

1 MINUTES
2 PLANNING AND ZONING
3 January 6, 2021
4

5 After determining that a quorum was present, the Planning and Zoning Commission of the City of
6 Denton, Texas convened in a Work Session on Wednesday, January 6, 2021, at 5:00 p.m. in the
7 Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the
8 following items were considered:
9

10 PRESENT: Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Ronnie
11 Anderson, Brian Beck, Mat Pruneda and Jason Cole.
12

13 ABSENT: None
14

15 STAFF: Richard Cannone, Hayley Zagurski, Julie Wyatt, Karina Maldonado, Mack Reinwand and
16 Selena Dillard.
17

17 On the phone: Ron Menguita.

18 **Note: Chair Andrew Rozell, and Commissioners Margie Ellis, Ronnie Anderson, Brian Beck,**
19 **Jason Cole, Mat Pruneda, and Tim Smith participated in the Planning and Zoning meeting**
20 **via video/teleconference.**
21

22 WORK SESSION
23

24 Chair Andrew Rozell opened the Work Session at 5:02 p.m.
25

26 1. Citizen Comments on Consent Agenda Items
27

28 One (1) citizen submitted a comment in opposition to item 3A, FP20-0025a.
29

30 2. Clarification of agenda items listed on the agenda for this meeting.
31

32 Hayley Zagurski, Senior Planner, presented item 3A, FP20-0025. A discussion followed.
33

34 Ron Menguita, Principal Planner, presented item 4A, PP20-0027a. He noted that staff
35 recommendation had been changed to reflect approval. A discussion followed.
36

37 Hayley Zagurski presented item 4B, FP20-0027a.
38

39 Zagurski presented item 4C, FR20-0017. She noted that staff recommendation had been changed
40 to reflect approval.
41

42 Zagurski presented item 4D, PP20-0028. She noted that staff recommendation had been changed
43 to reflect approval.
44

44 Zagurski presented 4E, PP20-0029.
45

1 Zagurski presented item 5A, Z20-0012.

2
3 Zagurski presented item 5B, PD20-0008. A discussion followed.

4
5 Julie Wyatt, Senior Planner, presented item 5C, DCA20-0005. A discussion followed.

6
7 Karina Maldonado, Assistant Planner, presented item 5D, Z20-0011. A discussion followed.

8
9 Chair Rozell closed the Work Session at 6:23 p.m.

10
11 REGULAR MEETING

12
13 The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, January 6,
14 2021 at 6:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney at which time
15 the following items were considered:

16
17
18 PRESENT: Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Ronnie
19 Anderson, Brian Beck, Mat Pruneda and Jason Cole.

20
21 ABSENT: None

22
23 STAFF: Richard Cannone, Hayley Zagurski, Julie Wyatt, Karina Maldonado, Mack
24 Reinwand and Selena Dillard.

25 On the phone: Ron Menguita

26
27 Chair Andrew Rozell opened the Regular Meeting at 6:36 p.m.

28
29 1. PLEDGE OF ALLEGIANCE

30 A. U.S. Flag

31 B. Texas Flag

32
33
34 2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES
35 FOR:

36 A. Consider the approval of the December 16, 2020 meeting minutes.

37
38 Commissioner Tim Smith motioned to approve the December 16, 2020 meeting minutes. Motion
39 seconded by Commissioner Brian Beck. Motion approved (7-0)

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

44 NAYS (0): None.

45 RECUSED (0): None.

46 ABSENT (0): None

1 ABSTAINED (0): None.

2
3 3. CONSENT AGENDA

- 4 A. Consider a request by Kimley Horn & Associates Inc for a Final Plat of the
5 Woodmere Addition. The approximately 34.11-acre site is generally located on the
6 north side of Ryan Road, approximately 120 feet east of Monte Carlo Lane in the City
7 of Denton, Denton County, Texas. Staff recommends denial of this request. (FP20-
8 0025a, Woodmere Addition, Hayley Zagurski)

9 Commissioner Smith motioned to approve the Consent Agenda. Motion seconded by
10 Commissioner Margie Ellis. Motion approved (7-0)

11
12 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian
13 Beck, Mat Pruneda, and Ronnie Anderson.

14 NAYS (0): None.

15 RECUSED (0): None.

16 ABSENT (0): None

17 ABSTAINED (0): None.

18
19 4. ITEMS FOR INDIVIDUAL CONSIDERATION

- 20
21 A. Consider a request by Patrick Filson of Kirkman engineering, on behalf of Mukesh
22 Parna of Loop Denton, LLC, for approval of a Preliminary Plat of the Mockingbird
23 Multifamily Addition. The approximately 9.916-acre site is generally located on the
24 west side of Mockingbird Lane and south of Mingo Road, in the City of Denton, Denton
25 County, Texas. Staff is recommending denial of this request as it does not meet the
26 established approval criteria for Preliminary Plats. (PP20-0027, Mockingbird Multi-
27 Family, Ron Menguita)

28
29 Ron Menguita, Principal Planner, presented item 4A, PP20-0027. He noted that staff
30 recommendation for this item had changed to reflect approval.

31
32 Commissioner Ronnie Anderson motioned to approve the item. Motion seconded by
33 Commissioner Smith. Motion approved (7-0)

34
35 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian
36 Beck, Mat Pruneda, and Ronnie Anderson.

37 NAYS (0): None.

38 RECUSED (0): None.

39 ABSENT (0): None

40 ABSTAINED (0): None.

41

42

43

44

1 B. Consider a request by Chris Franke of LEMC, Inc. for a Final Plat of The Woodlands
2 Addition. The approximately 120.08-acre site is generally located on the north sides of
3 E. McKinney Street and on the west side of Trinity Road in the City of Denton, Denton
4 County, Texas. Staff recommends denial of this request. (FP20-0027, The Woodlands,
5 Hayley Zagurski)
6

7 Hayley Zagurski, Senior Planner, presented item 4B, FP20-0027.
8

9 The following individual spoke on the item:

10 Chris Fairleigh, 5609 E. McKinney Street, Denton, TX 76208
11

12 Commissioner Smith motioned to deny the item. Motion seconded by Commissioner Beck. Motion
13 approved (7-0)
14

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

17 NAYS (0): None.

18 RECUSED (0): None.

19 ABSENT (0): None

20 ABSTAINED (0): None.
21

22 C. Consider a request by Cody Crannell for a Final Plat of Rayzor Cottages. Lots 1-37,
23 38X, and 39X, Block A, a replat of Lot 1, Block B of the Rayzor Ranch East Addition.
24 The approximately 4.51-acre site is generally located on the west side of North Bonnie
25 Brae Street between Crescent Street and Linden Street in the City of Denton, Denton
26 County, Texas. Staff recommends denial of this request. (FR20-0017, Rayzor Cottages,
27 Hayley Zagurski)
28

29 Hayley Zagurski presented item 4C, FR20-0017. She noted that staff recommendation had
30 changed to reflect approval.
31

32 Commissioner Beck motioned to approve the item. Motion seconded by Commissioner Ellis.
33 Motion approved (7-0)
34

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

37 NAYS (0): None.

38 RECUSED (0): None.

39 ABSENT (0): None

40 ABSTAINED (0): None.
41

42 D. Consider a request by Nathan Forney of Kimley-Horn & Associates for a Preliminary
43 Plat of Denton Exeter Addition No. 2. The approximately 104.79-acre site is generally
44 located on the northwest side of intersection of Western Boulevard and Jim Christal
45 Road in the City of Denton, Denton County, Texas. Staff recommends denial of this
46 request. (PP20-0028, Exeter – Martino Property, Hayley Zagurski)

1
2 Hayley Zagurski presented item 4D, PP20-0028. She noted that staff recommendation had changed
3 to reflect approval.
4

5 Commissioner Smith motioned to approve the item. Motion seconded by Commissioner Mat
6 Pruneda. Motion approved (7-0)
7

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

10 NAYS (0): None.

11 RECUSED (0): None.

12 ABSENT (0): None

13 ABSTAINED (0): None.
14

15 E. Consider a request by Chris Franke of LEMZ Inc. for a Preliminary Plat of The
16 Woodlands on McKinney Street Addition. The approximately 6.07-acre site is
17 generally located on the west side of Trinity Road, approximately 1.175 feet north of
18 Grissom Road in the City of Denton, Denton County, Texas. Staff recommends denial
19 of this request. (PP20-0029, The Woodlands on McKinney Street, Hayley Zagurski).
20

21 Hayley Zagurski presented item 4E, PP20-0029.
22

23 The following individual spoke on the item:

24 Chris Fairleigh, 5609 E. McKinney Street, Denton, TX 76208
25

26 Commissioner Smith motioned to deny the item. Motion seconded by Commissioner Beck. Motion
27 approved (7-0)
28

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

31 NAYS (0): None.

32 RECUSED (0): None.

33 ABSENT (0): None

34 ABSTAINED (0): None.
35

36 5. PUBLIC HEARING 37

38 Chair Rozell stated that item 5D would not be heard, and 5E would be heard before item 5C.
39

40 A. Hold a public hearing and consider making a recommendation to City Council
41 regarding an amendment to the Rayzor Ranch Overlay District to amend the concept
42 and zoning map exhibits and amend development standards and design criteria for
43 development within the eastern portion of the Rayzor Ranch South Campus – South
44 Mixed-Use District. The eastern portion of the Rayzor Ranch South Campus includes
45 approximately 90.54-acres generally located on the south side of Western University
46 Drive/US 380, east of Heritage Trail, and west of Bonnie Brae Street in the City of

1 Denton, Denton County, Texas. (Z20-0012, Rayzor Ranch East-Overlay Amendments,
2 Hayley Zagurski).

3
4 Chair Rozell opened the public hearing.

5
6 Hayley Zagurski presented item 5A, Z20-0012.

7
8 Aimee Bissett, Applicant, presented to the Commission.

9
10 The following individual submitted a virtual comment card:
11 Gerald Luecke, 13642 Omega, Dallas, TX, 75244

12
13 Chair Rozell closed the public hearing.

14
15 Commissioner Smith motioned to approve the item. Motion seconded by Commissioner Anderson.
16 Motion approved (7-0)

17
18 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian
19 Beck, Mat Pruneda, and Ronnie Anderson.

20 NAYS (0): None.

21 RECUSED (0): None.

22 ABSENT (0): None

23 ABSTAINED (0): None.

24
25 B. Hold a public hearing and consider making a recommendation to City Council
26 regarding a request by Habitat for Humanity of Denton county for a rezoning from
27 Residential 4 (R4) District to Planned Development (PD) District. The 8.23-acre
28 property is generally located on the east side of Duncan Street, in the City of Denton,
29 Denton County, Texas. (PD20-0008, Habitat for Humanity, Hayley Zagurski).

30
31 Chair Rozell opened the public hearing.

32
33 Hayley Zagurski presented item 5B, PD20-0008.

34
35 Lora Blakeslee, Applicant, presented to the Commission.

36
37 The following individual spoke on the item:

38 David Johnson, 1721 North Carroll Blvd, Denton, TX, 76201

39 Eric Pruett, 2111 Westwood Dr., Denton, TX, 76205

40
41 The following individual submitted a virtual comment card:

42 Laura Dromgoole, 5508 Woodland Hills Dr., Denton, TX 76208

43
44 Chair Rozell closed the public hearing.

1 Commissioner Pruneda motioned to approve the item. Motion seconded by Commissioner Jason
2 Cole. Motion approved (7-0)

3
4 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian
5 Beck, Mat Pruneda, and Ronnie Anderson.

6 NAYS (0): None.

7 RECUSED (0): None.

8 ABSENT (0): None

9 ABSTAINED (0): None.

10
11 C. Hold a public hearing and consider making a recommendation to City Council
12 regarding a proposed revision to the Denton Development Code; specifically, to amend
13 Subchapter 3, Zoning Districts related to the Minimum Side Yard Setback for the
14 Residential 3 (R3) Zoning District. (DCA20-0005, R3 Setbacks, Julie Wyatt)
15

16 Chair Rozell opened the public hearing.

17
18 Julie Wyatt, Senior Planner, presented item 5C, DCA20-0005.

19
20 The following individual spoke on the item:

21 Eric Pruett, 2111 Westwood Drive, Denton, Texas, 76205.

22
23 The following individuals submitted a virtual comment card:

24 Kate Landdeck, 5063 Farris Rd., Denton, TX 76208

25 Brendan Kennelly, 5058 Oak Bend Cir., Denton, TX 76208

26 Laura Dromgoole, 5508 Woodland Hills Dr., Denton, TX 76208

27 Bridget Marshall, 3539 Pine Trl, Denton, TX 76208

28 Carolyn Smith, 4224 Hartlee Field Rd, Denton, TX 76208

29 Edward Woodbridge, 3596 Hartlee Field Rd, Denton, TX 76208

30 Ann Woodbridge, 3596 Hartlee Field Rd, Denton, TX 76208

31 Vickie McGovern, 3110 Hartlee Field Rd, Denton, TX 76208

32 Susan Smith, 7736 FM 428, Denton, TX, 76208

33 Sharon Kremer, 3574 Pine Trl, Denton, TX, 76208

34 Suzanne Terry, 4499 Old Thomas, Aubrey, TX, 76227

35
36 Chair Rozell closed the public hearing.

37
38 Commissioner Smith motioned to approve the item. Motion seconded by Commissioner Cole.
39 Motion approved (6-1)

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

43 NAYS (0): Mat Pruneda

44 RECUSED (0): None.

45 ABSENT (0): None

46 ABSTAINED (0): None.

1
2
3 D. Hold a public hearing and consider making a recommendation to City Council
4 regarding a request by First Baptist Church of Denton for a zoning change from General
5 Office (GO) and Rural Residential (RR) Districts to a Planned Development (PD)
6 District on approximately 90 acres. The site is generally located on the north side of
7 Loop 288, between North Elm Street and Bonnie Brae Street, in the City of Denton,
8 Denton County, Texas. THE APPLICANT HAS REQUESTED TO POSTPONE THIS
9 ITEM TO THE JANUARY 20, 2021 PLANNING AND ZONING COMMISSION
10 MEETING. (PD20-0002, Hirschbach Trucking Terminal, Julie Wyatt)
11

12 This item was postponed. No action was taken.
13

14 The following individual submitted a virtual comment card:
15 Anna Rusova 2055 Chinn Rd, Denton, TX 76207
16

17 E. Hold a public hearing and consider making a recommendation to City Council
18 regarding a request by Aimee Bissett of 97 Land Company LLC, on behalf of the
19 property owner, to rezone approximately 4.23-acres from a Planned Development (PD)
20 district to a Residential 1 (R1) district. The subject property is generally located on the
21 east side of State School Road, approximately 150 feet southeast of Winston Drive, in
22 the City of Denton, Denton County, Texas. (Z20-0011, State School Road Estate,
23 Karina Maldonado)
24

25 Chair Rozell opened the public hearing.
26

27 Karina Maldonado, Assistant Planner, presented item 5E, Z20-0011.
28

29 Aimee Bissett, Applicant, presented to the Commission.
30

31 Brad Andrus, Property Owner, spoke on the item.
32

33 Chair Rozell closed the public hearing.
34

35 Commissioner Smith motioned to approve the item. Motion seconded by Commissioner Beck.
36 Motion approved (7-0)

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

39 NAYS (0): None.

40 RECUSED (0): None.

41 ABSENT (0): None

42 ABSTAINED (0): None.
43

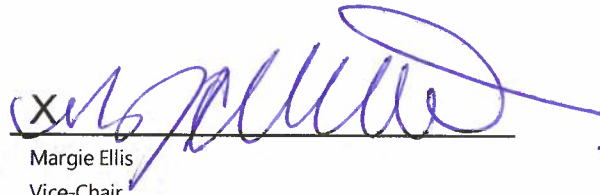
44 6. PLANNING AND ZONING COMMISSION PROJECT MATRIX
45

1 Richard Cannone, Deputy Director of Development Services, gave an update on City Council, and
2 discussed future Work Session items. He added an item to the matrix regarding non-conformities
3 and variances.

4
5 Commissioner Beck requested a discussion regarding the 10-acre upland habitat requirement.
6

7
8 6. CONCLUDING ITEMS
9

10 Chair Rozell closed the meeting at 8:43 p.m.
11

12

Margie Ellis
Vice-Chair