Chair stated he believes this proposal is headed in the right direction and is going to make parking lots nicer.

Commissioner Rozell stated when this item comes back he would like to see the real cost and thoughts about aligning bike stand incentives with the bike plan.

Commissioner Hudspeth stated he does like the provision regarding the bike racks, he would like to see some different options regarding the graphs for clarity purposes and to meet with the building community to get their opinions on this item.

Commissioner Ellis requested to have a work shop during a Work Session to take the Commissioners opinions and concerns before putting this item back on the agenda.

Commissioner Andrew Rozell motioned, Commissioner Margie Ellis seconded to postpone Public Hearing item 5B indefinitely. Motion approve (6-0). Vice-Chair Devin Taylor "aye", Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".

C. DCA17-0001 Hold a public hearing and consider a proposed revision of the Denton Development Code; specifically to amend Subchapter 13 pertaining to the compatibility buffer requirements. (DCA17-0001, DDC Compatibility Buffers, Hayley Zagurski).

Based on the direction from the Commissioner during the Work Session it was discussed to postpone this item indefinitely. Chair Strange requested if there was any feedback from the Commissioners.

Vice-Chair Taylor stated he had his concerns regarding this item, such as the amount of points needed per type, and he would like it to go back the older style matrix.

Commissioner Rozell stated he would like to see a merge with the current grid system for buffers and the new point system. Commissioner Rozell stated he thinks the new point system is a step forward but there are some loopholes currently there.

Vice-Chair Devin Taylor motioned, Commissioner Andrew Rozell seconded to postpone Public Hearing item 5C indefinitely. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".

D. Z16-0018 Hold a public hearing and consider a request by H3H, LLC to rezone approximately 5.3 acres from Regional Center Residential 1 (RCR-1) District to Employment Center Commercial (EC-C) District. The property is generally located west of the I-35 Southbound Service Road and approximately 115 feet north of Barthold Road. (Z16-0018, Blue Beacon, Julie Wyatt) THIS ITEM HAS BEEN POSTPONED TO THE FEBRUARY 8, 2017, PLANNING AND ZONING COMMISSION MEETING.

Chair Strange opened the Public Hearing.

Commissioner Andrew Rozell motioned, Commissioner Gerard Hudspeth seconded to approve Public Hearing item 5D to be postponed until the February 8, 2017 meeting. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".

Chair Strange stated he received clarification from the Legal Department in which this item has been opened and the public hearing would be continued during the February 8, 2017 meeting.

E. DCA17-0002 Consider a proposed revision of the Denton Development Code to amend Subsection 35.13.13 pertaining to Site Development Requirements. (DCA17-0002, Site Development Requirements Amendment, Muzaib Riaz). THIS ITEM HAS BEEN POSTPONED INDEFINITELY.

Chair Strange stated Public Hearing item 5E has been postponed indefinitely and there will no action taken on this item.

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

A. PZ17-026 Planning and Zoning Commission project matrix.


Commissioner Rozell requested information regarding the process for waving the application fees for a Historical Landmark designation.

Commissioner Ellis stated she would like to have a discussion of what is allowed and not allowed as far as discussion within in Work Session versus the Regular Meeting.


Chair Strange thanked staff for getting the handout for Ryan Road but requested the information on Mayhill Road. Shandrian Jarvis, Development Review Committee Administrator, stated the

memorandum for Mayhill Road was completed in October 2016 and was emailed to the Planning and Zoning Commission. Chair Strange stated he missed that email. Jarvis stated she would resend it.

There was no further discussion. Chair Strange closed the Regular Meeting at 7:05p.m.

X 

Jim Strange
Chair

X 

Catherine Welborn
Administrative Assistant III