

MINUTES
PLANNING AND ZONING
December 2, 2020

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, December 2, 2020, 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: Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Ronnie Anderson, Brian Beck, Mat Pruneda and Jason Cole.

ABSENT: None

STAFF: Richard Cannone, Hayley Zagurski, Ron Menguita, Christi Upton, Mack Reinwand and Selena Dillard.

On the phone: Karina Maldonado

Note: Chair Andrew Rozell, and Commissioners Margie Ellis, Ronnie Anderson, Brian Beck, Jason Cole, Mat Pruneda, and Tim Smith participated in the Planning and Zoning meeting via video/teleconference.

WORK SESSION

Chair Andrew Rozell opened the Work Session at 4:02 p.m.

Chair Rozell noted that Commissioners Ronnie Anderson and Tim Smith were absent at the beginning of the Work Session.

1. Citizen Comments on Consent Agenda Items

None

2. Work Session Reports

- A. Receive a report, hold a discussion, and give staff direction regarding Code amendments related to Subchapter 2 – Administration and Procedures of the Denton Development Code.

Ron Menguita, Principal Planner, presented the report to the board. A discussion followed

Chair Rozell stated for the record that Commissioners Ronnie Anderson and Tim Smith were present.

- B. Receive a report, hold a discussion, and give staff direction regarding the proposed Standard Construction Specifications and Standard Details for the construction of public infrastructure.

1
2 Chair Rozell stated that this report had been pulled from the meeting.
3

4 3. Clarification of agenda items listed on the agenda for this meeting
5

6 Karina Maldonado, Assistant Planner, presented item 4A, PP20-0022. She noted that the staff had
7 changed the recommendation from denial to approval of the request, as all minimal requirements
8 had been met.
9

10 Hayley Zagurski, Senior Planner, presented item 4B, FP20-0025. A discussion followed.
11

12 Karina Maldonado presented item 4C, PP20-0026.
13

14 Sean Jacobson, Assistant Planner, presented item 4E, PP20-0024.
15

16 Hayley Zagurski presented item 4F, FR20-0007. She noted that the tree preservation and flood
17 plain proximity had been updated, therefore, staff had changed their recommendation to approval
18 of the item.
19

20 Ron Menguita presented item 4G, FR20-0016.
21

22 Hayley Zagurski presented item 5A, Z20-0009.
23

24 Christi Upton, Environmental Compliance Coordinator, presented item 5B, AESA20-0006. A
25 discussion followed. Commissioner Brian Beck questioned the 10-acre requirement for an upland
26 habitat to be protected.
27

28 Chair Rozell stated that items 5C, Z20-0011 and 5D, Z20-0005 were postponed to a date uncertain.
29 He closed the Work Session at 6:14 p.m.
30

31 REGULAR MEETING
32

33 The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, December
34 2, 2020 at 6:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney at which
35 time the following items were considered:
36
37

38 PRESENT: Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Ronnie
39 Anderson, Brian Beck, Mat Pruneda and Jason Cole.
40

41 ABSENT: None
42

43 STAFF: Richard Cannone, Hayley Zagurski, Ron Menguita, Christi Upton, Mack
44 Reinwand and Selena Dillard.
45

46 On the phone: Karina Maldonado

Chair Andrew Rozell opened the Regular Meeting at 6:31 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. Consider the approval of the November 18, 2020 meeting minutes.

Chair Rozell noted that the November 18, 2020 meeting minutes had been amended and sent to the Commissioners.

Commissioner Tim Smith motioned to approve the November 18, 2020 meeting minutes as amended. Motion seconded by Commissioner Margie Ellis. Motion approved (7-0)

AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian Beck, Mat Pruneda, and Ronnie Anderson.

NAYS (0): None.

RECUSED (0): None.

ABSENT (0): None

ABSTAINED (0): None.

3. CONSENT AGENDA

There were no Consent Agenda items.

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Consider a request by Lee Allison of Allison Engineering Group, on behalf of Carmen Investments, Inc., for approval of a Preliminary Plat of Country Club Village Phase 4. The approximately 12.53-acre site is generally located on the northwest corner of Fairway Drive and Club View Drive, in the City of Denton, Denton County, Texas. Staff is recommending denial of this request. (PP20-0022, Country Club Village, Karina Maldonado).

Karina Maldonado, Assistant Planner, presented item 4A, PP20-0022. She noted that the original recommendation was for denial, however, the applicant had addressed all comments. The recommendation was changed to reflect approval.

Commissioner Tim Smith motioned to approve the item. Motion seconded by Commissioner Ronnie Anderson. Motion approved (7-0)

AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian Beck, Mat Pruneda, and Ronnie Anderson.

1 NAYS (0): None.
2 RECUSED (0): None.
3 ABSENT (0): None
4 ABSTAINED (0): None.

6
7
8 B. Consider a request by Kimley Horn & Associates Inc for a Final Plat of the Woodmere
9 Addition. The approximately 34.11-acre site is generally located on the north side of
10 of Ryan Road, approximately 120 feet east of Monte Carlo Lane in the City of Denton
11 , Denton County, Texas. Staff recommends denial of this request; however, the
12 applicant has requested an extension to December 16, 2020. (FP20-0025, Woodmere
13 Addition, Hayley Zagurski)

14
15 Hayley Zagurski, Senior Planner, presented item 4B, FP20-0025.

16 Commissioner Anderson motioned to approve the extension of the item to a date certain of
17 December 16, 2020. Motion seconded by Commissioner Smith. Motion approved (7-0)

18
19 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian
20 Beck, Mat Pruneda, and Ronnie Anderson.

21 NAYS (0): None.

22 RECUSED (0): None.

23 ABSENT (0): None

24 ABSTAINED (0): None.

25
26
27 C. Consider a request by Aimee Bissett of 97 Land Company LLC, on behalf of 100
28 North Loop 288, LLC, for approval of a Preliminary Plat of 100 North Loop 288
29 Addition. The approximately 5.97-acre site is generally located on the west side of
30 Loop 288, approximately 325 feet north of the intersection of Loop 288 and East
31 McKinney Street in the City of Denton, Denton County, Texas. Staff is
32 recommending denial of this request; however, the applicant has requested a 30-day
33 extension to the December 16, 2020 Planning and Zoning Commission meeting.
34 (PP20-0026, 100 N Loop 288, Karina Maldonado).

35
36 Karina Maldonado presented item 4C, PP20-0026.

37 Commissioner Smith motioned to approve the extension of the item to a date certain of December
38 16, 2020. Motion seconded by Commissioner Mat Pruneda. Motion approved (7-0)

39
40 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian
41 Beck, Mat Pruneda, and Ronnie Anderson.

42 NAYS (0): None.

43 RECUSED (0): None.

44 ABSENT (0): None

45 ABSTAINED (0): None.

1
2 D. Consider the approval of the November 18, 2020 minutes

3
4 Commissioner Tim Smith motioned to approve the November 18, 2020 meeting minutes as
5 amended. Motion seconded by Commissioner Margie Ellis. Motion approved (7-0)
6

7 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian
8 Beck, Mat Pruneda, and Ronnie Anderson.

9 NAYS (0): None.

10 RECUSED (0): None.

11 ABSENT (0): None

12 ABSTAINED (0): None.
13

14
15 E. Consider a request by Lee Allison of Allison Engineering Group, on behalf of NWQ
16 Teasley Partners, LLC, for a Preliminary Plat of Denton Texas Medical Clinic. The
17 approximately 1.202-acre property is generally located on the west side of Teasley
18 Lane, approximately 525 feet north of the intersection of Teasley Lane and Hickory
19 Creek Road, in the City of Denton, Denton County, Texas. Staff is recommending
20 denial. (PP20-0024b, Denton Texas Medical Clinic, Sean Jacobson).

21 Sean Jacobson, Assistant Planner, presented item 4E, PP20-0024.
22

23 Commissioner Anderson motioned to approve the item. Motion seconded by Commissioner Smith.
24 Motion approved (7-0)
25

26 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian
27 Beck, Mat Pruneda, and Ronnie Anderson.

28 NAYS (0): None.

29 RECUSED (0): None.

30 ABSENT (0): None

31 ABSTAINED (0): None.
32

33
34 F. Consider a Final Replat of Lots 1-R1 & 1-R2, Block A, McDonnell Highlands Phase
35 One Addition; being a replat a Lot 1, Block A, McDonnell Highlands Phase One
36 Addition. The approximately 3.241-acre property is generally located on the south
37 side of E. McKinney Street and west of the intersection of Glenngary Way in the City
38 of Denton, Denton County, Texas. Staff recommends denial of this request.
39 (FR20-0007b, E. McKinney Street Retail Development, Hayley Zagurski).

40 Hayley Zagurski presented item 4F, FR20-0007.
41

42 Commissioner Smith motioned to approve the item. Motion seconded by Chair Rozell. Motion
43 approved (7-0)
44

1 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian
2 Beck, Mat Pruneda, and Ronnie Anderson.

3 NAYS (0): None.

4 RECUSED (0): None.

5 ABSENT (0): None

6 ABSTAINED (0): None

8
9 G. Consider a request by Brock A. Pfister of Kimley-Horn and Associates, Inc., on
10 behalf of Kevin Lazares of Forestar (USA) Real Estate Group, for approval of a Final
11 Replat of the Eagle Creek- Phase 1A Addition. The approximately 322.8025-acre site
12 is generally located on the east side of Highland Park Road, approximately 750 feet
13 south of Willowood Street, in the City of Denton, Denton County, Texas. Staff is
14 recommending denial of this request as it does not meet the established approval
15 criteria for Final Replats; however, the applicant has requested a 30-day extension.
(FR20-0016, Eagle Creek – Phase 1A, Ron Menguita).

16
17 Ron Menguita, Principal Planner, presented item 4G, FR20-0016.

18
19 Commissioner Ellis motioned to approve the extension of the item to a date certain of December
20 16, 2020. Motion seconded by Commissioner Smith. Motion approved (7-0)

21
22 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian
23 Beck, Mat Pruneda, and Ronnie Anderson.

24 NAYS (0): None.

25 RECUSED (0): None.

26 ABSENT (0): None

27 ABSTAINED (0): None

28 29 30 5. PUBLIC HEARINGS

31
32 A. Hold a public hearing and consider making a recommendation to City Council
33 regarding a request by Acme Brick Company to rezone approximately 12.47-acres
34 from Highway Corridor (HC) District to Light Industrial (LI) District and to rezone
35 approximately 13.09-acres from Heavy Industrial (HI) District to LI District. The site
36 is generally located on the south side of the I-35 East Service Road, approximately 672
37 feet west of Sam Bass Boulevard, in the City of Denton, Denton County, Texas. (Z20-
38 0009, Urban Logistics 35, Hayley Zagurski)

39
40 Chair Rozell opened the Public Hearing

41
42 Hayley Zagurski presented item 5A, Z20-00009.

43
44 Aimee Bissett, Applicant, and Jason Nunley, Urban Logistics, presented to the Commission.

45
46 Chair Rozell closed the Public Hearing.

Commissioner Ellis motioned to approve the item. Motion seconded by Commissioner Brian Beck.
Motion approved (7-0)

AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian Beck, Mat Pruneda, and Ronnie Anderson.

NAYS (0): None.

RECUSED (0): None.

ABSENT (0): None

ABSTAINED (0): None.

B. Hold a public hearing and consider making a recommendation to City Council regarding a request by Acme Brick Company for an Alternative Environmentally Sensitive Area Plan, the site is generally located on the south side of the I-35 East Service Road, approximately 672 feet west of Sam Bass Boulevard, in the City of Denton, Denton County, Texas. (AES20-0006, Urban Logistics 35, Christi Upton)

Chair Rozell opened the Public Hearing.

Christi Upton, Environmental Compliance Coordinator, presented item 5B, AES20-0006.

Chair Rozell closed the Public Hearing.

The following individual submitted a virtual comment card:

- Jill King, 1710 Sam Bass Blvd, Apt 1623, Denton, Texas 76205

Chair Rozell closed the Public Hearing.

Commissioner Smith motioned to approve the item with staff recommendation. Motion seconded by Commissioner Anderson. Motion approved (7-0)

Commissioner Beck and Commissioner Pruneda were concerned with the amount of green space being eliminated.

AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian Beck, Mat Pruneda, and Ronnie Anderson.

NAYS (0): None.

RECUSED (0): None.

ABSENT (0): None

ABSTAINED (0): None.

C. Hold a public hearing and consider making a recommendation to City Council regarding a request by Aimee Bissett of 97 Land Company LLC, on behalf of the property owner, to rezone approximately 4.23-acres from a Planned Development (PD) district to a Residential 1(R1) district. The subject property is generally located on the east side of

1 State School Road, approximately 150 feet southeast of Winston Drive, in the City of
2 Denton, Denton County, Texas. (Z20-0011, State School Road Estate, Karina
3 Maldonado).
4

5 This item was postponed to a date uncertain. No action was taken.
6

7 D. Hold a public hearing and consider making a recommendation to City Council regarding
8 a request by Westview Commercial LP to rezone approximately 142 acres from Mixed-
9 Use Regional (MR) District to General Office (GO) District. The site is generally
10 located at the southwest corner of the I-35 Southbound Service Road and FM 1173, in
11 the City of Denton, Denton County, Texas. THE APPLICANT HAS REQUESTED
12 TO POSTPONE THIS ITEM TO A DATE UNCERTAIN. (Z20-0005a, Denton
13 Commerce Center, Julie Wyatt)
14

15 This item was postponed to a date uncertain. No action was taken.
16

17 6. PLANNING & ZONING COMMISSION PROJECT MATRIX 18

19 A. Hold a discussion regarding the Planning and Zoning Commission project matrix.
20

21 Richard Cannone, Deputy Director of Development Services, gave an update to the
22 Commissioners regarding City Council as well as future Work Session items.
23

24 Commissioner Beck suggested having public training on the navigation of GIS maps.
25

26 Chair Rozell and Commissioner Beck would like clarification on the 10-acre requirement for an
27 upland habitat to be protected.
28

29 7. CONCLUDING ITEMS 30

31 Chair Rozell closed the Regular Meeting at 7:30 p.m.
32

X

Andrew Rozell
Chair

