

Minutes
Planning and zoning commission
November 14, 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, November 14, 2018 at 4:00 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: Tim Smith, Larry Beck, Jason Cole, Mat Pruneda, and Margie Ellis.

ABSENT: Commissioner Alfred Sanchez.

STAFF: Cathy Welborn, Karen Hermann, Hayley Zagurski, Ron Menguita, Richard Cannone, Julie Wyatt, Sean Jacobson, Charlie Rosendahl and Jerry Drake.

WORK SESSION

Chair Rozell opened the work session at 4:15 p.m.

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 asked the Commission if they had any questions regarding the Consent Agenda. Commissioner Beck questioned if the natural water tank located on the property for Consent Agenda 3B is going to be filled in or worked around. Hayley Zagurski, Senior Planner stated the existing pond is slightly off site from this project, but the pond is being worked around from this project as well as another one, and it will be modified as they develop.

Chair Rozell questioned if the Commission had any questions on the 2019 calendar. Commissioner Ellis questioned if it was allowed to only have one meeting in July. Richard Cannone, Deputy Director of Development Services, stated yes it worked out this way due to the holidays and adjusting to every other week.

Chair Rozell stated Public Hearing item 5A has been postponed and Public Hearing item 5B has been withdrawn.

Ron Menguita, Principal Planner, presented Public Hearing item 5C. Menguita stated the request is to change the zoning from Neighborhood Residential Mixed Use 12 (NRMU-12) to Neighborhood Residential Mixed Use (NRMU), to allow more density.

Menguita continued to state the proposed rezoning does not conform to the future land use element of the Denton Plan 2030.

Commissioner Smith arrived.

Commissioner Smith questioned why the neighborhood meeting was poorly attended. Menguita stated he has received phone calls from residents and the response he received was they did receive the notification but were not prepared to attend.

Staff recommends denial of the zoning change request based on the following considerations: **1.** The density and scale of the proposed multi-family project does not conform to the Future Land Use Element of the Denton Plan 2030, in terms of dwelling units per acre. **2.** More intense uses are permitted in the NRMU Zoning District. **3.** General regulations in the NRMU Zoning District are less restrictive compared to NRMU-12.

Ron Menguita presented Pubic Hearing item 5D. Menguita stated the request is for a Specific Use Permit (SUP) to allow for a multi-family dwelling use. Staff recommends denial of the SUP request based on the following consideration: The density and scale of the proposed multi-family project does not conform to the Future Land Use Element of the Denton Plan 2030, in terms of dwelling units per acre.

Commissioner Beck requested clarification on the applicant's plan for traffic mitigation. Menguita stated they will add a center left turn lane on Mockingbird Lane.

Hayley Zagurski, Senior Planner, presented Public Hearing item 5E.

Zagurski stated the request is to 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 use.

Zagurski stated there are two gas wells located on the adjoining property, the applicant will be required to provide a type D buffer. Staff does recommend approval with the following conditions: **1.** The City Council recognizes that driveway access locations from state highways must be approved by the Texas Department of Transportation ("TxDOT"), and that alterations in the configuration of I-35 are currently in planning. Any driveway access locations from the northbound I-35 frontage road which must be altered in response to changing TxDOT requirements during the permitting process may be administratively approved by City staff, provided that such alterations comply with all DDC and criteria manual requirements, and that all remaining elements of the approved site plan are satisfied. **2.** Landscaping in the attached site plan reflects an intent to comply with the DDC requirements for parking, street trees, minimum landscape and canopy areas, and compatibility buffers, with administrative approval of alternative buffer elements permitted in accordance with DDC 35.13.8. Minor alterations to the depicted locations of individual plantings may be approved by City staff, provided that the final landscaping, as planted, complies with the attached site plan in terms of buffer and open space locations, as well as all elements of the DDC. **3.** The Agreement entered into and executed by CL Ventures LLC and Sage Natural Resources, LLC, which sets forth the 250 foot reverse setbacks for the multi-family development from the two wells as shown on the attached site plan, must be filed in the records of

Denton County prior to approval of a plat for the subject property, and a note on the plat shall reference the Agreement and setbacks. 4. Notwithstanding the limited administrative approvals authorized in conditions 1 and 2, the City reserves the right to require approval by ordinance of any amendments to the SUP, the attached site plan, and the elements described previously, including those referenced in conditions 1 and 2.

Commissioner Prunenda questioned if the apartments are going to be right up against the 250 feet boundary line. Zagurski stated yes the apartments will have to be 250 feet between the closest exterior point of the building and the pad site boundary.

Commissioner Smith questioned why a religious institution is seeking to build multifamily then eventually commercial. Zagurski stated from her understanding the current owner is a religious institution but are in the process of selling the property.

Julie Wyatt, Senior Planner, presented Public Hearing item 5F. Wyatt stated the request is to hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; specifically to update the Planning and Zoning Commission Procedures related to motions resulting in a tie vote.

Commissioner Smith questioned why an item would first come as a Public Hearing then come back as an Item for Individual Consideration. Wyatt stated after the Commission has voted and the Public Hearing item has been closed it cannot be reopened unless it is noticed again.

2. [Work Session Reports](#)

Chair Rozell stated Work Session report 2B would be heard before 2A.

A. [Receive a report and hold a discussion regarding the status of the Denton Development Code Update.](#)

Ron Menguita, Principal Planner, provided an update to the Denton Development Code (DDC).

B. [Receive a presentation from Pritam Deshmukh, Deputy City Engineer regarding Traffic Engineering initiatives.](#)

Pritam Deshmukh, Deputy City Engineer, provided an update to the Traffic and Transportation criteria manuals.

Chair Rozell called a recess at 5:30p p.m.

Chair Rozell reconvened the Work Session at 5:50 p.m.

Chair Rozell closed the Work Session at 6:05 pm

REGULAR MEETING

Chair Rozell opened the Regular Meeting at 6:34 pm

The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, November 14, 2018 at 6:30 p.m. in the Council Work Session Room 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

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

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

Commissioner Margie Ellis motioned, Commissioner Mat Pruneda seconded to approve the October 24, 2018 meeting minutes. Motion approved (6-0). 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. CONSENT AGENDA

A. Consider a request by Robson Denton Development, LP for approval of a Preliminary Plat for Robson Ranch Unit 25-2. The approximately 17.721-acre site is generally located on the west side of Ed Robson Boulevard, approximately 965 feet north of Crestview Drive in the City of Denton, Denton County, Texas. (PP18-0012, Robson Ranch Unit 25-2, Julie Wyatt).

B. Consider a request by United States Cold Storage, LP for approval of a final plat of the Westpark Addition, Lot 13R-1, Block A. The approximately 45.17-acre site is generally located on the south side of Jim Christal Road, approximately 1,130 feet east of Western Boulevard in the City of Denton, Denton County, Texas. (FP18-0005, 500k SF Cold Storage, Hayley Zagurski).

C. Consider a request by Denton 1 Exchange LLC for approval of a final plat of the Lot 1, Block A of the Fisher 59 Addition. The approximately 37.91-acre site is generally located on the north side of W. University Drive, approximately 800 feet west of Masch Branch Road in the City of Denton, Denton County, Texas. (FP18-0026, Fisher 59, Hayley Zagurski).

Commissioner Larry Beck motioned, Commissioner Tim Smith seconded to approve the Consent Agenda. Motion approved (6-0). 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 approval of the 2019 Planning and Zoning Commission calendar.

Commissioner Margie Ellis motioned, Commissioner Mat Pruneda seconded to approve the 2019 Planning and Zoning Commission calendar. Motion approved (6-0). 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".

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 NOVEMBER 28th, 2018 PLANNING AND ZONING COMMISSION MEETING.

B. Hold a public hearing and consider making a recommendation to City Council regarding an amendment to the Denton Development Code, amending Subchapter 35.3 - Procedures by adding a citizen participation section. THIS ITEM HAS BEEN WITHDRAWN AND WILL BE CONSIDERED WITH THE DDC UPDATE. (DCA18-0006, Citizen Participation, Ron Menguita)

C. Hold a public hearing and consider making a recommendation to City Council regarding a request by Kirkman Engineering for a zoning change from Neighborhood Residential Mixed Use 12 (NRMU-12) to a Neighborhood Residential Mixed Use (NRMU) Zoning District. The applicant is proposing a multi-family dwelling use with 267 units proposed on three adjacent tracts totaling approximately 9.91 acres. The subject property is generally located west of Mockingbird Lane and south of the Mingo Road in the City of Denton, Denton County, Texas. (Z18-0022, Mockingbird Multi-Family, Ron Menguita).

Chair Rozell opened the Public Hearing.

Ron Menguita, Principal Planner, presented Public Hearing item 5C. Menguita stated the request is to change the zoning from Neighborhood Residential Mixed Use 12 (NRMU-12) to Neighborhood Residential Mixed Use (NRMU), to allow more density.

Menguita continued to state the proposed rezoning does not conform to the future land use element of the Denton Plan 2030.

Staff recommends denial of the zoning change request based on the following considerations: **1.** The density and scale of the proposed multi-family project does not conform to the Future Land Use Element of the Denton Plan 2030, in terms of dwelling units per acre. **2.** More intense uses are permitted in the NRMU Zoning District. **3.** General regulations in the NRMU Zoning District are less restrictive compared to NRMU-12.

Eliana Tuley and Mukesh Parna, the applicants, presented a presentation. Tuley requested the Commission to table the item to provide a better development City staff and the neighbors will approve.

Commissioner Smith questioned when the notifications for the neighborhood meeting were sent out. Tuley stated they were post marked on October 22, 2018.

The following individuals spoke during the Public Hearing:

Eliana Tuley, 4821 Merlot Ave. Ste. 210, Grapevine, Texas 762051. Supports the request.

Mukesh Parna, 5811 Kerry Dr. Frisco, Texas 75035. Supports the request.

Nancy Carson, 2908 Oakshire St. Denton, Texas 76209. Opposed to the request.

Stephen Johnson, 1412 Briarwood St. Denton, Texas 76209. Opposed to the request.

Linda Godoy, 3001 Oakshire St. Denton, Texas 76209. Opposed to the request.

The following individuals requested not to speak:

Kathy Smith, 3021 Brandywine St. Denton, Texas 76209. Opposed to the request.

Sharon Stewart, 3021 Anysa Ln. Denton, Texas 76209. Opposed to the request.

Ellen Ryfe, 1412 Briarwood St. Denton, Texas 76209. Opposed to the request.

Hudson and Sandra Williams, 3049 Brandywine St. Denton, Texas 76209. Opposed to the request.

Bryan Hurt, 1412 Copper Ridge St. Denton, Texas 76209. Opposed to the request.

Michelle Hurt, 1412 Copper Ridge St. Denton, Texas 76209. Opposed to the request.

Judy Delay, 215 Bluebird Cir. Denton, Texas 76209. Opposed to the request.

Chair Rozell stated the Commission was also provided a petition with 38 signatures.

Chair Rozell closed the Public Hearing.

Commissioner Ellis stated infrastructure is clearly an issue in this area. Chair Rozell stated he is opened to allowing the applicant an opportunity to be creative to bring back something better.

Commissioner Mat Pruneda motioned, Commissioner Larry Beck seconded to table Public Hearing 5C to a date uncertain. Motion approved (6-0). 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".

D. Hold a public hearing and consider making a recommendation to City Council regarding a request by Kirkman Engineering for a Specific Use Permit (SUP) to allow for a multi-family dwelling use with 267 units proposed on three adjacent tracts totaling approximately 9.91 acres. The subject property is generally located west of Mockingbird Lane and south of the Mingo Road in the City of Denton, Denton County, Texas. (S18-0005, Mockingbird Multi-Family, Ron Menguita).

Chair Rozell opened to the Public Hearing.

Ron Menguita presented Pubic Hearing item 5D. Menguita stated the request if for a Specific Use Permit (SUP) to allow for a multi-family dwelling use. Staff recommends **denial** of the SUP request based on the following consideration: The **density and scale** of the proposed multi-family project does not conform to the Future Land Use Element of the Denton Plan 2030, in terms of dwelling units per acre.

The following individuals spoke during the Public Hearing:

Stephen Johnson, 1412 Briarwood St. Denton, Texas 76209. Opposed to the request.

Nancy Carson, 2908 Oakshire St. Denton, Texas 76209. Opposed to the request.

The following individuals requested not to speak:

Linda Godoy, 3001 Oakshire St. Denton, Texas 76209. Opposed to the request.

Bryan Hurt, 1412 Copper Ridge St. Denton, Texas 76209. Opposed to the request.

Michelle Hurt, 1412 Copper Ridge St. Denton, Texas 76209. Opposed to the request.

Judy Delay, 215 Bluebird Cir. Denton, Texas 76209. Opposed to the request.

Ellen Ryfe, 1412 Briarwood St. Denton, Texas 76209. Opposed to the request

Chair Rozell closed the Public Hearing.

Commissioner Smith recommended to the applicant to find a way to develop without requiring a zoning change.

Commissioner Tim Smith motioned, Commissioner Jason Cole seconded to table Public Hearing 5D to a date uncertain. Motion approved (6-0). 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".

Chair Rozell called a recess at 7:42 p.m.

Chair Rozell reconvened the Regular Meeting at 7:47 p.m.

E. Hold a public hearing and consider making a recommendation to City Council regarding a request by Glory of Zion International Ministries Inc. 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).

Hayley Zagurski, Senior Planner, presented Public Hearing item 5E. Zagurski stated staff does recommend approval of the Specific Use Permit (SUP) with the following conditions: **1.** The City Council recognizes that driveway access locations from state highways must be approved by the Texas Department of Transportation (“TxDOT”), and that alterations in the configuration of I-35 are currently in planning. Any driveway access locations from the northbound I-35 frontage road which must be altered in response to changing TxDOT requirements during the permitting process may be administratively approved by City staff, provided that such alterations comply with all DDC and criteria manual requirements, and that all remaining elements of the approved site plan are satisfied. **2.** Landscaping in the attached site plan reflects an intent to comply with the DDC requirements for parking, street trees, minimum landscape and canopy areas, and compatibility buffers, with administrative approval of alternative buffer elements permitted in accordance with DDC 35.13.8. Minor alterations to the depicted locations of individual plantings may be approved by City staff, provided that the final landscaping, as planted, complies with the attached site plan in terms of buffer and open space locations, as well as all elements of the DDC. **3.** The Agreement entered into and executed by CL Ventures LLC and Sage Natural Resources, LLC, which sets forth the 250 foot reverse setbacks for the multi-family development from the two wells as shown on the attached site plan, must be filed in the records of Denton County prior to approval of a plat for the subject property, and a note on the plat shall reference the Agreement and setbacks. **4.** Notwithstanding the limited administrative approvals authorized in conditions 1 and 2, the City reserves the right to require approval by ordinance of any amendments to the SUP, the attached site plan, and the elements described previously, including those referenced in conditions 1 and 2.

The following individuals spoke during the Public Hearing:

Lee Allison, 2415 N. Elm St. Denton, Texas 76201. Supports the Request.

Tom Neary, 1700 Pacific Ave. Dallas, Texas 75201. Support the Request.

Lee Allison, the applicant, presented a presentation from Allison Engineering. Allison proposed applicant recommendation: **1.** Replace recommended requirements to 2-6 units with **a.** max of 20 buildings. **b.** Max. Density of 24 units/ acre. **c.** Parking shall meet code, garage spaces shall meet code, and garage spaces shall count toward amount provided. **d.** Max lot coverage 65%. **e.** minimum landscape area of 35% inclusive of landscape/ recreational amenities. **f.** Building elevations shall reasonably conform to the examples and shall comply with Denton Development Code (DDC) 35.13.13.2. **2.** Modification to the type D buffer.

Commissioner Smith questioned Zagurski if the Commission agreed on the applicants recommendations would that be giving the applicant too much leeway. Zagurski stated the recommendations are not unreasonable and are within the zoning limitations.

Commissioner Beck questioned what the applicant would be modifying within the type D buffer requirements. Allison stated the 1 tree/ 40 linear feet, no shrubs, a 30 foot buffer encroachment on the south end of the property, a wooden fence with metal post, trees count for 100% of the canopy and to allow the Planning Director to approve an alternative landscape plan.

Chair Rozell requested clarification if the applicant is allowed to use 100 percent of the tree and landscape buffer towards the canopy requirements. Zagurski stated it is not numerated in the language of staff's recommendation, but is reflected on Allison's concept plan. Zagurski continued the request may be be permissible as part of an alternative buffer, but is unsure if the Director could approve a change to the maximum percentage of tree canopy as an alternative in the Denton Development Code (DDC).

Jerry Drake, First Assistant City Attorney, stated he disagrees with Allison, the SUP is used as a base line for code compliance and it allows City Council to ensure impacts are being addressed.

Chair Rozell requested Allison to explain the precipice for changing the original concept plan submitted to the City. Allison stated the precipice was having an understanding the DDC was observed and the zoning requirements are met.

Commissioner Ellis stated part of the SUP process is to make everyone aware of what's going on with the site.

Commissioner Pruneda questioned if the well operator wanted to expand the site would the project come before the Planning and Zoning Commission. Richard Cannone, Deputy Director of Development Services, stated yes that is correct, but requested Zagurski to provide a little more insight on a gas well site plan. Zagurski stated if or when the gas well operator would require an SUP as part of their Watershed pProtection pPermit prior to obtaining a gas well site plan.

Chair Rozell requested clarification, if the Commission changes staff's recommendation can this item go before City Council without an updated site plan and if approved can the applicant provide an updated site plan before it goes to City Council. Allison stated yes the applicant would be able to provide an updated site plan. Drake stated yes and recommended the site plan be updated to match the approved conditions or recommendations.

Chair Rozell closed the Public Hearing.

Commissioner Smith motioned to approve Public Hearing item 5E with staff's conditions along with the applicants requested recommendations: **1.** Replace recommended requirements to 2-6 units with **a.** max of 20 buildings. **b.** Max. Density of 24 units/ acre. **c.** Parking shall meet code, garage spaces shall meet code, and garage spaces shall count toward amount provided. **d.** Max lot coverage 65%. **e.** minimum landscape area of 35% inclusive of landscape/ recreational amenities. **f.** Building elevations shall reasonably conform to the examples and shall comply with Denton Development Code (DDC) 35.13.13.2. **2.** Modification to the type D buffer. But also include staffs conditions: **1.** The City Council recognizes that driveway access locations from state highways must be approved by the Texas Department of Transportation ("TxDOT"), and that alterations in the configuration of I-35 are currently in planning. Any driveway access locations from the northbound I-35 frontage road which must be altered in response to changing TxDOT requirements during the permitting process may be administratively approved by City staff, provided that such alterations comply with all DDC and criteria manual requirements, and that all remaining elements of the approved site plan are satisfied. **2.** Landscaping in the attached site plan reflects an intent to comply with the DDC requirements for parking, street trees, minimum landscape and canopy

areas, and compatibility buffers, with administrative approval of alternative buffer elements permitted in accordance with DDC 35.13.8. Minor alterations to the depicted locations of individual plantings may be approved by City staff, provided that the final landscaping, as planted, complies with the attached site plan in terms of buffer and open space locations, as well as all elements of the DDC. **3.** The Agreement entered into and executed by CL Ventures LLC and Sage Natural Resources, LLC, which sets forth the 250 foot reverse setbacks for the multi-family development from the two wells as shown on the attached site plan, must be filed in the records of Denton County prior to approval of a plat for the subject property, and a note on the plat shall reference the Agreement and setbacks. **4.** Notwithstanding the limited administrative approvals authorized in conditions 1 and 2, the City reserves the right to require approval by ordinance of any amendments to the SUP, the attached site plan, and the elements described previously, including those referenced in conditions 1 and 2. Also provide a matching preliminary site plan. Commissioner Pruneda seconded.

Commissioner Beck stated if the development was strictly commercial he would not have a problem with the item, but he is concerned with residents living in close proximity to the gas wells.

Commissioner Ellis stated she has an issue moving an item along to City Council when she really doesn't know what it looks like, and is uncomfortable approving the changes she hasn't seen.

Chair Rozell stated the direction the City is going and memorializing things from the conceptual preliminary site plan is the right direction, and help the Commission understand what is being put on the site, to provide a good recommendation to City Council. Chair Rozell continued to state this project is under what is allowed and fully supports the project going forward with the motion presented by Commissioner Smith.

Commissioner Cole stated he shares the same health concerns as Commissioner Beck, but there will be no development in west Denton if applicants are held to the gas well requirements. Commissioner Cole continued to state with no clarity on the requirements and conditions he has to vote no.

Commissioner Beck thanked Commissioner Cole but also stated, if this development was only commercial he would not have an issue, the Planning and Zoning commission has approved developments close to gas wells, but they were not residential.

Chair Rozell requested Commissioner Smith to clarify his motion. Commissioner Smith stated the motion is to keep staff's recommendations and conditions as is except for changing item 2 from 16 buildings max to 20 buildings max, item 3 from the density of 24.8 units per acre to 24 units per acre and item 5 saying the site plan of lot coverage can be moved from 49 percent to 65 percent and landscape changed to 35 percent.

Commissioner Pruneda stated he cannot vote for this even though he wants development in Denton. Chair Rozell asked Commissioner Pruneda if he was withdrawing his seconded. Commissioner Pruneda stated he seconded to put the item to a vote not to approve the item.

Chair Rozell called a recess at 9:17 p.m.

Chair Rozell reconvened the Regular Meeting at 9:27 p.m.

Zagurski stated the applicant has requested to continue the item to November 28, 2018.

Commissioner Smith stated he would like to amend his motion to table the item to a date certain of November 28, 2018.

Commissioner Tim Smith motioned, Commissioner Margie Ellis seconded to table Public Hearing 5E to a date certain of November 28, 2018. Motion approved (6-0). 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".

F. [Hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; specifically to update the Planning and Zoning Commission Operational Procedures in Subchapter 4 Boards, Commissions, and Committees related to motions resulting in a tie vote. \(DCA18-0005, Tie Vote Procedure, Julie Wyatt\). THIS ITEM WAS POSTPONED FROM THE OCTOBER 24, 2018 PLANNING AND ZONING COMMISSION MEETING. \(DCA18-0005, Tie Vote Procedure, Julie Wyatt\).](#)

Chair Rozell opened the Public Hearing

Julie Wyatt, Senior Planner, presented Public Hearing item 5F. Wyatt stated the request is to hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; specifically to update the Planning and Zoning Commission Procedures related to motions resulting in a tie vote. Staff does recommend approval.

Chair Rozell closed the Public Hearing.

Commissioner Margie Ellis motioned, Commissioner Larry Beck seconded to approve Public Hearing 5F. Motion approved (6-0). 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".

6. [PLANNING & ZONING COMMISSION PROJECT MATRIX](#)

A. [Planning and Zoning Commission project matrix.](#)

Richard Cannone, Deputy Director of Development Services, noted on November 28, 2018 the Capital Improvement Advisory Committee will be meeting before the Planning and Zoning Commission meeting. Cannone stated staff will also be providing an update to the tree code on November 28, 2018.

Commissioner Beck requested a notification when neighborhood meetings are being held. Cannone stated staff will provide the information to the Commission.

Chair Rozell questioned the requirements on removing the signage after the Public Hearing has been held. Cannone stated typically they stay up until Council, but should be removed within a week or two. Staff has had to send zoning enforcement out for having an illegal sign.

Chair Rozell closed the Regular Meeting at 9:50 p.m.