

Minutes
Planning and Zoning Commission
March 20, 2019

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, March 20, 2019 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: Alfred Sanchez, Larry Beck, Jason Cole, Mat Pruneda, and Margie Ellis.

ABSENT: Commissioner Tim Smith.

STAFF: Scott McDonald, Richard Cannone, Jerry Drake, Ron Menguita, Julie Wyatt, Hayley Zagurski, Cindy Jackson, Karen Hermann, Amber Rodgers, Emily Loiselle, Karina Maldonado, Mark Laird, Deborah Viera, Frank Pugsley, Bradley Lahart Roman McAllen, Sean Jacobson, Daniel Howington, Pritam Deshmukh, Jerry Fielder, Charles Sears and Cathy Welborn.

WORK SESSION

Chair Rozell opened the Work Session at 4:04 p.m.

1. Work Session Reports

A. Receive a report, hold a discussion, and provide staff direction on the Denton Development Code Update and Draft Zoning Map. (DCA18-0009, DDC Update, Ron Menguita)

Ron Menguita, Principal Planner, presented Work Session item 1A. Menguita stated this will be the last of the series of Work Sessions regarding the Denton Development Code (DDC).

Menguita stated the discussion would be over Subchapter 6: Development Standards, Subchapter 7: Subdivision Regulations, and Subchapter 8: Definitions.

Commissioner Beck stated he sent staff comments regarding Subchapter 6. Menguita stated Commissioner Beck's comments were forward to staff that are currently present. The Commission agreed to discuss Commissioner Beck's comments. Staff addressed Commissioner Beck's comments.

2. 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 questioned if there were any comments regarding the meeting minutes beside the change on the hand out. There were no questions regarding the meeting minutes.

Chair Rozell requested Hayley Zagurski, Senior Planner, to clarify the changes to the updated plat for Consent Agenda item 3A. Zagurski stated after the developer met with City Engineers it was determined the irregular HOA lots would be medians within the right-of-way.

Julie Wyatt, Senior Planner, provided clarification regarding Consent Agenda item 3B. Wyatt stated note 11: The easternmost 20 feet of Lot 2X shall be dedicated as an easement to the City of Denton for public water, sewer, and storm drainage proposed. The easement was added to the plat for future water lines in the area.

Roman McAllen, Historic Preservation Officer, presented Public Hearing item 4A. McAllen stated the request is to consider making a recommendation to City Council regarding an application for a Historic Landmark Designation for the property located at 900 Egan Street.

McAllen stated staff recommends approval of the request for the Historic Landmark Designation for 900 Egan Street. This designation is consistent with the goals and objectives of the Denton Plan 2030 and meets the criteria for Historic Landmark Designations as outlined in the Denton Development Code.

Commissioner Beck questioned if the Texas Historical Commission has certified this area. McAllen stated he believes Egan Street is proposed to be part of the National Registered District.

Commissioner Sanchez questioned what type of incentives the applicant will receive. McAllen stated if the applicant has spent \$10,000.00 on qualified work on the property within two years of its designation the current code allows them to apply for half off of the City of Denton property taxes for ten years.

Ron Menguita, Principal Planner, presented Public Hearing item 4B. Menguita stated staff does recommend approval of the request with the following condition: 1. the attached preliminary site plan and landscape plan reflects an intent to comply with the DDC requirements for parking, street trees, minimum landscape and tree canopy areas, and compatibility buffers. 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 landscape plan in terms of buffer and open space locations, as well as all elements of the DDC.

Commissioner Ellis questioned if the buffer located on Bellaire Drive would just be a landscape buffer. Menguita stated there is also a drainage channel on the south side, so there would be the drainage channel and the 15 foot type C landscape buffer.

Chair Rozell closed the Work Session at 5:51 p.m.

REGULAR MEETING

The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, March 20, 2019 at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney at which time the following items were considered:

Chair Rozell opened the Regular Meeting at 6:37 p.m.

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 Larry Beck motioned, Commissioner Margie Ellis seconded to approve the February 20, 2019 meeting minutes. Motion approved (6-0). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", and Commissioner Margie Ellis "aye".

Commissioner Margie Ellis motioned, Commissioner Mat Pruneda seconded to approve the February 27, 2019 meeting minutes. Motion approved (5-0-1). Commissioner Alfred Sanchez "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", and Commissioner Margie Ellis "aye". Commissioner Larry Beck "recused",

3. CONSENT AGENDA

A. Consider a request by Ranchito Dallas Apts. LLC. for approval of a Final Plat of The Residences at Rayzor Ranch, Phase 1. The approximately 27.10-acre site is generally located on the east side of Bonnie Brae Street, approximately 1,390 feet north of West University Drive in the City of Denton, Denton County, Texas. (FP18-0018, Residences at Rayzor Ranch, Hayley Zagurski).

B. Consider a request by Robson Denton Development, LP for approval of a Final Plat for Robson Ranch Unit 6-1. The approximately 32.614-acre site is generally located on the east end of Crestview Drive, approximately 125 feet northeast of Rivercrest Drive in the City of Denton, Denton County, Texas. (FP18-0023, Robson Ranch Unit 6-1, Julie Wyatt)

C. Consider a request by Sherman Crossing Development, LLC for approval of a Final Plat for Phase 2C of the Hercules West Addition. The approximately 3.14-acre site is generally located on the north side of Hercules Lane approximately 140 feet east of Sheraton Road in the City of Denton, Denton County, Texas. (FP18-0030, Hercules West Phase 2C, Hayley Zagurski).

Commissioner Larry Beck motioned, Commissioner Margie Ellis seconded to approve the Consent Agenda. Motion approved (6-0). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", and Commissioner Margie Ellis "aye".

4. PUBLIC HEARINGS

A. Hold a public hearing and consider making a recommendation to City Council regarding an application for Historic Landmark Designation for the property located at 900 Egan Street, between Alice Street and Amarillo Street. (HL19-0001, 900 Egan Street, Roman McAllen)

Chair Rozell opened the Public Hearing.

Roman McAllen, Historic Preservation Officer, presented Public Hearing item 4A. McAllen stated the request is to consider making a recommendation to City Council regarding an application for a Historic Landmark Designation for the property located at 900 Egan Street.

McAllen stated staff recommends supporting this request for Historic Landmark Designation of the property located at 900 Egan Street. This designation is consistent with the goals and objectives of the Denton Plan 2030 and meets the criteria for Historic Landmark Designations as outlined in the Denton Development Code.

Chair Rozell closed the Public Hearing.

Commissioner Margie Ellis motioned, Commissioner Mat Pruneda seconded to approve Public Hearing 4A. Motion approved (6-0). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", and Commissioner Margie Ellis "aye".

B. 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 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 the public hearing.

Ron Menguita, Principal Planner, presented Public Hearing item 4B. Menguita stated the request is for a Specific Use Permit (SUP) to allow for a multi-Family dwelling use.

Menguita stated staff does recommend approval of the request with the following condition: **1.** the attached preliminary site plan and landscape plan reflects an intent to comply with the DDC requirements for parking, street trees, minimum landscape and tree canopy areas, and compatibility buffers. 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 landscape plan in terms of buffer and open space locations, as well as all elements of the DDC.

Commissioner Beck questioned if staff is indicating the site plan is going to stay the same as it is being proposed with possibly some minor changes and anything beyond minor changes would have to be evaluated. Menguita stated yes the applicant would have to bring those changes back to the Planning and Zoning Commission for approval.

The following individuals spoke during the Public Hearing:

Mukesh Parna, 5811 Kerry Drive, Frisco, Texas 75035. Supports the request.
Kimberly Wells, 2933 Stockton Street, Denton, Texas 76209. Opposed to the request.
Sandra Williams, 3049 Bradywine Street, Denton, Texas 76209. Opposed to the request.
Norman Misplay, 2921 Stockton Street, Denton, Texas 76209. Opposed to the request.
Linda Godov, 3001 Oakshire Street, Denton, Texas 76209. Opposed to the request.
Nancy Carson, 2908 Oakshire Street, Denton, Texas 76209. Supports the request.
Patrick Filson, 4821 Merlot Avenue Ste. 210, Grapevine, Texas 76051. Supports the request.

Chair Rozell closed the Public Hearing.

Commissioner Beck requested the applicant to address the parking concerns voiced by citizens. Patrick Filson, the project's Engineer, stated the parking will function like a townhome development, with each unit allowing four cars, two in the garage and two in the drive way.

Filson stated the property currently has a flood plain they are trying to remap and mitigate what the concrete channel is unable to hold to help with the drainage issues.

Filson continued to state the channel is public not private which means it will be maintained by the City of Denton.

Commissioner Larry Beck motioned, Commissioner Alfred Sanchez seconded to approve Public Hearing item 4B with the following condition: 1. the attached preliminary site plan and landscape plan reflects an intent to comply with the DDC requirements for parking, street trees, minimum landscape and tree canopy areas, and compatibility buffers. 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 landscape plan in terms of buffer and open space locations, as well as all elements of the DDC. Motion approved (6-0). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", and Commissioner Margie Ellis "aye".

5. PLANNING & ZONING COMMISSION PROJECT MATRIX

A. Planning and Zoning Commission project matrix.

Richard Cannone, Deputy Director of Development Services, stated Deborah Viera, Assistant Director of Environmental Services, will be presenting the criteria manuals in May and will also go over the item regarding maintaining the upland habitats.

Cannone continued to state the Urban Forest Master Plan is about to kick off and Gary Packan, Director of Park & Recreation, requested to come back with an update after the Urban Forest Master Plan is underway.

Cannone provide the Planning and Zoning Commission an update regarding the items that went to City Council on March 19, 2019.

Commissioner

Chair Rozell requested for staff to start providing the actual economics or projected economics a project would have to the City of Denton. Cannone stated staff has looked at including that with rezoning's when the request is wanting more than what is permitted by right.

Chair Rozell closed the Regular Meeting at 7:59 p.m.

X

Andrew Rozell
Chair

X

Catherine Welborn
Administrative Assistant