



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda

### Planning and Zoning Commission

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Wednesday, January 20, 2021

4:30 PM

Council Work Session Room

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**WORK SESSION BEGINS AT 4:30 P.M. IN THE COUNCIL WORK SESSION ROOM**

**REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL WORK SESSION ROOM**

Note: Chair Andrew Rozell, Vice Chair Margie Ellis and Commissioners Ronnie Anderson, Brian Beck, Jason Cole, Mat Pruneda, and Tim Smith will be participating in the Planning and Zoning Work Session and Regular Meeting via video/teleconference.

#### **REGISTRATION GUIDELINES FOR ADDRESSING THE PLANNING AND ZONING COMMISSION**

Due to COVID-19 precautions, members of the public will not be able to attend the January 20, 2021, Planning and Zoning Commission meeting in-person. To accommodate and receive input on agenda items, citizens will be able to participate in one of the following ways (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- Virtual White Card – On Friday, January 15, the agenda was posted online at [www.cityofdenton.com/publicmeetings](http://www.cityofdenton.com/publicmeetings). Once the agenda is posted, a link to the Virtual White Card, an online form, will be made available under the main heading on the webpage. Within this form, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting, at which time, the Virtual White Card form will be closed. Similar to when a citizen submits a white card to indicate their position on the item, these comment forms will be sent directly to Planning and Zoning Commission members and recorded by the Secretary.

Planning and Zoning Commissioners review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Chair will announce the number of Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant's name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

OR

- By phone – Citizens wishing to speak over the phone during this Planning and Zoning Commission meeting, may call (940) 349-7800 beginning 30 minutes prior to the meeting start time. Comments by phone will be accepted until the item is opened for discussion by the Planning and Zoning Commission. When the call is initially received, a staff member will receive the caller's information and either: 1) offer to call the citizen back when it is time for them to speak, or 2) record the caller's information, support or opposition, and comment. If the caller chooses to record their support or opposition, rather than speaking during the meeting, the Chair will announce the number of comments submitted in support or opposition to the item. If the caller wishes to receive a call back, the voice of each caller will be broadcast into the meeting during the public commenting time of their desired agenda item. Individuals will be able to comment once per agenda item, no matter the method.

After determining that a quorum is present, the Planning and Zoning Commission of the City of Denton, Texas will convene in a Work Session on Wednesday, January 20, 2021, 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:

## **WORK SESSION**

### **1. Citizen Comments on Consent Agenda Items**

This section of the agenda allows citizens to speak on any item listed on the Consent Agenda prior to its consideration. Each speaker will be given a total of three (3) minutes to address any item(s). Any person who wishes to address the Planning and Zoning Commission regarding these items may do so by utilizing the "By Phone" registration process as referenced under the REGISTRATION GUIDELINES FOR ADDRESSING THE PLANNING AND ZONING COMMISSION detailed at the beginning of this agenda. Registration is required prior to the time the Planning and Zoning Commission considers this item. Registrants may call in and remain on hold or receive a call back at the time the Work Session is called to Order and are encouraged to ensure they remain accessible to accept the call.

### **2. Work Session Reports**

- A. [PZ21-010](#) Hold a discussion regarding the policy to preserve Cross Timbers Upland Habitat of ten contiguous acres or greater.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Presentation](#)

- B. [PZ21-011](#) Hold a discussion regarding native plant material used in site design for development.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Presentation](#)

### **3. 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.

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## **REGULAR MEETING**

The Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, January 20, 2021 at 6:30 p.m. in the Council Work Session Room 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

“Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

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

- A. [PZ21-008](#) Consider the approval of the January 6, 2020 minutes.

Attachments: [January 6, 2021](#)

### 3. CONSENT AGENDA

Staff recommends approval of the following items because they meet the requirements of the Denton Development Code. Approval of the Consent Agenda includes staff recommendations for approvals and authorizes staff to proceed. The Planning and Zoning Commission has reviewed the applications and has had an opportunity to raise questions regarding the items prior to consideration.

- A. [FP20-0029](#) Consider a request by Rayzor Investments, LTD. for approval of a Final Plat of the Worth-Moore Subdivision. The approximately 2.02-acre property is generally located on the south side of West University, approximately 445 feet west of Fulton Street in the City of Denton, Denton County, Texas. (FP20-0029, Worth-Moore Addition, Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Staff Analysis](#)  
[Exhibit 3 - Site Location Map](#)  
[Exhibit 4 - Final Plat](#)

### 4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PP20-0031](#) Consider a request by Matthew Maly of Pape-Dawson Engineers, Inc, on behalf of the property owner, for a Preliminary Plat of Mayhill Addition. The approximately 32.63-acre property is generally located on the west side of South Mayhill Road, approximately 1,976 feet north of the intersection of South Mayhill Road and Leafy Road, in the City of Denton, Denton County, Texas. (PP20-0031, Mayhill Addition, Sean Jacobson).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Staff Analysis](#)  
[Exhibit 3 - Site Location Map](#)  
[Exhibit 4 - Preliminary Plat](#)  
[Exhibit 5 - Request for Extension](#)

### 5. PUBLIC HEARINGS

This notice authorizes the Planning and Zoning Commission to recommend and City Council to approve a different zoning district which is equivalent to or more restrictive than that which is requested by the applicant, as the different district may not have a maximum structure height, floor area ratio, or density that is higher than the one requested or be nonresidential when the request is for a residential use or vice versa. The different zoning district must be deemed consistent with the Comprehensive Plan and the Future Land Use Plan.

- A. [S20-0010](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Michael Roberts of Horse's Axe LLC, on behalf of the property owner, for a Specific Use Permit to allow a Bar, Tavern, or Lounge Use. The approximately 0.451-acre site is generally located on the southwest corner of Stroud Street and South Elm Street in the City of Denton, Denton County, Texas. (S20-0010, 400 S Elm Bar Use, Sean Jacobson).

**Attachments:** [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Staff Analysis](#)  
[Exhibit 3 - Aerial Map](#)  
[Exhibit 4 - Future Land Use Map](#)  
[Exhibit 5 - Zoning Map](#)  
[Exhibit 6 - Site Plan](#)  
[Exhibit 7 - Applicant Project Narrative](#)  
[Exhibit 8 - Notification Map and Responses](#)  
[Exhibit 9 - LLC Members List](#)  
[Exhibit 10 - Draft Ordinance](#)

- B. [Z20-0013](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Love's Travel Stops & Country Stores, Inc. to rezone approximately 18.55 acres from General Office (GO) and Mixed-Use Regional (MR) Districts to Highway Corridor (HC) District. The site is generally located on the southwest corner of the intersection of the I-35 Southbound Service Road and Barthold Road, in the City of Denton, Denton County, Texas. (Z20-0013, Loves Travel Stop, Julie Wyatt)

**Attachments:** [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Staff Analysis](#)  
[Exhibit 3 - Site Location Map](#)  
[Exhibit 4 - Future Land Use Map](#)  
[Exhibit 5 - Existing Zoning Map](#)  
[Exhibit 6 - Proposed Zoning Map](#)  
[Exhibit 7 - Comparison of Permitted Uses](#)  
[Exhibit 8 - Draft Ordinance](#)  
[Exhibit 9 - Notification Map and Responses](#)

- C. [PD20-0002a](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by First Baptist Church of Denton for a zoning change from General Office (GO) and Rural Residential (RR) Districts to a Planned Development (PD) District on

approximately 90 acres. The site is generally located on the north side of Loop 288, between North Elm Street and Bonnie Brae Street, in the City of Denton, Denton County, Texas. (PD20-0002a, Hirschbach, Julie Wyatt)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Staff Analysis](#)  
[Exhibit 3 - Site Location Map](#)  
[Exhibit 4 - Zoning Map](#)  
[Exhibit 5 - Future Land Use Map](#)  
[Exhibit 6 - PD Development Regulations](#)  
[Exhibit 7 - PD Development Plan](#)  
[Exhibit 8 - Notification Map and Responses](#)  
[Exhibit 9 - Draft Ordinance](#)

## 6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ21-009](#)      Hold a discussion regarding the Planning and Zoning Commission Project Matrix.

**Attachments:**      [2021 Matrix](#)

## 7. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Planning & Zoning Commission or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

NOTE: The Planning and Zoning Commission reserves the right to adjourn into a Closed Meeting on any item on its Work Session or Regular Session agenda consistent with Chapter 551 of the Texas Government Code, as amended, including without limitation, Sections 551.071-551.086 of the Texas Open Meetings Act.

### CERTIFICATE

I certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the 15th day of January, 2021 at 4:15 p.m.

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CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.