



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda

Planning and Zoning Commission

Wednesday, August 4, 2021

4:00 PM

Council Chambers

WORK SESSION BEGINS AT 4:00 P.M. IN THE COUNCIL CHAMBERS

REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL CHAMBERS

Note: A quorum of the Planning and Zoning Commission, at time of posting, identified to be Chair Andrew Rozell, Vice Chair Margie Ellis and Commissioners Ronnie Anderson, Jason Cole, Tim Smith, Eric Pruett, and Donald McDade will be participating in the meeting in person in the Council Chambers.

AS OF JUNE 14, IN-PERSON PUBLIC COMMENTS ARE ALLOWED AT THIS MEETING. FOR VIRTUAL PARTICIPATION, SEE THE REGISTRATION PROCESS DETAILED BELOW.

REGISTRATION GUIDELINES FOR ADDRESSING THE PLANNING AND ZONING COMMISSION

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, July 30, the agenda was posted online at 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, August 4, 2021, at 5:00 p.m. in the Council Chambers 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. [PZ21-098](#) Receive a report, hold a discussion, and give staff direction regarding the Comprehensive Plan Update, other Plan updates, and Form-Based Code.

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.

REGULAR MEETING

The Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, August 4, 2021, at 6:30 p.m. in the Council Chambers 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. [PZ21-137](#) Consider the approval of the July 14, 2021 minutes.

Attachments: [July 14, 2021 Minutes](#)

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. [FR21-0006a](#) Consider a request by Brock A. Pfister of Kimley-Horn and Associates, Inc., on behalf of Kevin Lazares of Forestar (USA) Real Estate Group, for approval of a Final Replat of the Eagle Creek - Phase 4 Addition. The approximately 32.320-acre site is generally located south of Parvin Street and north and west of Roselawn Drive, in the City of Denton, Denton County, Texas. (FR21-0006, Eagle Creek - Phase 4, Ron Menguita).

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

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [FP21-0005b](#) Consider a request by MS Hamilton and Associates dba Greywolf Development for a Final Plat of the Grey Wolf Addition. The approximately 4.001-acre site is generally located on the northwest side of the intersection of East Windsor Drive and Stuart Road in the City of Denton, Denton County, Texas. (FP21-0005b, Grey Wolf Addition, Julie Wyatt)

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

- B. [FP21-0020](#) Consider a request by ECM Eden Village LP for approval of a Final Plat of the Eden Village Addition. The approximately 34.918-acre property is generally located on the west side of Loop 288, approximately 1,355 feet south of Audra Lane in the City of Denton, Denton County, Texas. (FP21-0020, Eden Village, Julie Wyatt)

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Final Plat](#)

[Exhibit 5 - Extension Request](#)

- C. [PP21-0012a](#) Consider a request by South I-35 Industrial LP, for a Preliminary Plat of Urban Logistics Addition. The approximately 34.51-acre subject property 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. (PP21-0012, Urban Logistics, Hayley Zagurski).

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Preliminary Plat](#)

- D. [FP21-0019](#) Consider a request by Phase 17 Investments LP and Phase 18 Investments LP, for a Final Plat of I-35 Warehouse Addition. The approximately 23.623-acre subject property is generally located on the west side of I-35 North, approximately 690 feet north of Barthold Road, in the City of Denton, Denton County, Texas. (FP21-0019, I-35 Cold Storage, Hayley Zagurski).

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Final Plat](#)

[Exhibit 5 - Extension Request](#)

- E. [FP19-0023](#) Consider approval of CDI 2499 East Addition, being 1 mixed use neighborhood lot. The approximately 5.77-acre tract is generally located along the west line of FM 2499 aka Barrel Strap and being approximately south 1,300 +/- feet from the intersection of Robinson Road and FM 2499 located within City of Denton, Denton County, Texas. (FP19-0023, CDI 2499 East Addition, Mark Laird).

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - FP19-0023 Location Map](#)

[Exhibit 4 - FP19-0023 Final Plat](#)

[Exhibit 5 - LLC Members list](#)

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. [Z21-0009](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Peter and April Reese, the property owners, to rezone approximately 2.990 acres from a Residential Rural (RR) District to a Residential 1 (R1) District. The 2.990-acre site is generally located on the east side of South Bonnie Brae Street, approximately 830 feet north of Allred Road, in the City of Denton, Denton County, Texas. (Z21-0009, Reese Single-Family Rezoning, Cameron Robertson).

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Existing Zoning Map](#)

[Exhibit 5 - Proposed Zoning Map](#)

[Exhibit 6 - Future Land Use Map](#)

[Exhibit 7 - Permitted Use Comparison](#)

[Exhibit 8 - Notification Response Map and Affidavit of Sign Posting](#)

[Exhibit 9 - Draft Ordinance](#)

- B. [PD21-0002a](#) The City of Denton Planning and Zoning Commission will hold a public hearing and consider making a recommendation to City Council regarding a request to rezone approximately 32.11 acres from Mixed Use Regional (MR) District to a Planned Development (PD) District. The site is generally located south of North Loop 288, southwest of Hwy 77 (North Elm Street), and west of North Bonnie Brae Street, in the City of Denton, Denton County, Texas. THE REQUEST IS BEING POSTPONED TO A DATE UNCERTAIN.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

- C. [S21-0004](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Tyche Income Fund, LLC for a Specific Use Permit for an increase in building height, from 40 feet to 60 feet, for a proposed multi-family development on approximately 7.61 acres of land zoned Mixed Use Neighborhood (MN) District, generally located on the south side of Interstate Highway 35 East, approximately 1,500 feet south of Lillian B Miller Parkway in the City of Denton, Denton County, Texas. (S21-0004, Millennium Crest, Hayley Zagurski)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Future Land Use Map](#)
[Exhibit 5 - Zoning Map](#)
[Exhibit 6 - Proposed Site Plan](#)
[Exhibit 7 - Proposed Landscape Plan and Tree Preservation Plan](#)
[Exhibit 8 - Conceptual Elevations](#)
[Exhibit 9 - Notification Map and Responses](#)
[Exhibit 10 - Neighborhood Meeting Summaries](#)
[Exhibit 11 - LLC Members List](#)
[Exhibit 12 - Draft Ordinance](#)

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ21-138](#) 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 official website (<https://www.cityofdenton.com/en-us/government/open/agendas-minutes>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on July 30, 2021, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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.