

Minutes
Planning and Zoning Commission
September 26, 2018

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, September 26, 2018 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 were considered:

PRESENT: Chair Andrew Rozell, Commissioners: Alfred Sanchez, Larry Beck, Jason Cole, Mat Pruneda, Tim Smith and Margie Ellis

ABSENT: None.

STAFF: Cathy Welborn, Kelly Robinson, Karen Hermann, Hayley Zagurski, Scott McDonald, Ron Menguita, Richard Cannone, Julie Wyatt, Sean Jacobson, and Jerry Drake.

WORK SESSION

1. 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.

Chair Rozell opened the Work Session at 4:38 p.m.

Chair Rozell asked the Commission if there were any questions regarding the Consent Agenda.

Commissioner Ellis questioned if the verbiage was correct for Consent Agenda item 3A. Hayley Zagurski, Senior Planner, clarified the applicant had changed the number of lots needed from 9 to 8 due to an existing cell tower needing to be on a one acre lot. The cell tower is now part of lot 8.

The Commission had no further questions regarding the Consent Agenda.

Hayley Zagurski, Senior Planner, presented Item for Individual Consideration item 4A. Zagurski stated this request is to consider a request by DB Denton II LLC for approval of a Site Plan for a Chase Bank building to be constructed within the Rayzor Ranch South RR-2 District located on Lot 3R, Block A, of the Rayzor Ranch South Addition. The approximately 1.36-acre property is generally located along the south side of University Drive approximately 1350 feet west of Heritage Trail.

Zagurski stated staff does recommend approval of the site plan request as it is compliant with all applicable regulations of the Rayzor Ranch Overlay District (RROD) and meets the criteria for approval in Subchapter 35.7.15.2.K of the Denton Development Code (DDC).

Commissioner Beck asked if this is a relocation for the current Chase Bank located on University Drive and Hinkle Drive. Zagurski stated she is unaware of the current location being relocated, but the developer would be here during the Regular Meeting to verify.

Commissioner Ellis questioned the need for 42 parking spaces. Zagurski stated the applicant was opposed to losing any parking due to the number of customers and staff.

Chair Rozell questioned the location of the bike racks. Zagurski stated there was no plan for bike racks but she would look into it before the Regular Meeting.

Chair Rozell stated Public Hearing item 5A has been postponed to the October 24, 2018 Planning and Zoning meeting and Public Hearing item 5C has been postponed to the October 10, 2018 Planning and Zoning meeting.

Hayley Zagurski, Senior Planner presented Public Hearing item 5B. Zagurski stated the request is to hold a Public Hearing and consider making a recommendation to City Council regarding a request by Westdale Properties America I, Ltd. for a Specific Use Permit to allow for a drive-through use on approximately 1.69 acres. The property is generally located east of Fort Worth Drive and north of the Interstate 35E frontage road in the City of Denton, Denton County, Texas.

Zagurski stated Staff recommends approval of the Special Use Permit (SUP) request with the following condition: **1.** the provided site plan, landscape plan, and building elevations are preliminary in nature. A full site plan submittal shall be required to ensure the development complies with the requirements of the Denton Development Code in terms of site design, landscaping, parking, and building design as provided in DDC 35.6.3.

Commissioner Beck stated his concern about traffic stacking up. Zagurski stated the applicant has worked extensively with Pritam Deshmukh, Deputy City Engineer, to insure the driveways are in appropriate locations.

2. [Work Session Reports](#)

A. [Receive a presentation and hold a discussion regarding the Project Types considered by the Planning and Zoning Commission.](#)

Julie Wyatt, Senior Planner, completed the presentation for Works Session Reports item 2A from the September 12, 2018 Planning and Zoning meeting.

Chair Rozell called a recess at 5:44 p.m.

Chair Rozell reconvened the Work Session at 5:54 p.m.

B. [Receive an update regarding the Denton Development Code Subchapter 13, Tree Preservation and Landscape Standards.](#)

Richard Cannone, Deputy Director of Development Services, provided an update to the Tree Preservation and Landscape Standards.

Commissioner Ellis questioned if the Commission is able to provide comments for the Tree Preservation and Landscape Standards update. Cannone stated yes just to keep in mind this is a rough draft and things are continuously changing. Chair Rozell questioned if the public is able to provide feedback. Cannone stated staff could email and create a link on the City of Denton website to allow easier access for the public to provide feedback.

Chair Rozell closed the Work Session at 6:36 p.m.

REGULAR MEETING

Chair Rozell opened the Regular Meeting at 6:47 p.m.

The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, September 26, 2018 at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney at which time the following items were considered:

1. PLEDGE OF ALLEGIANCE

A. [U.S. Flag B. Texas Flag](#)

Chair Rozell stated Public Hearing item 5A has been postponed to the October 24, 2018 Planning and Zoning meeting and Public Hearing item 5C has been postponed to the October 10, 2018 Planning and Zoning meeting.

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

A. [Consider approval of the Planning and Zoning Commission meeting minutes.](#)

Commissioner Larry Beck motioned, Commissioner Margie Ellis seconded to approve the August 22, 2018 meeting minutes. Motion approved (7-0). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

Commissioner Margie Ellis motioned, Commissioner Alfredo Sanchez seconded to approve the September 12, 2018 meeting minutes. Motion approved (6-0-1). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "recused".

3. CONSENT AGENDA

A. Consider a request by Raymond L. Wood for approval of a Final Plat of the Wood Lands Addition. The 10.03-acre site is generally located on the west and north side of Fincher Road, west of the intersection of Fincher Road and Cedar Creek Road in the Extraterritorial Jurisdiction of the City of Denton, Denton County, Texas. (FP18-0017a, Wood Lands Addition, Hayley Zagurski).

B. Consider a request by Carmel Villas, LLC for approval of a Final Plat of Carmel Villas, Phase I. The approximately 17.78-acre site is generally located on the north side of Pockrus Page Road, approximately 1.065 feet east of the I-35E Service Road in the City of Denton, Denton County, Texas. (FP18-0001, Carmel Villas, Phase I, Julie Wyatt).

Commissioner Tim Smith motioned, Commissioner Margie Ellis seconded to approve the Consent Agenda. Motion approved (7-0). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. Consider a request by DB Denton II LLC for approval of a Site Plan for a Chase Bank building to be constructed within the Rayzor Ranch South RR-2 District located on Lot 3R, Block A, of the Rayzor Ranch South Addition. The approximately 1.36-acre property is generally located along the south side of University Drive approximately 1350 feet west of Heritage Trail. (SP18-0028, Chase Bank, Hayley Zagurski)

Commissioner Pruneda recused himself from Item for Individual Consideration 4A due to a conflict of interest.

Hayley Zagurski, Senior Planner, presented Item for Individual Consideration item 4A. Zagurski stated this request is to consider a request by DB Denton II LLC for approval of a Site Plan for a Chase Bank building to be constructed within the Rayzor Ranch South RR-2 District located on Lot 3R, Block A, of the Rayzor Ranch South Addition. Staff does recommend approval of the site plan request as it is compliant with all applicable regulations of the Rayzor Ranch Overlay District (RROD) and meets the criteria for approval in Subchapter 35.7.15.2.K of the DDC.

The following individual spoke on this item:

Matthew Cragun, 2080 North Highway 360 #248, Grand Prairie, Texas 75050. Supports this request.

Matthew Cragun, the applicant, confirmed for Commissioner Beck that the Chase Bank located on University Drive and Hinkle Drive is being relocated to the site in question. Cragun also addressed Chair Rozell's question regarding the bike racks and stated they would be adding a bike rack to the location.

There was not further discussion on this item.

Commissioner Tim Smith motioned, Commissioner Margie Ellis seconded to approve the Consent Agenda. Motion approved (6-0-1). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "recused", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

5. PUBLIC HEARINGS

A. Hold a public hearing and consider making a recommendation to City Council regarding a request by Lee Allison of the Allison Engineering Group on behalf of Responsive Education Solutions and Lifeline Church of Denton for a zoning change from Neighborhood Residential 2 (NR-2) to a Neighborhood Residential Mixed-Use (NRMU) District on two adjacent tracts, one of approximately 5.723 acres and the other of approximately 4.389 acres. The subject site is generally located southwest of the intersection of Teasley Lane and Pennsylvania Drive, in the City of Denton, Denton County, Texas (CDP Bravo, Z18-0021, Sean Jacobson). STAFF HAS POSTPONED THIS ITEM TO THE OCTOBER 24, 2018 PLANNING AND ZONING COMMISSION MEETING.

B. Hold a public hearing and consider making a recommendation to City Council regarding a request by Westdale Properties America I, Ltd. for a Specific Use Permit to allow for a drive-through use on approximately 1.69 acres. The property is generally located east of Fort Worth Drive and north of the Interstate 35E frontage road in the City of Denton, Denton County, Texas. (S18-0006, McDonald's, Hayley Zagurski).

Chair Rozell opened the Public Hearing.

Hayley Zagurski, Senior Planner presented Public Hearing item 5B. Zagurski stated the request is to hold a Public Hearing and consider making a recommendation to City Council regarding a request by Westdale Properties America I, Ltd. for a Specific Use Permit to allow for a drive-through use on approximately 1.69 acres. Zagurski stated Staff recommends approval of the Special Use Permit (SUP) request with the following condition: **1.**the provided site plan, landscape plan, and building elevations are preliminary in nature. A full site plan submittal shall be required to ensure the development complies with the requirements of the Denton Development Code in terms of site design, landscaping, parking, and building design as provided in DDC 35.6.3.

The following individual spoke during the Public Hearing:

Greg Massey, 2933 S Bryant Ave. Edmond, Oklahoma 73111. Supports this request.

Commissioner Beck questioned Massey what type of signage they intend to use. Massey stated all signage will follow the Denton Development Code, but for the time being the applicant plans on placing a 40 foot pole sign on the frontage road of Interstate 35 (I-35) and a monument sign on Fort Worth Drive.

Chair Rozell closed the Public Hearing.

There was not further discussion.

Commissioner Tim Smith motioned, Commissioner Margie Ellis seconded to approve Public Hearing item 5B with the following condition: **1.** the provided site plan, landscape plan, and building elevations are preliminary in nature. A full site plan submittal shall be required to ensure the development complies with the requirements of the Denton Development Code in terms of site design, landscaping, parking, and building design as provided in DDC 35.6.3. Motion approved (7-0). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

C. Hold a public hearing and consider making a recommendation to City Council regarding a request by Glory of Zion for a Specific Use Permit to allow for a multi-family residential use as part of a mixed-use development on approximately 31 acres. The property is generally located on the north side of Windsor Drive, east of the I-35 N frontage road in the City of Denton, Denton County, Texas. (S18-0008, Windsor Drive Apartments, Hayley Zagurski). STAFF HAS POSTPONED THIS ITEM TO THE OCTOBER 10, 2018 PLANNING AND ZONING COMMISSION MEETING.

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

A. Planning and Zoning Commission Project Matrix.

Commissioner Sanchez questioned what the long term plan is for new roads. Richard Cannone, Deputy Director of Development Services, stated City Council has approved the request to start a traffic ways plan.

Chair Rozell closed the Regular Meeting at 7:10 p.m.