



City of Denton

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

Meeting Agenda

Planning and Zoning Commission

Wednesday, September 22, 2021

5:00 PM

Council Chambers

WORK SESSION BEGINS AT 5:00 P.M. IN THE COUNCIL CHAMBERS

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

REGISTRATION GUIDELINES FOR ADDRESSING THE PLANNING AND ZONING COMMISSION

Citizens are 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, September 17, 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, September 22, 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. [PZ21-177](#) Receive a report and hold a discussion regarding general topics in platting.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - HB 3167 Q&A, Texas Municipal League POSSIBLE SUPPLEMENTA](#)

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, September 22, 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. [PZ21-178](#) Consider the approval of the September 8, 2021 meeting minutes.

Attachments:

[September 8, 2021 P&Z 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. [FP21-0013c](#) Consider a request by Tyler Rank of Eagle Surveying, on behalf of the property owner, for a Final Plat of Hilltop Road Estates. The approximately 20.07-acre property is generally located on the west side of Hilltop Road, approximately 2,435 feet south of the intersection of Hilltop Road and Brush Creek Road, in the Extraterritorial Jurisdiction of the City of Denton, Denton County, Texas. (FP21-0013c, Hilltop Road Estates, Sean Jacobson).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Final Plat](#)
 [Exhibit 5 - LLC Member List](#)

- B. [FP21-0017b](#) Consider a request by Robson Denton Development, LP for approval of a Final Plat for Robson Ranch Unit 6.2. The approximately 21.9-acre site is generally located at the northeast corner of Banded Iron Lane and Crestview Drive in the City of Denton, Denton County, Texas. (FP21-0017b, Robson Ranch Unit 6.2, 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. [PP21-0019](#) Consider a request by Davit Barseghyan, on behalf of the property owner, for a Preliminary Plat of Perch Denton Addition, Lot 41, Block F. The 17.86-acre site is generally located 275 feet north of the intersection of N Bonnie Brae Street and Carril Al Lago Drive, in the City of Denton, Denton County, Texas. (PP21-0019, Perch Denton 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](#)

- B. [PP21-0016b](#) Consider a request by Anthony Milbitz of Allison Engineering, on behalf of the property owner, K&C Triple Crown Partners, for a Preliminary Plat of Lots 3-7, Block B, Pecan Creek Business Park. The approximately 5.448-acre property is generally located on the south side of Duchess Drive, approximately 400 feet west of the intersection of Duchess Drive and S Loop 288, in the City of Denton, Denton County, Texas. (PP21-0016b, Pecan Creek Business Park, Sean Jacobson).

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Preliminary Plat](#)

- C. [PP21-0022](#) Consider a request by First Texas Homes, Inc. for a Preliminary Plat of the Parkside Addition. The 62.397-acre site is generally located north of Hickory Creek Road and approximately 1,515 feet west of Waterside Place in the City of Denton, Denton County, Texas. (PP21-0022, Parkside Addition, Lisa Payne).

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Preliminary Plat](#)

[Exhibit 5 - Request for Extension](#)

- D. [PP21-0020](#) Consider a request by Robson Denton Development, LP for approval of a Preliminary Plat for Robson Ranch Unit 27. The approximately 44.903-acre site is generally located approximately 420 feet northwest of the intersection of Ed Robson Boulevard and Goodland Drive in the City of Denton, Denton County, Texas. (PP21-0020, Robson Ranch Unit 27, Julie Wyatt)

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Preliminary Plat](#)

[Exhibit 5 - Extension Request](#)

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. [Z21-0014a](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Caitlyn Ashley and Joan Phillips to rezone approximately 0.5 acre from Residential 3 (R3) District to Residential 7 (R7) District. The site is generally located on the east side of Bolivar Street, approximately 172 feet north of West Congress Street, in the City of Denton, Denton County, Texas. (Z21-0014a, Bolivar Zoning, Julie Wyatt)

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 Map and Response](#)
[Exhibit 9 - Draft Ordinance](#)

- B. [PD20-0010](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Star Gaze Investments LLC to rezone approximately 7.11 acres from Neighborhood Residential 4 (NR4) District and Rural Residential (RR) District to a Planned Development (PD) District. The site is generally located on the north side of East McKinney Street, approximately 1615 feet east of South Trinity Road, in the City of Denton, Denton County, Texas. (PD20-0010, Light Industrial, Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Zoning Map](#)
[Exhibit 5 - Proposed Zoning Map](#)
[Exhibit 6 - Future Land Use Map](#)
[Exhibit 7 - PD Development Standards](#)
[Exhibit 8 - PD Development Plan](#)
[Exhibit 9 - Use Comparison- LI District and PD District](#)
[Exhibit 10 - LLC Members List](#)
[Exhibit 11 - Notification Map](#)
[Exhibit 12 - Draft Ordinance](#)

- C. [DCA21-0004](#) Hold a public hearing and consider making a recommendation to City Council regarding a proposed Code amendment to the Denton Development Code Subchapter 5 Use Regulations, Subchapter 7 Development Standards, and Subchapter 9 Definitions; specifically, to introduce a new use, Data Center. (DCA21-0004, Data Center Use, Karina Maldonado) STAFF IS REQUESTING THIS ITEM BE POSTPONED TO A DATE CERTAIN OF OCTOBER 6, 2021.

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

- D. [Z21-0011a](#) Hold a public hearing and consider making a recommendation to City Council regarding a zoning change request by the applicant, Britain Seright of 97 Land Company, on behalf of the property owner, to rezone approximately 9.462 acres from a Residential 2 (R2) Zoning District to a Light Industrial (LI) Zoning District. The site is generally located at the northwest corner of the intersection of East University Drive and North Trinity Road, in the City of Denton, Denton County, Texas. THE APPLICANT HAS REQUESTED

THAT THIS ITEM BE POSTPONED TO THE OCTOBER 6, 2021 MEETING.
(Z21-0011, Dollar Flowers 380, Ron Menguita)

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

- E. [S21-0004b](#) 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 - Alternative Plan](#)
 [Exhibit 10 - Notification Map and Responses](#)
 [Exhibit 11 - August 4th Minutes and Speakers](#)
 [Exhibit 12 - Neighborhood Meeting Summaries](#)
 [Exhibit 13 - LLC Members List](#)
 [Exhibit 14 - Draft Ordinance](#)

- F. [Z21-0010](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by John Powell Walker, Hilton, James Guy & Leigh Anna Family Living Trust, Wady and Betty Jean Hilton, and Steven E. Bowles for a zoning change from Mixed Use Neighborhood (MN) and Residential 6 (R6) to a Light Industrial (LI) District on 20.83 acres and from a Residential Rural (RR) to LI District on approximately 4.17 acres. The 25-acre site is generally located on the south side of E. University Drive approximately 880 feet east of Geesling Road and on the east side of Geesling Road, approximately 800 feet south of E. University Drive, in the City of Denton, Denton County, Texas. (Z21-0010, Geesling Road Industrial, Hayley Zagurski).

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

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ21-179](#) 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 September 17, 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.