

MINUTES
PLANNING AND ZONING COMMISSION
September 13, 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, September 13, 2023, at 5:32 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: Ronnie Anderson, Jason Cole, Eric Pruett, Jordan Villarreal, 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.D (FP23-0020b), 3.E (FP23-0021b), 5.A (AESA22-0004a), 5.B (DCA23-0009), and 5.C (DCA23-0010)

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

3.A (FR23-0001c), 3.B (FR23-0014a), and 3.C (PP23-0014a)

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

4.A (FP23-0023), 4.B (PP23-0019), and 4.C (FP23-0022a)

The Work Session was adjourned at 6:19 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, September 13, 2023, at 6:46 p.m. in the Council Chambers at City Hall, 215 E. McKinney, Denton, Texas.

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

ABSENT: None

1. PLEDGE OF ALLEGIANCE

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

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES

- A. PZ23-176 Consider the approval of the August 23, 2023, Planning and Zoning meeting minutes.

Commissioner Villarreal moved to approve the August 23, 2023, Planning and Zoning meeting minutes. Motion seconded by Commissioner Cole. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, McDade, and Villarreal

NAYS (0): None

3. CONSENT AGENDA

- A. FR23-0001c Consider a request by Allison Engineering, on behalf of Key Ventures, LLC, for a Final Replat of Mission Street Offices Addition, Lots 1R through 13R, Block A. The approximately 4.6-acre site is generally located on the southeast corner of Fort Worth Drive and East Mission Street in the City of Denton, Denton County, Texas. (FR23-0001c, Mission Street Offices, Ashley Ekstedt)
- B. FR23-0014a Consider a request by Home Depot U.S.A., Inc., for a Final Replat of Lot 11R, Lot 11R1, and Lot 11R2 of Rayzor Ranch North; being a replat of Lot 11 of Rayzor Ranch North. The approximately 14.772-acre property is generally located just east of IH-35, approximately 550 feet north of West University Drive (US-380) in the City of Denton, Denton County, Texas. (FR23-0014a, Rayzor Ranch North - Home Depot, Mia Hines).
- C. PP23-0014a Consider a request by Matthew Maly of Pape-Dawson on behalf of Mayhill Road Associates, LLC for approval of a Preliminary Plat of Mayhill Addition. The approximately 32.633-acre site is generally located on the west side of Mayhill Road, approximately 1,400 feet north of the intersection of Quailcreek Road and Mayhill Road in the City of Denton, Denton County, Texas. (PP23-0014a, Mayhill Addition, Sean Jacobson).

Commissioner Villarreal moved to approve the Consent Agenda and moving items 3.D (FP23-0020b) and 3.E (FP23-0021b) to Individual Consideration. Motion seconded by Vice-Chair Smith. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, McDade, and Villarreal

NAYS (0): None

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- D. FP23-0020b Consider a request by Scott Pangburn with Kimley-Horn on behalf of CLH Denton LLC for approval of a Final Plat for Kings Way Addition, Phase 1A. The approximately 5.246-acre property is generally located on the northeast corner of the intersection of Loop 288 and Kings Row in the City of Denton, Denton County, Texas. (FP23-0020b, Kings Way, Ph 1A Julie Wyatt)

City staff presented the item. A discussion followed.

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

AYES (4): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, and Cole,
NAYS (3): Commissioners: Pruett, McDade, and Villarreal

- E. FP23-0021b Consider a request by Scott Pangburn with Kimley-Horn on behalf of CLH Denton LLC for approval of a Final Plat for Kings Way Addition, Phase 1B. The approximately 50.389-acre property is generally located north and northwest of the intersection of Deerwood Parkway and Grant Parkway in the City of Denton, Denton County, Texas. (FP23-0021b, Kings Way, Ph 1B, Julie Wyatt)

Citizen comments received are noted on Exhibit A.

City staff presented the item. A discussion followed.

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

AYES (6): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, and McDade
NAYS (1): Commissioners: Villarreal

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. FP23-0023 Consider a request by Danny McCamish of Spiars Engineering, on behalf of Curve Development, for a Final Plat of Barrel Strap Residential. The approximately 14.176-acre site is generally located on the southwest corner of Hickory Creek Road and FM 2499 in the City of Denton, Denton County, Texas. (FP23-0023, Barrel Strap Residential, Ashley Ekstedt).

City staff presented the item. No Discussion followed.

Vice-Chair Smith moved to approve the extension of the item to a date certain October 11, 2023. Motion seconded by Commissioner Anderson. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, McDade, and Villarreal
NAYS (0): None

- B. PP23-0019 Consider a request by Denton Mayhill / Qual Creek Investment, LLC, for a Preliminary Plat of the Jefferson Mayhill Addition, Lot 1, Blocks H-L. The 39.782-acre site is generally located west of Mayhill Road, approximately 850 feet south of Roy Road, in the City of Denton, Denton County, Texas. (PP23-0019, Jefferson Mayhill Addition, Mia Hines).

City staff presented the item. No discussion followed.

Vice-Chair Smith moved to approve the extension of the item to a date certain October 11, 2023. Motion seconded by Commissioner Pruett. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, McDade, and Villarreal
NAYS (0): None

- C. FP23-0022a Consider a request by Pulte Homes of Texas, L.P. for a Final Plat of the Townsend Green Phase 2 Addition. The 27.959-acre site is generally located on the south side of Pederson Creek Way, approximately 2,400 feet south of East McKinney Street, in the City of Denton, Denton County, Texas. (FP23-0022a, Townsend Green Phase 2, Julie Wyatt)

City staff presented the item. No discussion followed.

Vice-Chair Smith moved to approve the item with staff's condition. Motion seconded by Commissioner Pruett. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, McDade, and Villarreal
NAYS (0): None

5. PUBLIC HEARINGS

- A. AESA22-0004a Hold a public hearing and consider making a recommendation to the City Council regarding a request for an Alternative Environmentally Sensitive Areas Plan on approximately 14.176 acres of land generally located at the southwest corner of Hickory Creek Road and FM 2499 in the City of Denton, Denton County, Texas (AESA22-0004a Cyrene at Hickory Creek, (Barrel Strap Residential), Christi Upton)

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 as presented. Motion seconded by Commissioner Anderson. Motion carried.

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

NAYS (1): Commissioner Villarreal

- B. DCA23-0009 Hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; amendments include but are not limited to Section 2.6.3 Preliminary Plat related to the applicability and requirement of preliminary plats. (DCA23-0009, Preliminary Plats, Hayley Zagurski).

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 as presented. Motion seconded by Commissioner Cole. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, McDade, and Villarreal

NAYS (0): None

- C. DCA23-0010 Hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; amendments include but are not limited to Table 5.2-A: Table of Allowed Uses, Section 5.3.5: Commercial Use-Specific Standards, Section 5.4.4: Additional Standards for Specific Accessory Uses, and Section 9.2: Definitions related to the regulation of agricultural and animal businesses. (DCA23-0010, Agricultural and Animal Uses, Angie Manglaris)

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 as presented. Motion seconded by Commissioner Pruett. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, McDade, and Villarreal

NAYS (0): None


6. PLANNING & ZONING COMMISSION PROJECT MATRIX

PZ23-169: Staff provided updates regarding the matrix, Development Code Review Committee outcomes, and area plans. Discussion on the matrix occurred.

Commissioner Pruett requested a legal opinion and work session to look at the general requirements and plat specific requirements that are currently in the Denton Development Code. He requested to separate those into three different categories which consist of: 1). The requirements that are technical in nature and already enforceable; 2). The requirements that are not technical and not enforceable and that could not be made legally enforceable; and 3). The requirements which in the way they are written now could not be legally enforceable because they are not technical but could be made legally enforceable with code amendments. He requested the Commission be able to respond to these categorizations to provide a recommendation to Council for future action and amendments.

7. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 7:50 p.m.

X 

Tim Smith, Planning and Zoning Commission Vice-Chair

9/27/2023
Date

X 

Cathy Welborn, Administrative Assistant III

9/27/2023
Date

Minutes approved on: September 27, 2023