

MINUTES
PLANNING AND ZONING COMMISSION
November 3, 2021

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, November 3, 2021, at 5:30 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Margie Ellis, Vice-Chair Tim Smith, Commissioners: Jason Cole, Jordan Villarreal, Donald McDade, and Eric Pruett

ABSENT: Commissioner Ronnie Anderson

WORK SESSION

1. Citizen Comments on Consent Agenda Items

None

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

- Agenda items presented; no discussion followed:
 - 4A (FP21-0028a), 4C (PP21-0021a), 4D (PP21-0026), 4E (PP21-0017c), 4F (PP21-0025), and 4G(PP21-0024)
- Agenda items presented; discussion followed:
 - 4B (PP21-0023a) and 5A (Z21-0016)

The Work Session ended at 6:06 p.m.

REGULAR MEETING

After determining that a quorum was present, the Planning and Zoning Commission of the City of Denton, Texas convened in a Regular Meeting on Wednesday, November 3, 2021, at 6:45 p.m. in the Council Chambers at City Hall, 215 E. McKinney, Denton, Texas.

PRESENT: Chair Margie Ellis, Vice-Chair Tim Smith, Commissioners: Jason Cole, Jordan Villarreal, Donald McDade, and Eric Pruett

ABSENT: Commissioner Ronnie Anderson

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 October 20, 2021 meeting minutes.

Vice-Chair Smith moved to approve the item as presented. Motion seconded by Commissioner Villarreal. Motion carried.

AYES (6): Chair Ellis, Vice-Chair Smith, Commissioners: Cole, Villarreal, McDade, and Pruett
NAYS (0): None

3. CONSENT AGENDA

A. PP21-0015: Consider a request by Nathan Forney of Kimley-Horn and Associates, Inc., on behalf of Ed Wolski, Trustee, and Virginia Fryman for approval of a Preliminary Plat of Block A, Lot 1 of the Denton Exeter Addition No. 3. The approximately 90.436-acre site is generally located south of Jim Christal Road and approximately 700 feet east of Masch Branch Road, in the City of Denton, Denton County, Texas. (PP21-0015, Denton Exeter Addition No. 3, Ron Menguita).

B. FP21-0029b: Consider a request by Priya Achariya of Wier & Associates, on behalf of the property owner, for a Final Plat of YOLO First Addition, Lot 1, Block A. The approximately 1.842-acre property is generally located on the west side of Teasley Lane, approximately 692 feet north of the intersection of Teasley Lane and Hickory Creek Road, in the City of Denton, Denton County, Texas. (FP21-0029b, YOLO First Addition, Sean Jacobson).

C. FP21-0032b: Consider a request by Schaeffer Harris of Allison Engineering Group, on behalf of Carmen Investments, Inc., for approval of a Final Plat of Country Club Village Phase 3A, Lots 1-6, Block A. The approximately 4.7-acre site is generally located on the northwest corner of Fairway Drive and Club View Drive, in the City of Denton, Denton County, Texas. (FP21-0032b, Country Club Village Phase 3a, Karina Maldonado).

Vice-Chair Smith moved to approve the consent agenda as presented. Motion seconded by Commissioner Villarreal. Motion carried.

AYES (6): Chair Ellis, Vice-Chair Smith, Commissioners: Cole, Villarreal, McDade, and Pruett
NAYS (0): None

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. FP21-0028a: Consider a request by Acme Brick Corporation, South I-35 Industrial, LP, and Acme Investment Frontage Tracts, LP, for a Final Plat of Urban Logistics Addition. The approximately 40.51-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. (FP21-0028a, Urban Logistics 35, Hayley Zagurski).

The item was presented, and no discussion followed.

Commissioner Villarreal moved to approve the item as presented. Motion seconded by Commissioner Cole. Motion carried.

AYES (6): Chair Ellis, Vice-Chair Smith, Commissioners: Cole, Villarreal, McDade, and Pruett
NAYS (0): None

B. PP21-0023a: Consider a request by Brown Development 1 LTD for approval of a Preliminary Plat for Kings Way Addition. The approximately 100.43-acre site includes two tracts of land: a 95.18-acre site is generally located northwest of the intersection of Deerwood Parkway and Grant Parkway and a 5.25-acre site is generally located northeast of the intersection of North Loop 288 and Kings Row in the City of Denton, Denton County, Texas. (PP21-0023a, Kings Way, Julie Wyatt)

The item was presented, and discussion followed.

Citizen comment received are in Exhibit A.

Vice-Chair Smith moved to approve the item. Motion seconded by Commissioner Pruett. Motion carried.

AYES (6): Chair Ellis, Vice-Chair Smith, Commissioners: Cole, Villarreal, McDade, and Pruett
NAYS (0): None

C. PP21-0021a: Consider a request by Robson Denton Development, LP for approval of a Preliminary Plat for Robson Ranch - Ed Robson Blvd. The approximately 1.928-acre site is generally located at the northern terminus of Ed Robson Boulevard, approximately 190 feet north of Goodland Drive in the City of Denton, Denton County, Texas. (PP21-0021a, Robson Ranch - Ed Robson Blvd, Julie Wyatt)

The item was presented. No discussion followed.

Commissioner Villarreal moved to deny the item. Motion seconded by Vice-Chair Smith. Motion carried.

AYES (6): Chair Ellis, Vice-Chair Smith, Commissioners: Cole, Villarreal, McDade, and Pruett
NAYS (0): None

D. PP21-0026: Consider a request by Singing Oaks Church of Christ of Denton for approval of a Preliminary Plat for Singing Oaks Addition. The approximately 32.03-acre site is generally located at the intersection of Mockingbird Lane and Paisley Street in the City of Denton, Denton County, Texas. (PP21-0026, Singing Oaks Addition, Julie Wyatt)

The item was presented. No discussion followed

Commissioner Villarreal moved to approve the extension of the item to a date certain of December 1, 2021. Motion seconded by Commissioner Pruett. Motion carried.

AYES (6): Chair Ellis, Vice-Chair Smith, Commissioners: Cole, Villarreal, McDade, and Pruett

NAYS (0): None

- E. PP21-0017c: Consider a request by Aimee Bissett of 97 Land Company LLC, on behalf of the property owners, for a Preliminary Plat of Pebblebrook Parkside. The approximately 9.92-acre property is generally located on the east side of S Loop 288, approximately 300 feet south of E McKinney Street, in the City of Denton, Denton County, Texas. (PP21-0017c, Pebblebrook Parkside, Karina Maldonado).

The item was presented. No discussion followed

Commissioner Villarreal moved to deny the item. Motion seconded by Commissioner Cole. Motion carried.

AYES (6): Chair Ellis, Vice-Chair Smith, Commissioners: Cole, Villarreal, McDade, and Pruett

NAYS (0): None

- F. PP21-0025: Consider a request by 97 Land Company, LLC, on behalf of Paage, Ltd., John Powell Walker, and Martin Acquisitions, LLC, for a Preliminary Plat of the Geesling & 380 Industrial Addition. The 37.700-acre site is generally located south of University Drive (US 380) and east of Geesling Road in the City of Denton, Denton County, Texas. (PP21-0025, Geesling & 380 Industrial Addition, Lisa Payne).

The item was presented. No discussion followed

Commissioner Villarreal moved to approve the extension of the item to a date certain of December 1, 2021. Motion seconded by Commissioner Pruett. Motion carried.

AYES (6): Chair Ellis, Vice-Chair Smith, Commissioners: Cole, Villarreal, McDade, and Pruett

NAYS (0): None

- G. PP21-0024: Consider a request by Michael Clark, on behalf of the property owner, for a Preliminary Plat of the Prose Prominence Addition. The 22.608-acre site is generally located on the north side of Prominence Parkway, across from the intersection of Atlanta Drive and Prominence Parkway in the City of Denton, Denton County, Texas. (PP21-0024, Prose Prominence Addition, Sean Jacobson).

The item was presented. No discussion followed

Commissioner Villarreal moved to approve the extension of the item to a date certain of December 1, 2021. Motion seconded by Commissioner Cole. Motion carried.

AYES (6): Chair Ellis, Vice-Chair Smith, Commissioners: Cole, Villarreal, McDade, and Pruett
NAYS (0): None

5. PUBLIC HEARING

- A. Z21-0016:: Hold a public hearing and consider making a recommendation to City Council regarding an initial zoning district and use classification of a Light Industrial (LI) Zoning District on approximately 247.78 acres of land, a change in the zoning district and use classification from a Highway Corridor (HC) Zoning District to a LI Zoning District on approximately 25.84 acres of land, and a change in the zoning district and use classification from a Mixed-Use Regional (MR) Zoning District to a LI Zoning District on approximately 7.21 acres of land, generally located on the southwest corner of I-35 North and the future extension of Loop 288, in the City of Denton, Denton County, Texas. (Z21-0016, Harris Ranch Perot, Ron Menguita)

Chair Ellis opened the public hearing

The item was presented by staff. No discussion followed.

With no further commentary, the public hearing was closed.

Commissioner Villarreal moved to adopt the item as presented. Motion seconded by Commissioner McDade. Motion carried.

A discussion followed.

AYES (6): Chair Ellis, Vice-Chair Smith, Commissioners: Cole, Villarreal, McDade, and Pruett
NAYS (0): None

6. PLANNING AND ZONING COMMISSION PROJECT MATRIX

Staff gave an update on City Council determinations and Commissioners discussed additions to the project Matrix.

7. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 7:31 p.m.

x 

Margie Ellis
Planning and Zoning Chair

x 

Selena Dillard
Administrative Assistant

Item	Name	Address	Comment	Position	Method
A. PP21-0028a Consider a request by Acme Brick Corporation, South I-35 Industrial, LP, and Acme Investment Frontage Tracts, LP, for a Final Plat of Urban Logistics Addition. The approximately 40.51-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. (PP21-0028, Urban Logistics 35, Hayley Zagurski).	Pat Courtney	Address not disclosed	This puts a whole development of traffic on an already overloaded area. Hodge Elem. double stacks cars two lines deep starting at 2 PM for pickup. This goes down Grant thru the turn down Deerwood Pkwy to Kings Row. What is staff thinking? The turn is very hard to get thru with the stacked cars and you must go down the left side of the street to get home, facing possible bus or auto head on. They also have a later release around 5 and it also stacks up-not as severely. Poor planning!	Oppose	E-comment
B. PP21-0023a Consider a request by Brown Development 1 LTD for approval of a Preliminary Plat for Kings Way Addition. The approximately 100.43-acre site includes two tracts of land: a 95.18-acre site is generally located northwest of the intersection of Deerwood Parkway and Grant Parkway and a 5.25-acre site is generally located northeast of the intersection of North Loop 288 and Kings Row in the City of Denton, Denton County, Texas. (PP21-0023a, Kings Way, Julie Wyatt)	Gordon Porter	Deerfield Drive	The proposed King's Way development has so many red flags, the proposed plat should not be approved. The addition of a large volume of homes at the corner of Loop 288/Kings Row is right at the epicenter of a dangerous, congested traffic issue. The proposed road improvements are not enough to fix the already dangerous traffic situation, especially when considering emergency and city vehicles. The residents of this established, secluded neighborhood deserve better than to be ignored for profit.	Oppose	E-comment
B. PP21-0023a Consider a request by Brown Development 1 LTD for approval of a Preliminary Plat for Kings Way Addition. The approximately 100.43-acre site includes two tracts of land: a 95.18-acre site is generally located northwest of the intersection of Deerwood Parkway and Grant Parkway and a 5.25-acre site is generally located northeast of the intersection of North Loop 288 and Kings Row in the City of Denton, Denton County, Texas. (PP21-0023a, Kings Way, Julie Wyatt)	denis kam	3933 Grant Pkwy	the drainage and other issues that we have repeatedly brought up.	Oppose	E-comment
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B. PP21-0023a Consider a request by Brown Development 1 LTD for approval of a Preliminary Plat for Kings Way Addition. The approximately 100.43-acre site includes two tracts of land: a 95.18-acre site is generally located northwest of the intersection of Deerwood Parkway and Grant Parkway and a 5.25-acre site is generally located northeast of the intersection of North Loop 288 and Kings Row in the City of Denton, Denton County, Texas. (PP21-0023a, Kings Way, Julie Wyatt)	Dayna McMillan	3112 Deerfield Drive	The proposed development will exacerbate an existing traffic issue, with the road improvement plan being inadequate to handle the volume of homes, plus the new 280 mobile home lots that use the same Loop/Kings Row entrance. We have built this special community for 25+ years, Deerwood community deserves better! Why is my privacy free to give away? My home will have 2 two story R7 homes behind it, peering directly into my backyard. Why were these homes not re-designated to R4, like the others?	Oppose	E-comment
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B. PP21-0023a Consider a request by Brown Development 1 LTD for approval of a Preliminary Plat for Kings Way Addition. The approximately 100.43-acre site includes two tracts of land: a 95.18-acre site is generally located northwest of the intersection of Deerwood Parkway and Grant Parkway and a 5.25-acre site is generally located northeast of the intersection of North Loop 288 and Kings Row in the City of Denton, Denton County, Texas. (PP21-0023a, Kings Way, Julie Wyatt)	Larry White	3217 Deerfield Dr,	Adequate road infrastructure Ref: DDC1.2.1, 7.8.6.B., 7.8.7.C.3. Prior TIA found/detailed: 1) traffic safety issues in area 2) proposal will exacerbate each 3) TIA has solutions Packet, no facts 1) impact fees provided or real improvements done for each issue 2) on how, by whom or when issues to be done per phase. TX Local Gov. Code Sec 212.009 obligates P&Z to deny plat if it does not meet all city Regs&Ords. Deny PP, item is not resolved by this meeting's time. Larry White 3217 Deerfield Dr 76208	Oppose	E-comment
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B. PP21-0023a Consider a request by Brown Development 1 LTD for approval of a Preliminary Plat for Kings Way Addition. The approximately 100.43-acre site includes two tracts of land: a 95.18-acre site is generally located northwest of the intersection of Deerwood Parkway and Grant Parkway and a 5.25-acre site is generally located northeast of the intersection of North Loop 288 and Kings Row in the City of Denton, Denton County, Texas. (PP21-0023a, Kings Way, Julie Wyatt)	Ned Woodbridge	76208-3618	(1) Significant safety issues present (exit if fire) in plan if do not have second node of egress onto loop 288; MUST have definitive, written approval from TxDOT permitting the access to the 288 Loop BEFORE the City should approve this plat. (2) The DDC requires there are minimal adverse impacts on surrounding properties. The development spills significant traffic into neighborhood exacerbating already congested streets and unsafe conditions. How is a firetruck going to turnaround? (3) other..	Oppose	E-comment
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B. PP21-0023a Consider a request by Brown Development 1 LTD for approval of a Preliminary Plat for Kings Way Addition. The approximately 100.43-acre site includes two tracts of land: a 95.18-acre site is generally located northwest of the intersection of Deerwood Parkway and Grant Parkway and a 5.25-acre site is generally located northeast of the intersection of North Loop 288 and Kings Row in the City of Denton, Denton County, Texas. (PP21-0023a, Kings Way, Julie Wyatt)	Ann Woodbridge	3596 Hartlee Field Road	Staff Analysis 8.a.: "This development is not expected to result in significant adverse impacts on the surrounding properties." A subjective opinion, not supported by DDC, and therefore not compliant with approval of development. Neighbors have raised legitimate, substantial issues of safety, traffic, drainage, etc. that have not been addressed in the current plan. Developer needs to go back to the drawing board and redo plan following the DDC and also comply with 8.a. Please deny.	Oppose	E-comment
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PP21-0029b	Chris McRae	3109 Deerfield Drive	I am in opposition for the following reasons: 1) The City of Denton Transportation Criteria Manual Table 2.2.2.2 has been in existence for at least 30 years, 2) Kinley-Horn has submitted multiple plats for various developments in the past and should be very aware of this requirement. Kinley-Horn has chosen to disregard this requirement in designing this preliminary plat. This request for a variance should NOT be rewarded to them for NOT doing something it is well aware of.	Oppose	Virtual White Card

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