

MINUTES
PLANNING AND ZONING COMMISSION
June 28, 2023

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, June 28, 2023, at 5:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

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

ABSENT: None

WORK SESSION

1. Citizen Comments on Consent Agenda Items

None

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

The following items were presented, and a discussion followed:

3.A (V23-0003), 4.A (AESA23-0001a). 4.B (Z22-0022b)

The following items were presented, and no discussion was had:

3.B (FP23-0012), 3.C (FP23-0010)

The Work Session was adjourned at 6:01 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, June 28, 2023, at 6:30 p.m. in the Council Chambers at City Hall, 215 E. McKinney, Denton, Texas.

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

ABSENT: Commissioner Donald McDade

1. PLEDGE OF ALLEGIANCE

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

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES

- A. PZ23-130 Consider the approval of the June 14, 2023, Planning and Zoning meeting minutes.

Vice-Chair Smith moved to approve the June 14, 2023, Planning and Zoning meeting minutes.
Motion seconded by Commissioner Villarreal. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner McDade

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. V23-0003 Consider a variance request from the Denton Development Code, Section 8.3.2C.1.c regarding minimum points of vehicular access for a residential development. The variance requested is for a reduction in the minimum number of vehicular access points from two to one for the proposed Westview Heights multifamily development, generally located at the northwest corner of F.M. 1173 and IH-35, in the City of Denton, Denton County, Texas (V23-0003, Westview Heights at Denton, Mia Hines).

City staff presented the item. No discussion followed.

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

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

NAYS (0): None

ABSENT (1): Commissioner McDade

- B. FP23-0012 Consider a request by Aimee Bissett of 97 Land Company on behalf of Agave Ranch Development LLC for approval of a Final Plat for Agave Ranch, Phase 2 Addition. The approximately 92-acre Agave Ranch site is generally located on the east side of East Sherman Drive (FM 428), approximately 1,465 feet north of Hartlee Field Road in the City of Denton, Denton County, Texas. (FP23-0012, Agave Ranch, Ph 2 Julie Wyatt)

City staff presented the item. No discussion followed.

Vice-Chair Smith moved to approve the extension of the item to a date certain of July 19, 2023.
Motion seconded by Commissioner Anderson. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner McDade

- C. FP23-0010 Consider a request by Pisces Denton Logistics Center, LP for approval of a Final Plat of the Denton Logistics Center Addition. The 22.452-acre site is generally located on the south side of FM 1173, just east of the Gulf, Colorado and Santa Fe Railroad, in the City of Denton, Denton County, Texas. (FP23-0010, Denton Logistics Center Addition, Cameron Robertson).

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to a date certain of July 19, 2023. Motion seconded by Commissioner Cole. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner McDade

4. PUBLIC HEARINGS

- A. AESA23- 0001a Hold a public hearing and consider making a recommendation to the City Council regarding a request by Lindi Weber, on behalf of Angie Mastrocola of HR3200 LP, for an Alternative Environmentally Sensitive Areas Plan. Hunter Ranch Phase 1 is an approximately 228.8-acre site generally located on the northwest side of the intersection of Interstate Highway 35W and Robson Ranch Road in the City of Denton, Denton County, Texas. (AESA23-0001a, Hunter Ranch Phase 1, Christi Upton)

Commissioner Cole had a conflict of interest and left the Council Chambers.

Chair Ellis opened the public hearing.

City staff presented the item. A discussion followed.

Chair Ellis closed the public hearing.

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

AYES (5): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Pruett, and Villarreal

NAYS (0): None

ABSENT (1): Commissioner McDade

RECUESED (1): Commissioner Cole

- B. Z22-0022b Hold a public hearing and consider making a recommendation to City Council regarding a request by applicant, Omar Oweis, Sanger Texas Land Investments, LLC., to rezone approximately 18.07 acres from Rural Residential (RR) and Residential 1 (R1) Districts to Residential 6 (R6) and Suburban Corridor (SC). The site is generally located at the northeast corner of US 377 and Brush Creek Road, in the City of Denton, Denton County, Texas. (Z22-0022b, Brush Creek Residential and Commercial, Angie Manglaris)

Chair Ellis opened the public hearing.

City staff presented the item. A discussion followed.

Citizen comments will be listed on Exhibit A.

Chair Ellis closed the public hearing.

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

AYES (5): Chair Ellis, and Commissioners: Anderson, Cole, Pruett, and Villarreal

NAYS (1): Vice-Chair Smith

ABSENT (1): Commissioner McDade

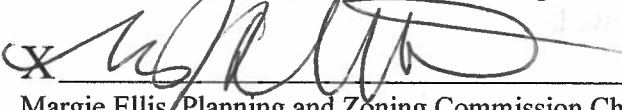
5. PLANNING & ZONING COMMISSION PROJECT MATRIX

ID 23-1260: Staff provided updates regarding the matrix, City Council outcomes, Development Code Review Committee outcomes. Discussion on the matrix occurred.


Chair Ellis stated in regard to our discussion about the Extra-Territorial Jurisdiction notification process, Vice-Chair Smith will be taking the lead and talking with City Council.

6. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 8:02 p.m.

X 
Margie Ellis, Planning and Zoning Commission Chair

7-19-23
Date

X 
Cathy Welborn, Administrative Assistant III

7/19/23
Date

Minutes approved on: July 19, 2023

June 28, 2023 Planning and Zoning Meeting - EXHIBIT A

Speaker Commentaries/ Registration - Online, E-mail, In-Person, and Phone

Name	Address	Agenda Item	Position	Method	Comments
Omar Owens (Applicant)	5225 Las Colinas Boulevard, Irving 75039	222-0022b	Support	In Person	Provided and overview of the project.
Jacqueline Windle	4981 Kiowa Trail, Argyle 76226	222-0022b	Opposed	In Person	Stated she moved out to argyle to get out of the Frisco still area. Her property is about 60 yards wide and with the current layout of the proposed development she will have two and half house behind her property. Right now we are unsure that the plans they have are going to happen and what concerns her is how this zoning change could will effect the land animals and are concerned about construction. The Neighborhood knows that this land will be developed. Thinks the developer should be courteous and put something up to block the noise, dust, and for privacy. Spoke in regards to notifications.
Garth Blackburn	900 Brush Creek Road, Argyle 76226	222-0022b	Opposed	In Person	Understands there are state laws regarding notification but were notified before. Stated the developer does build to high standard but this is not what it is going to be. The main concern is if they get it rezoned they can just say peace out and who knows who would take it over and put in townhomes on the entire property. This zoning change will impact all that are surrounding this development.
Troy Fulkerson	1804 Wickwood, Denton 76226	222-0022b	Opposed	In Person	Stated they moved to the Hills of Argyle because of the lot size and community. Understands the owner wants to sell the property but they do have the right to say what goes on the land and what effects them. Stated they are unable to invasion or what is being planned to have an idea of who their neighbor is going to be. Stated in a nutshell they love their neighborhood and understands change is happening but help us control what goes on the land.
Joel Martin	1905 Warwick Crescent Court, Argyle 76226	222-0022b	Opposed	In Person	Did not wish to speak.
Earlayne Martin	1905 Warwick Crescent Court, Argyle 76226	222-0022b	Opposed	In Person	Did not wish to speak.
Carol Haesele	4701 Upper Glenwick Court, Argyle 76226	222-0022b	Opposed	In Person	R6 next to R1 is not Planning that's chaos, if you taper down you taper down one or two zones.
Donna Peretti	4708 Snowshill Court, Argyle 76226	222-0022b	Opposed	In Person	Did not wish to speak.
Lucinda Boaz	1050 Brush Creek Road, Argyle 76226	222-0022b	Opposed	In Person	Stated she backs up to four homes and in those four homes there are six children. So she cant imagine how you would only have 11 children out of 50 homes. The infrastructure is not there to handle 50 homes, there is already going to be traffic from over the railroad tracks and there are additional homes going in on Bonnie Brae.
Terry Boaz	1050 Brush Creek Road, Argyle 76226	222-0022b	Opposed	In Person	Did not wish to speak.
Kimberly Poland	1900 Christina Court, Argyle 76226	222-0022b	Opposed	In Person	Did not wish to speak.
Judy Fulkerson	1804 Wickwood, Denton 76226	222-0022b	Opposed	In Person	Did not wish to speak.
Amy Kushnir Blackburn	900 Brush Creek Road, Argyle 76226	222-0022b	Opposed	In Person	Wanted to point out they have received three letters all from three different companies representing the seller and for her personally it's a trust thing and feels like the name has changed three times and its hard to buy into.
David Windle	4981 Kiowa Trail, Argyle 76226	222-0022b	Opposed	In Person	Did not wish to speak.
Amanda Shrver	4990 Kiowa Trail, Argyle 76226	222-0022b	Opposed	In Person	Did not wish to speak.
Erik Nordstrom	4993 Kiowa Trail, Argyle 76226	222-0022b	Opposed	In Person	Did not wish to speak.
Claire Nordstrom	4993 Kiowa Trail, Argyle 76226	222-0022b	Opposed	In Person	Stated she never received a letter or postcard and her property backs right up to this project.
Karry Johnson	4705 Snowshill Court, Argyle 76226	222-0022b	Opposed	In Person	Did not wish to speak.
David Haesle	4701 Upper Glenwick Court, Argyle 76226	222-0022b	Opposed	In Person	Did not wish to speak.
Kevin Kossmann	2373 Hamilton Road, Argyle 76226	222-0022b	Opposed	In Person	This project does not fit the area. A lot of the neighborhood have livestock animals and is worried they may cause a problem.
Alexander Allen	4609 Upper Glenwick Court, Argyle 76226	222-0022b	Opposed	In Person	Did not wish to speak.

