

MINUTES
PLANNING AND ZONING COMMISSION
July 19, 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, July 19, 2023, at 5:31 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, Eric Pruett, and Donald McDade

ABSENT: Commissioner Ronnie Anderson

WORK SESSION

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

The following items were presented, and a discussion followed:

3.K (FP23-0012a), 4.D (SD23-0001), 4.E (DCA23-0002)

The following items were not presented, and no discussion was had:

4.B (Z23-0009), 4.C (Z23-0007)

The following items were not presented, and no discussion was had:

3.B (FP23-0017), 3.C (FP23-0018), 3.D (FP23-0019), 3.E (PP23-0015), 3.F (FP23-0011), 3.G (FR23-0009), 3.H (FR23-0010), 3.I (FP23-0016), 3.J (PP23-0016), 3.L (PP23-0013a), 3.N (FP23-0014)

The following item was postponed:

4.A (AES22-0003a)

The following item was withdrawn:

3.A (MP23-0017), 3.M (FP23-0013)

The Work Session was adjourned at 5:59 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, July 19, 2023, at 6:31 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, Eric Pruett, and Donald McDade

ABSENT: Commissioner Ronnie Anderson

1. PLEDGE OF ALLEGIANCE

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

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES

- A. PZ23-132 Consider the approval of the June 28, 2023, Planning and Zoning meeting minutes.

Commissioner Villarreal moved to approve the June 28, 2023, Planning and Zoning meeting minutes. Motion seconded by Commissioner Pruett Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

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).

The item was withdrawn by the applicant and no discussion was had.

- 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).

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to a date certain of August 9, 2023. Motion seconded by Commissioner Cole. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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)

City staff presented the item. No discussion followed.

Commissioner McDade moved to approve the extension of the item to a date certain of August 9, 2023. Motion seconded by Commissioner Cole. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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)

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to a date certain of August 9, 2023. Motion seconded by Commissioner Cole. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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).

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to a date certain of August 9, 2023. Motion seconded by Commissioner McDade. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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).

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to a date certain of August 9, 2023. Motion seconded by Commissioner Cole. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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).

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to a date certain of August 9, 2023. Motion seconded by Commissioner Pruett. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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).

City staff presented the item. No discussion followed.

Vice-Chair Smith moved to approve the extension of the item to a date certain of August 9, 2023. Motion seconded by Commissioner Pruett. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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)

City staff presented the item. No discussion followed.

Vice-Chair Smith moved to approve the extension of the item to a date certain of August 9, 2023. Motion seconded by Commissioner Villarreal. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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)

City staff presented the item. No discussion followed.

Vice-Chair Smith moved to approve the extension of the item to a date certain of August 9, 2023. Motion seconded by Commissioner McDade. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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)

City staff presented the item and discussion followed.

Citizen comments will be listed on Exhibit A.

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

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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)

City staff presented the item. No discussion followed.

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

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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).

The item was withdrawn by the applicant and no discussion was had.

- 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).

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to a date certain of August 9, 2023. Motion seconded by Vice-Chair Smith. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

4. PUBLIC HEARINGS

- A. AESA22-0003a 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, 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)

The item was postponed, and no action was taken.

- 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).

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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)

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 McDade moved to approve the item as presented by staff. Motion seconded by Commissioner Pruett. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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)

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.

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

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

- 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)

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 Cole. Motion carried.

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

NAYS (0): None

ABSENT (1): Commissioner Anderson

5. PLANNING & ZONING COMMISSION PROJECT MATRIX


PZ23-140: Staff provided updates regarding the matrix, City Council outcomes, Development Code Review Committee outcomes. Discussion on the matrix occurred.

Chair Ellis requested a work session regarding the status and future plans for Westgate Drive.

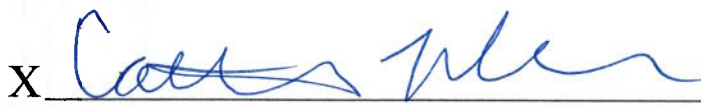
Vice-Chair Smith requested a written update regarding changes to the City's Ethics Ordinance that may impact the P&Z.

6. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 7:54 p.m.

X  8-9-23

Margie Ellis, Planning and Zoning Commission Chair Date

X  8/9/23

Cathy Welborn, Administrative Assistant III Date

Minutes approved on: August 9, 2023

July 19, 2023 Planning and Zoning Meeting - EXHIBIT A					
Speaker Commentaries/ Registration - Online, E-mail, In-Person, and Phone					
Name	Address	Agenda Item	Position	Method	Comments
Aimee Bissett (Applicant)	109 N. Elm Street, Denton, Texas 76201	FP23-0012a	Support	In Person	Provided clarification and update on the request for the written agreement from the gas pipeline operator.
José Carrillo (Applicant)	2415 N Elm Street, Denton, Texas 76201	Z23-0007	Support	In Person	Stated he was available if the Commission had any questions.
Kay Stensgaard	3310 Darby Ln, Denton, Texas 76207	SD23-0001	Not Stated	In Person	Requested clarification on the notification slide of staff's presentation.