



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda Planning and Zoning Commission

Wednesday, July 19, 2023

5:30 PM

Council Work Session Room
&
Council Chambers

WORK SESSION BEGINS AT 5:30 P.M. IN THE COUNCIL WORK SESSION ROOM

REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL CHAMBERS

REGISTRATION GUIDELINES FOR ADDRESSING THE PLANNING AND ZONING COMMISSION

Individuals may speak during a Planning and Zoning Commission meeting under one of the following categories:

Comments on Agenda Items:

Public comments can be given for any item considered by the Planning and Zoning Commission, EXCEPT work session reports or closed meetings. Individuals are only able to comment one time per agenda item and cannot use more than one method to comment on a single agenda item. Public comments are limited to three (3) minutes per citizen.

Public Hearing Items:

Individuals are limited to four (4) minutes per public hearing item.

Individuals may participate by using one of the following methods:

1. In Person for Regular or Consent Agenda Items:

To provide in-person comments regular or consent agenda items (excluding public hearing items), Individuals must be present at the meeting and submit a speaker card (available at the meeting location) to the Secretary prior to the item being called.

2. In Person for Public Hearing Items:

For public hearing items, speaker cards are encouraged but not required.

3. eComment:

The agenda is posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Using eComment, Individuals may indicate support or opposition and submit a brief comment about a specific agenda item. eComments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. eComments will be sent directly to members of the Planning and Zoning Commission immediately upon submission and recorded by the Secretary into the Minutes of the Meeting.

4. By Phone:

Individuals may register to provide comments by phone. Instructions and a link to register to comment by phone will be available at www.cityofdenton.com/publicmeetings until noon of the meeting date. Residents will submit contact information using the link provided and receive further instructions via email on how to join the meeting by phone and provide comments.

After determining that a quorum is present, the Planning and Zoning Commission of the City of Denton, Texas will convene in a Work Session on Wednesday, July 19, 2023, at 5:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

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.

REGULAR MEETING

After determining that a quorum is present, the Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, July 19, 2023, at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney at which time the following items will be considered:

1. PLEDGE OF ALLEGIANCE

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

“Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

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

- A. [PZ23-132](#) Consider approval of the June 28, 2023, Planning and Zoning meeting minutes.

Attachments: [June 28, 2023](#)

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [MP23-0017](#) Consider a request by KAZ Surveying on behalf of Terry Lee and Lucinda May Boaz for approval of a Minor Replat of the Boaz Addition. The approximately 9.06-acre site is generally located north of Brush Creek Road and approximately 274.94 feet west of Argyle Lane in the City of Denton's Extraterritorial Jurisdiction, Denton County, Texas. (MP23-0017, Boaz Addition, Angie Manglaris).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Minor Replat](#)

- B. [FP23-0017](#) Consider a request by Kimley-Horn on behalf of RTS & M, LLC for approval of a Final Plat for Birchway Denton, III. The approximately 11.6665-acre site is generally located 1074.1 feet west of Mayhill Road, approximately 912.8 feet south of Spencer Road in the City of Denton, Denton County, Texas. (FP23-0017, Birchway Denton, III, Angie Manglaris).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Final Plat](#)
 [Exhibit 5 - Request for Extension](#)
 [Exhibit 6 - LLC Members List](#)

- C. [FP23-0018](#) Consider a request by Steven Homeyer of Homeyer Engineering, Inc. on behalf of Habitat for Humanity of Denton County for approval of a Final Plat of the Habitat Village Addition. The approximately 4.19-acre site is generally located on the west side of Duncan Street and the east side of Hill Street, approximately 240 feet north of Smith Street, in the City of Denton, Denton County, Texas. (FP23-0018, Habitat Village, Phase 1, Angie Manglaris)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Final Plat](#)
 [Exhibit 5 - Request for extension](#)

- D. [FP23-0019](#) Consider a request by Amanda Mata with Pelton Land Solutions on behalf of MAD II Owner, LLC for approval of a Final Plat of The Mark at Denton Phase II. The approximately 10.393-acre site is generally located southeast of the intersection of North Elm Street (US-77) and North Bonnie Brae Street in the City of Denton, Denton County, Texas. (FP23-0019, The Mark at Denton Phase II, Angie Manglaris)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Final Plat](#)
[Exhibit 5 - Request for Extension](#)
[Exhibit 6 - LLC Members List](#)

- E. [PP23-0015](#) Consider a request by David Norris of Foresite Group on behalf of Denton Anusa, LLC, for approval of a Preliminary Plat of Denton Shady Shore. The approximately 6.9791-acre site is generally located east of S I35-E Northbound Service Road, 415 feet north of Shady Shores Road in the City of Denton, Denton County, Texas. (PP23-0015, Denton Shady Shore, Erin Stanley).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Preliminary Plat](#)

- F. [FP23-0011](#) Consider a request by KAZ Surveying, on behalf of Vanessa Mesta, for a Final Plat of Mesta Addition. The approximately 15-acre site is generally located on the North side of Amyx Road, approximately 1.1 miles West of C Wolfe Road, in Denton County, Texas, within the City's extraterritorial jurisdiction (ETJ). (FP23-0011, Mesta Addition, Bryce Van Arsdale).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location](#)
[Exhibit 4 - Final Plat](#)
[Exhibit 5 - Extension Request](#)

- G. [FR23-0009](#) Consider a request by Traverse Land Surveying, on behalf of 3 Farmers, LLC, for a Final Replat of East Ponder Estates, Block 2, Lot 14. The approximately 14.45-acre site is generally located West of I-35, 2.2 miles East of FM 156, in Denton County, Texas, within the City of Denton's extraterritorial jurisdiction (ETJ). (FR23-0009, East Ponder Estates, Bryce Van Arsdale).

Attachments: [Exhibit 1- Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location](#)
[Exhibit 4 - Replat](#)
[Exhibit 5 - Extension Request](#)
[Exhibit 6 - LLC Members List](#)

- H. [FR23-0010](#) Consider a request by Brock A. Pfister of Kimley-Horn and Associates, Inc., on behalf of Kevin Lazares of Forestar (USA) Real Estate Group, for approval of a Final Replat of the Eagle Creek - Phase 3A Addition. The approximately 22.78-acre site is generally located south of Parvin Street and north and west of Roselawn

Drive, in the City of Denton, Denton County, Texas. (FR23-0010, Eagle Creek - Phase 3A, Ron Menguita).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Final Replat](#)
 [Exhibit 5 - Request for 30-Day Extension](#)

- I. [FP23-0016](#) Consider a request by Denton Independent School District for a Final Plat of the Riney Road Elementary School Addition. The 15.135-acre site is generally located on the south side of Riney Road, approximately 560 feet east of Bonnie Brae Street, in the City of Denton, Denton County, Texas. (FP23-0016, Riney Elementary, Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Final Plat](#)
 [Exhibit 5 - Extension Request Letter](#)

- J. [PP23-0016](#) Consider a request by Robson Denton Development, L.P. for a Preliminary Plat of the Robson Ranch Unit 28-2. The 11-acre site is generally located north of the Basanite Avenue terminus and west of the Blue Granite Drive terminus, in the City of Denton, Denton County, Texas. (PP23-0016, Robson Ranch Unit 28-2, Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Preliminary Plat](#)
 [Exhibit 5 - Extension Request](#)

- K. [FP23-0012a](#) 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. (FP23-0012a, Agave Ranch, Ph 2 Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - LLC Members List](#)
 [Exhibit 5 - Final Plat](#)

- L. [PP23-0013a](#) Consider a request by Pulte Homes of Texas, L.P. for a Preliminary Plat of the Townsend Green Phase 2 Addition. The 27.959-acre site is generally located south

side of Pederson Creek Way, approximately 2,400 feet south of East McKinney Street, in the City of Denton, Denton County, Texas. (PP23-0013a, Townsend Green Phase 2, Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Preliminary Plat](#)

- M. [FP23-0013](#) Consider a request by Todd Hensley, on behalf of D.R. Horton Texas Ltd., for a Final Plat of Stuart Ridge, Phase 3. The approximately 42.585-acre site is generally located on the northeast side of Knob Hill Drive, approximately 30 feet northeast of the intersection of Knob Hill Drive and Saddlehorn Drive, in the Extraterritorial Jurisdiction of the City of Denton, Denton County, Texas. (FP23-0013, Stuart Ridge Phase 3, Sean Jacobson).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Final Plat](#)
[Exhibit 5 - Extension Request](#)

- N. [FP23-0014](#) Consider a request by Westglen Partners, Ltd. for a Final Plat of the Westview Heights Addition. The 6.425-acre site is generally located at the northwest corner of the intersection of F.M. 1173 and IH-35 in the City of Denton, Denton County, Texas. (FP23-0014, Westview Heights Addition, Mia Hines).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Final Plat](#)
[Exhibit 5 - Request for Extension](#)
[Exhibit 6 - LLC Members List](#)

4. PUBLIC HEARINGS

This notice authorizes the Planning and Zoning Commission to recommend and City Council to approve a different zoning district which is equivalent to or more restrictive than that which is requested by the applicant, as the different district may not have a maximum structure height, floor area ratio, or density that is higher than the one requested or be nonresidential when the request is for a residential use or vice versa. The different zoning district must be deemed consistent with the Comprehensive Plan and the Future Land Use Plan.

- A. [AESA22-000](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by the applicant, Aimee Bissett on behalf of J.R. Marriott of Mar-Properties Ltd., to remove approximately 0.19 acres of Water Related Habitat and mitigate by creating approximately 0.336 acres of wetland adjacent to a waterway. The site is generally located south of U.S. Highway 380 approximately 1,650 feet west of the intersection of U.S. Highway 380 and N. Western Boulevard,
[3a](#)

in the City of Denton, Denton County, Texas. STAFF HAS POSTPONED THIS ITEM TO THE AUGUST 9, 2023 PLANNING AND ZONING COMMISSION MEETING (AESA22-0003a Denton Crossing Phase 3, Christi Upton)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

- B. [Z23-0009](#)** Hold a public hearing and consider making a recommendation to City Council regarding a request by Denton / Mayhill Quail Creek Investment, LLC for a zoning change from the Public Facilities (PF) District to the Mixed-Use Regional (MR) District. The 3.456-acre site is generally located west of Mayhill Road, approximately 850 feet south of Roy Road, in the City of Denton, Denton County, Texas. (Z23-0009, Jefferson at Mayhill, Mia Hines).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Future Land Use Map](#)
[Exhibit 5 - Existing Zoning Map](#)
[Exhibit 6 - Proposed Zoning Map](#)
[Exhibit 7 - Table of Allowable Uses](#)
[Exhibit 8 - Fiscal Impact Summary](#)
[Exhibit 9 - LLC Members List](#)
[Exhibit 10 - Notification Map & Posting Affidavit](#)
[Exhibit 11 - Draft Ordinance](#)

- C. [Z23-0007](#)** Hold a public hearing and consider making a recommendation to City Council regarding a request by Jose Carillo, of Allison Engineering, on behalf of Cudd Investments, LLC, the property owner, to rezone approximately 1.73 acres from a Residential 2 (R2) zoning district to a Mixed-Use Neighborhood (MN) zoning district. The subject site is generally located on the west side of North Bonnie Brae Street, 470 feet north of the intersection of North Bonnie Brae Street and West Windsor Drive. (Z23-0007, 2801 N Bonnie Brae Rezoning, Sean Jacobson)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Existing Zoning Map](#)
[Exhibit 5 - Proposed Zoning Map](#)
[Exhibit 6 - Future Land Use Map](#)
[Exhibit 7 - Fiscal Impact Summary](#)
[Exhibit 8 - Notification Response Packet](#)
[Exhibit 9 - LLC Members List](#)
[Exhibit 10 - Draft Ordinance](#)

- D. [SD23-0001](#)** Hold a public hearing and consider making a recommendation to City Council regarding a Special Sign District for Denton High School. The approximately

156-acre subject property is zoned Public Facilities (PF) District and generally located on the southwest corner of Bronco Way and North Bonnie Brae Street in the City of Denton, Denton County. (SD23-0001, Denton High School Special Sign District)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Zoning Map](#)
[Exhibit 5 - Future Land Use Map](#)
[Exhibit 6 - Denton High School Special Sign District \(DHSSSD\)](#)
[Exhibit 7 - Notification Map and Responses](#)
[Exhibit 8 - Draft Ordinance](#)

- E. [DCA23-0002](#) Hold a public hearing and consider making a recommendation to City Council amending the Denton Development Code related to Short-Term Rental uses, specifically amendments to Sections 5.3.5T.1.b and 5.3.5T.2.e.iii related to removing the primary residency requirements associated with a short-term rental property. (DCA23-0002, Short-Term Rental Primary Residence Code Amendment, Ron Mengueta)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Draft Short-Term Rental Primary Residence Code Amendments](#)
[Exhibit 4 - Draft Ordinance](#)
[Exhibit 5 - Presentation](#)

5. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ23-140](#) Hold a discussion regarding the Planning and Zoning Project Matrix.

Attachments: [Matrix 2023](#)

6. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Planning & Zoning Commission or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

NOTE: The Planning and Zoning Commission reserves the right to adjourn into a Closed Meeting on any item on its Work Session or Regular Session agenda consistent with Chapter 551 of the Texas Government Code, as amended, including without limitation, Sections 551.071-551.086 of the Texas Open Meetings Act.

CERTIFICATE

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on July 14, 2023, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.