

Minutes
Planning and Zoning Commission
October 10, 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, October 10, 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, Karen Hermann, Hayley Zagurski, 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 4:39 p.m.

Chair Rozell stated Public Hearing item 3A is being postponed to a later date.

Julie Wyatt, Senior Planner, presented Public Hearing item 3B. Wyatt stated Staff recommends approval of the request as it is compatible with the surrounding property and is consistent with the goals and objectives of the Denton Plan 2030.

Commissioner Smith questioned when the decision is made on the roadway alignment could eminent domain be used to claim land to allow for the alignment. Wyatt stated if properties along the alignment are platting there may be right-of-way dedication which is part of the development process.

Cindy Jackson, Senior Planner, presented Public Hearing item 3C. Jackson stated the applicant is purposing a townhome development. Staff recommends approval of the request with a mixed use protection overlay including the following conditions: **1.**The use of the site is limited to a multifamily townhouse development with a maximum permitted density of six dwelling units per acre. **2.** The proposed northern access drive to McKinney Street shall be utilized as an EMS access only.

2. Work Session Reports

A. Continue to receive an update regarding the Denton Development Code Subchapter 13, Tree Preservation and Landscape Standards.

Hayley Zagurski, Senior Planner, provided an updated regarding the landscape standards.

B. Receive a presentation and hold a discussion regarding Comprehensive Planning.

Julie Wyatt, Senior Planner, presented a presentation regarding Comprehensive Planning.

C. Hold a discussion regarding the October 24, 2018, Planning and Zoning Commission Work Session start time.

The Commission agreed to start the Capital Improvement Advisory Committee (CIAC) at 4p.m.

Chair Rozell closed the Work Session at 6:14 p.m.

REGULAR MEETING

Commissioner Rozell opened the Regular Meeting at 6:36 p.m.

The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, October 10, 2018 at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney at which time the following items will were considered:

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

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

A. Consider approval of the Planning and Zoning Commission meeting minutes.

Commissioner Mat Pruneda stated on page 6 Public Hearing item 5B his vote should be noted as aye instead of recused.

Commissioner Tim Smith motioned, Commissioner Larry Beck second to approve the September 26, 2018 meeting minutes with the Commissioner Pruneda's edit. 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".

3. PUBLIC HEARINGS

A. 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).

Chair Rozell stated Public Hearing item 3A is postponed.

B. Hold a public hearing and consider making a recommendation to City Council regarding a request by Corwin Engineering for a zoning change from Planned Development 115 District to a Regional Center Commercial Downtown (RCC-D) District. The 9.08-acre site is generally located on the south side of US Highway 77/North Elm Street, approximately 450 feet southeast of North Loop 288, in the City of Denton, Denton County, Texas. (Z18-0014, Commercial Rezoning, Julie Wyatt).

Commissioner Rozell opened the Public Hearing.

Julie Wyatt, Senior Planner, presented Public Hearing item 3B. Wyatt stated Staff recommends approval of the request as it is compatible with the surrounding property and is consistent with the goals and objectives of the Denton Plan 2030.

Chair Rozell closed the Public Hearing.

Commissioner Tim Smith motioned, Commissioner Alfred Sanchez seconded, to approve Public Hearing item 3B. 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 Rick Baria representing Linken Real Estate L.P. to rezone a site from a Neighborhood Residential 4 (NR-4) zoning district to a Neighborhood Residential Mixed Use 12 (NRMU-12) zoning district. The approximately 20.7 acre site is generally located west of Lane Street and Mockingbird Lane, and north of the terminus of Trailhead Lane, in the City of Denton, Denton County, Texas. (Z18-0018, Oak Vista, Cindy Jackson).

Chair Rozell opened the Public Hearing.

Cindy Jackson, Senior Planner, presented public hearing item 3C. Jackson stated the applicant is purposing a townhome development. Staff recommends approval of the request with a mixed use protection overlay including the following conditions: **1.**The use of the site is limited to a multifamily townhouse development with a maximum permitted density of six dwelling units per acre. **2.** The proposed northern access drive to McKinney Street shall be utilized as an EMS access only.

The following individual spoke during the Public Hearing:

Rick Baria, 5112 Edward Rd, Denton, Texas 76201. Supports this request.

Rick Baria, the applicant, presented a presentation regarding the property in question.

Chair Rozell closed the Public Hearing.

Commissioner Larry Beck motioned, Commissioner Tim Smith seconded to approve Public Hearing item 3C with the following conditions: **1.** the use of the site is limited to townhouse development with a maximum permitted density of six dwelling units per acre. **2.** The proposed northern access drive to McKinney Street shall be utilized as an EMS access only. 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. [PLANNING & ZONING COMMISSION PROJECT MATRIX](#)

A. [Planning and Zoning Commission Project Matrix.](#)

Richard Cannone, Deputy Director of Development Services, provided an updated to the matrix items. The Commission added no future items.

Chair Rozell closed the Regular Meeting at 7:12 p.m.