

Minutes
Planning and Zoning Commission
May 15, 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, May 15, 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: Larry Beck, Jason Cole, Mat Pruneda, Margie Ellis, and Tim Smith.

ABSENT: Commissioner Alfred Sanchez.

STAFF: Richard Cannone, Jerry Drake, Cynthia Kirchoff, Ron Menguita, Julie Wyatt, Hayley Zagurski, Cindy Jackson, Karina Maldonado, Mark Laird, Charlie Rosendahl and Cathy Welborn.

WORK SESSION

Chair Rozell called the Work Session to order at 4:05 p.m.

1. Work Session Reports

- A. Draft Policies and Procedures for the Planning and Zoning Commission:
- Boards and Commission attendance policy.

Charlie Rosendahl, Business Services Manager, presented Work Session Report 1A.

Chair Rozell questioned if the 50 percent absences included special called meetings. Rosendahl stated it only includes regularly called and scheduled meetings.

Rosendahl informed the Planning and Zoning Commissioners if they are unable to attend a meeting to let Richard Cannone, Deputy Director of Development Services or Cathy Welborn, Administrative Assistant III, know and provide the reason why in order to determine if it is excused or unexcused. If a Commissioner requested, an unexcused absence could be brought before the Planning and Zoning Commission as an item for individual consideration to take a vote on excusing the absence.

B. Notification update.

Charlie Rosendahl, Business Services Manager, presented Work Session Report 1B.

Rosendahl stated City Council directed staff to begin using utility service addresses rather than Denton County Appraisal District (DCAD) data for 500-foot courtesy notices. Commissioner

Pruneda questioned how the property owners would be notified if they don't have service through the City of Denton. Rosendahl stated staff is legally required to send the 200-foot letter to the property owners, which will still be determined using the most recently approved tax roll as determined by DCAD data.

C. 2019 Development Code and City Initiated Rezoning's.

Ron Menguita, Principal Planner, presented Work Session item 1C. Menguita provided the expected areas for the upcoming Public Hearing dates for the City initiated rezoning's.

Chair Rozell questioned how much the Future Land Use Map (FLUM) will be used as an asset during the City Initiated Rezoning process. Menguita stated it will depend on the area. Rozell questioned if this process will clear up all split zoning areas. Menguita stated yes this will address many properties with split zoning.

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 stated Public Hearing items 3A, 3B and 3C have been postponed.

Commissioner Smith arrived.

Karina Maldonado, Assistant Planner, presented Public Hearing 3D. Maldonado stated the request is to rezone from Neighborhood Residential 2 (NR-2) to Neighborhood Residential 4 (NR-4) and add a single family residence and accessory structure. Staff does recommend approval of the request.

Julie Wyatt, Senior Planner, presented Public Hearing item 3E. Wyatt stated the request is to rezone from Rural Residential District (RD-5) to Neighborhood Residential 4 (NR-4) district on 36 acres, Neighborhood Residential 3 (NR-3) on 41 acres, and Neighborhood Residential 2 (NR-2) on 15 acres, totaling approximately 92.06 acres of land.

Wyatt stated while the request is not consistent with the Future Land Use designation, the proposal, when combined with the following overlay conditions, meets the overall goals within Denton Plan 2030; and therefore, staff recommends approval with the following: **1.** only single-family detached dwellings are permitted. **2.** An off-street multi-use path (trail) is required to be installed and must include the following: **A.** Each residential lot should be located within 1,300 feet of an access point. **B.** Two remote connections to adjacent properties are required to ensure that the network will be continued with subsequent development. For the purposes of the multi-use path (trail), remoteness is defined as half of the length of the longest diagonal line bisecting the subject property. **3.** A 30-foot landscape buffer is required along FM 428 for the entire frontage of the property. The 30-foot landscape buffer shall begin from the Public Utility Easement (PUE) dedicated through the platting process. If a PUE is not required, the landscape area shall begin from the right-of-way dedicated through the platting process. The 30-foot landscape buffer shall

include the following elements: **A.** Landscaped berm with a maximum 3:1 side slope on both sides. **B.** One large canopy tree planted every 30 linear feet. **C.** Thirty shrubs planted per 100 linear feet. Shrubs may be clustered to create a more natural effect. **D.** A maximum 6-foot tall masonry, wrought-iron, or split-rail fence. The fence can either be constructed along the rear property line of the single-family lots or meander through the landscape buffer, provided that 75% of the required landscaping is located between the fence and FM 428.

Commissioner Ellis arrived.

Commissioner Smith questioned what this would be classified as under the new Denton Development Code (DDC). Wyatt stated if the conditions are approved it would go forward as a Planned Development (PD) but the underlying zoning would transfer.

Hayley Zagurski, Senior Planner, presented Public Hearing item 3F. Zagurski stated the request is to make an amendment to the Rayzor Ranch Overlay District to provide standards and criteria for residential development within the Rayzor Ranch South Campus - South Mixed Use District.

Zagurski stated staff recommends approval of the request with the following condition: **1.** Section 35.7.15.10.A [RROD Parking] be updated to include the following language: **“3.** Subsection 35.14.7.C Mixed Uses [DDC Parking] shall not apply to residential uses with a base zoning of NRMU District and located in the South Mixed-Use District east of Heritage Trail insofar as a parking reduction beyond the minimum required amount shall not be granted for any residential uses.”

Julie Wyatt, Senior Planner, presented Public Hearing items 3G and 3H.

Wyatt stated the request for Public Hearing item 3G is a city-initiated revision to the Denton Development Code (DDC); specifically to amend Subchapter 5 Zoning Districts and Limitations, Subchapter 8, Group Homes, Subchapter 14, Parking Standards, and Subchapter 23, Definitions related to supportive residential uses and treatment facilities.

Commissioner Ellis stated we are looking to amend the old DDC in order for the applicant to start before the adoption on the new DDC. Wyatt stated yes, that is correct. Ellis questioned why the old code is being amended, how the change would look in the new code, and whether the new code would need to be amended. Wyatt stated yes, the way staff crafted the language in a way to be transferred easily and the amendment will come back before the Planning and Zoning Commission to get language cleaned up and get it in the new code.

Wyatt stated staff does recommend approval of the proposed text amendments to Denton Development Code Subchapter 5 Zoning Districts and Limitations, Subchapter 8, Group Homes, Subchapter 14, Parking Standards, and Subchapter 23, Definitions.

Commissioner Smith requested for a consideration to move Public Hearing item 3G and 3H before Public Hearing item 3E. Chair Rozell stated yes they can consider the change.

Chair Rozell called a recess at 5:49 p.m.

Chair Rozell reconvened the Work Session at 6:06 p.m.

Wyatt stated the request for Public Hearing item 3H is for a Specific Use Permit for a Treatment Facility. Wyatt stated staff does recommend approval of the request with the following conditions: **1.** Sobering Centers, defined as a place for individuals to stay in lieu of arrest until sober enough to safely leave (four to six hours), are not permitted on the site. **2.** The facility administrator must provide evidence of licensing in accordance with Texas Health and Safety Code Chapter 464, Facilities Treating Persons with a Chemical Dependency as part of the yearly fire inspection. **3.** Any existing driveways which are not shown on the concept plan must be removed and curb and gutter repaired with public improvements. **4.** Bicycle racks are required to be installed at a rate of one per ten required parking spaces. **5.** Required buffers (beginning at the front yard setback): **A.** Six-foot tall wood fence along the north, east, and south property lines. **B.** Medium- or small-canopy trees planted every 30 linear feet along the north and south property lines. **6.** All future buildings must be designed with residential character, including: **A.** Primary entrances facing the public right-of-way or plaza. **B.** Buildings shall incorporate at least three of the following: dormers, gables, recessed entries, covered front porches, cupolas, architectural posts, or bay window with a minimum 24 inches of projection. **C.** The front façade (facing the public right-of-way) must provide windows and doors for at least 15 percent of the wall area. **D.** Exterior finishes shall be of wood, masonry, or cementitious siding. **E.** Masonry shall comprise a minimum of 25 percent of the exterior finishes of the total building elevation. **7.** All existing and proposed solid waste receptacles must be located along the rear property line and screened from public view. **8.** All other requirements outlined in the DDC regulations adopted on April 23, 2019 shall apply, including, but not limited to, tree preservation, landscaping, fencing, and screening.

Commissioner Ellis questioned if the applicant has the required license. Wyatt stated the applicant will be here this evening to answer those questions.

Commissioner Ellis questioned if staff received input from Texas Women's University (TWU). Wyatt stated they did receive notification but staff has not received any responses.

Chair Rozell stated the order of the May 15, 2019 Planning and Zoning Commission agenda has been changed to Public Hearing items 3A, 3B and 3C have been postponed, 3D will be heard as listed, then 3G, 3H, 3E and 3F.

Chair Rozell closed the Work Session at 6:22 p.m.

REGULAR MEETING

The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, May 15, 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 6:36 p.m.

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag B. Texas Flag

2. CONSENT AGENDA

A. Consider a request by Baird, Hampton & Brown representing Beall Denton Partners, L.P., for approval of a Preliminary Plat of the Northpointe Addition, Phases 5-8. The approximately 34.431 acre property is generally located on the south side of Loop 288, approximately 3,642 feet west of N. Locust Street, in the City of Denton, Denton County, Texas. (PP18-0019, Northpointe Addition, Ph. 5-8, Cindy Jackson)

B. Consider a request by Tony Kimbrough, representing Christner Development, LLC., for approval of a Final Plat of Cooper Creek Estates Addition, Lots 1 thru 5, Block A. The approximately 14.92-acre tract is generally located along north Cooper Creek Road at the southwest intersection of Hartlee Field Road and Cooper Creek Road in the extra territorial jurisdiction of the City of Denton, Denton County, Texas (FP19-0005 Cooper Creek Estates Addition, Mark Laird).

C. Consider a request by MM Westgate, LLC. for approval of a Preliminary Plat for Kings Ridge. The approximately 78-acre tract of land is generally located on the west side of North Bonnie Brae Street, approximately 250 feet south of US Highway 77/North Elm Street in the City of Denton, Denton County, Texas. (PP19-0001, Kings Ridge, Julie Wyatt)

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

3. PUBLIC HEARINGS

Chair Rozell stated for the record that Public Hearing item 3A, 3B, 3C have been postponed. Chair Rozell continued to state the agenda items have also been reordered to 3D, 3G, 3H, 3E and 3F.

A. Hold a public hearing and consider making a recommendation to City Council regarding a request by Denton West Joint Venture to amend Ordinance 2014-075 to remove overlay restrictions on approximately 8.627 acres of land zoned Neighborhood Residential Mixed Use (NRMU) District, generally located on the north side of East Ryan Road, approximately 850 feet west of Teasley Lane in the City of Denton, Denton County, Texas. THIS ITEM HAS BEEN POSTPONED TO THE JUNE 5, 2019 PLANNING AND ZONING COMMISSION MEETING. (Z18-0025, Hunters Creek, Julie Wyatt)

B. Hold a public hearing and consider making a recommendation to City Council regarding a request by Denton West Joint Venture for a Specific Use Permit for multi-family dwellings on approximately 8.627 acres of land zoned Neighborhood Residential Mixed Use (NRMU) District, generally located on the north side of East Ryan Road, approximately 850 feet west of Teasley Lane in the City of Denton, Denton County, Texas.

THIS ITEM HAS BEEN POSTPONED TO THE JUNE 5, 2019 PLANNING AND ZONING COMMISSION MEETING. (S19-0004, Hunters Creek, Julie Wyatt)

C. Hold a public hearing and consider making a recommendation to City Council, amending the newly revised (2019) Denton Development Code to: add Section 2.1.2(I), Design Standards Review Procedures; to amend Table 2.2-A: Summary of Development Review Procedures, to add Section 2.10 Design Standards Review Procedures, for the purpose of establishing procedures for processing an application for a Certificate of Design Consistency; to add a new section 4.10, establishing The Denton Square District, generally bounded by Cedar Street, Pecan Street, Austin Street, and Walnut Street, in Denton, Texas, and generally including all properties adjoining those boundary streets, providing for design standards for new construction and certain repairs and renovations within the boundaries of said Denton Square District; and providing for appeals; to provide for severability, penalties in the maximum amount of \$2,000.00 for violations thereof, savings, repealer, publication, and an effective date; and further recommending approval to City Council of the Denton Square District Design Guidelines as an additional source of guidance for future construction, repairs, and renovations in the Denton Square District. (DCA18-0007, The Denton Square District, Sean Jacobson). THIS ITEM IS POSTPONED TO THE MAY 29, 2019 MEETING OF THE PLANNING & ZONING COMMISSION. THIS ITEM WILL BE RENOTICED FOR THAT DATE.

D. Hold a public hearing and consider making a recommendation to City Council regarding a request by Epic Hill Homes, LLC representing Camila Martinez for a zoning change from Neighborhood Residential 2 (NR-2) to a Neighborhood Residential 4 (NR-4) Zoning District. The applicant is proposing to construct a single-family dwelling and accessory structure on the subject property totaling approximately 4,515 square feet. The subject property is generally located on the north side of Prairie Street, adjacent to Oakwood Cemetery and approximately 610 feet west of South Bradshaw Street, in the City of Denton, Denton County, Texas. (Z19-0004, Prairie Parcel, Karina Maldonado)

Chair Rozell opened the Public Hearing.

Karina Maldonado, Assistant Planner, presented Public Hearing item 3D. Maldonado stated the request is to rezone from Neighborhood Residential 2 (NR-2) to Neighborhood Residential 4 (NR-4) and add a single family residence and accessory structure. Staff does recommend approval of the request.

The following individual spoke during the Public Hearing:

Baltazar Mesta, 503 Chambers Street, Denton, Texas 76205. Supports the request.

Chair Rozell closed the Public Hearing.

Commissioner Mat Pruneda motioned, Commissioner Jason Cole seconded to approve Public Hearing item 3D. Motion approved (6-0). Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

G. Hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; specifically to amend Subchapter 5 Zoning Districts and Limitations, Subchapter 8, Group Homes, Subchapter 14, Parking Standards, and Subchapter 23, Definitions related to supportive residential uses and treatment facilities. (DCA19-0004, Treatment Centers, Julie Wyatt)

Chair Rozell opened the Public Hearing.

Wyatt stated the request for Public Hearing item 3G is a city-initiated revision to the DDC; specifically to amend Subchapter 5 Zoning Districts and Limitations, Subchapter 8, Group Homes, Subchapter 14, Parking Standards, and Subchapter 23, Definitions related to supportive residential uses and treatment facilities.

Wyatt stated staff does recommend approval of the proposed text amendments to Denton Development Code Subchapter 5 Zoning Districts and Limitations, Subchapter 8, Group Homes, Subchapter 14, Parking Standards, and Subchapter 23, Definitions.

Chair Rozell closed the Public Hearing.

Commissioner Tim Smith motioned, Commissioner Mat Pruneda seconded to approve Public Hearing item 3G. Motion approved (6-0). Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

H. Hold a public hearing and consider making a recommendation to City Council regarding a request by Solutions of North Texas for a Specific Use Permit for a Treatment Facility on approximately 4.4 acres of land zoned Downtown Residential 2 (DR-2) District, generally located on the east side of North Ruddell Street, approximately 495 feet north of Mingo Road in the City of Denton, Denton County, Texas. (S19-0009, Ruddell Campus, Julie Wyatt)

Chair Rozell opened the Public Hearing.

Julie Wyatt, Senior Planner, presented Public Hearing item 3H. Wyatt stated the request for Public Hearing item 3H is for a Specific Use Permit for a Treatment Facility. Wyatt stated staff does recommend approval of the request with the following conditions: **1.** Sobering Centers, defined as a place for individuals to stay in lieu of arrest until sober enough to safely leave (four to six hours), are not permitted on the site. **2.** The facility administrator must provide evidence of licensing in accordance with Texas Health and Safety Code Chapter 464, Facilities Treating Persons with a Chemical Dependency as part of the yearly fire inspection. **3.** Any existing driveways which are not shown on the concept plan must be removed and curb and gutter repaired with public improvements. **4.** Bicycle racks are required to be installed at a rate of one per ten required parking spaces. **5.** Required buffers (beginning at the front yard setback): **A.** Six-foot tall wood fence along the north, east, and south property lines. **B.** Medium- or small-canopy trees planted every 30 linear feet along the north and south property lines. **6.** All future buildings must be designed with

residential character, including: **A.** Primary entrances facing the public right-of-way or plaza. **B.** Buildings shall incorporate at least three of the following: dormers, gables, recessed entries, covered front porches, cupolas, architectural posts, or bay window with a minimum 24 inches of projection. **C.** The front façade (facing the public right-of-way) must provide windows and doors for at least 15 percent of the wall area. **D.** Exterior finishes shall be of wood, masonry, or cementitious siding. **E.** Masonry shall comprise a minimum of 25 percent of the exterior finishes of the total building elevation. **7.** All existing and proposed solid waste receptacles must be located along the rear property line and screened from public view. **8.** All other requirements outlined in the DDC regulations adopted on April 23, 2019 shall apply, including, but not limited to, tree preservation, landscaping, fencing, and screening.

Commissioner Beck questioned if the applicant would be required to install sidewalks along the subject property. Wyatt stated yes as part of their development they will have to install the sidewalk along their frontage.

The following individual spoke during the Public Hearing:

Scott Wisenbaker, 4700 Gunnison Drive, Denton, Texas 76208. Supports the request.

Scott Wisenbaker, the applicant, handed out two handouts.

Commissioner Pruneda thanked the applicant for providing the crime history for the area.

Commissioner Ellis questioned if the applicant has the required license. Wisenbaker stated, yes he currently holds the required license. Commissioner Ellis questioned if the applicant reached out to Texas Women's University (TWU). Wisenbaker stated yes he did reach out to TWU, with whom Solutions of North Texas has great relationship, but did not hear back. Wisenbaker stated Solutions of North Texas offers an internship program that TWU students utilize.

Chair Rozell closed the Public Hearing.

Commissioner Mat Pruneda motioned, Commissioner Jason Cole seconded to approve Public Hearing item 3H with staff's recommendations: **1.** Sobering Centers, defined as a place for individuals to stay in lieu of arrest until sober enough to safely leave (four to six hours), are not permitted on the site. **2.** The facility administrator must provide evidence of licensing in accordance with Texas Health and Safety Code Chapter 464, Facilities Treating Persons with a Chemical Dependency as part of the yearly fire inspection. **3.** Any existing driveways which are not shown on the concept plan must be removed and curb and gutter repaired with public improvements. **4.** Bicycle racks are required to be installed at a rate of one per ten required parking spaces. **5.** Required buffers (beginning at the front yard setback): **A.** Six-foot tall wood fence along the north, east, and south property lines. **B.** Medium- or small-canopy trees planted every 30 linear feet along the north and south property lines. **6.** All future buildings must be designed with residential character, including: **A.** Primary entrances facing the public right-of-way or plaza. **B.** Buildings shall incorporate at least three of the following: dormers, gables, recessed entries, covered front porches, cupolas, architectural posts, or bay window with a minimum 24 inches of projection. **C.** The front façade (facing the public right-of-way) must provide windows and doors for at least 15 percent of the wall area. **D.** Exterior finishes shall be of wood, masonry, or

cementitious siding. **E.** Masonry shall comprise a minimum of 25 percent of the exterior finishes of the total building elevation. **7.** All existing and proposed solid waste receptacles must be located along the rear property line and screened from public view. **8.** All other requirements outlined in the DDC regulations adopted on April 23, 2019 shall apply, including, but not limited to, tree preservation, landscaping, fencing, and screening. Motion approved (6-0). Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

E. Hold a public hearing and consider making a recommendation to City Council regarding a request by Agave Ranch Development LLC and 428 Diamond LLC for an initial zoning district and use classification and a change in the zoning district and use classification from Rural Residential (RD-5) district to Neighborhood Residential 4 (NR-4) district on 36 acres, Neighborhood Residential 3 (NR-3) on 41 acres, and Neighborhood Residential 2 (NR-2) on 15 acres, totaling approximately 92.06 acres of land 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. (Z18-0011, Agave Ranch, Julie Wyatt)

Chair Rozell opened the Public Hearing.

Julie Wyatt, Senior Planner, presented Public Hearing item 3E. Wyatt stated the request is for a change in the zoning district and use classification from Rural Residential (RD-5) district to Neighborhood Residential 4 (NR-4) district on 36 acres, Neighborhood Residential 3 (NR-3) on 41 acres, and Neighborhood Residential 2 (NR-2) on 15 acres, totaling approximately 92.06 acres of land.

Wyatt stated while the request is not consistent with the Future Land Use designation, the proposal, when combined with the following overlay conditions, meets the overall goals within Denton Plan 2030; and therefore, staff recommends approval with the following: **1.** only single-family detached dwellings are permitted. **2.** An off-street multi-use path (trail) is required to be installed and must include the following: **A.** Each residential lot should be located within 1,300 feet of an access point. **B.** Two remote connections to adjacent properties are required to ensure that the network will be continued with subsequent development. For the purposes of the multi-use path (trail), remoteness is defined as half of the length of the longest diagonal line bisecting the subject property. **3.** A 30-foot landscape buffer is required along FM 428 for the entire frontage of the property. The 30-foot landscape buffer shall begin from the Public Utility Easement (PUE) dedicated through the platting process. If a PUE is not required, the landscape area shall begin from the right-of-way dedicated through the platting process. The 30-foot landscape buffer shall include the following elements: **A.** Landscaped berm with a maximum 3:1 side slope on both sides. **B.** One large canopy tree planted every 30 linear feet. **C.** Thirty shrubs planted per 100 linear feet. Shrubs may be clustered to create a more natural effect. **D.** A maximum 6-foot tall masonry, wrought-iron, or split-rail fence. The fence can either be constructed along the rear property line of the single-family lots or meander through the landscape buffer, provided that 75% of the required landscaping is located between the fence and FM 428.

Commissioner Smith questioned whether the cost for the Hartlee Field Road realignment would be charged to the developer. Wyatt stated as part of any development or the platting of a property,

right-of-way dedication is part of that process and any perimeter street improvements or road way on the site would have to be done by the developer.

Commissioner Smith questioned if adding a stop light at Hartlee Field Road and FM 428 will be part of the realignment. Wyatt stated there has been some discussion of adding interventions at the intersection.

Commissioner Ellis questioned how many single family residents (SFR) were proposed the first time the project was before the Commission. Wyatt stated there were 368 SFR's previously proposed.

The following individuals spoke during the Public Hearing:

Jason Faigle, 2415 N. Elm Street, Denton, Texas 76201. Supports the request.
Aimee Bissett, 2415 N. Elm Street, Denton, Texas 76201. Supports the request.
Brenda Dobson Ashley, 2905 Osage Lane, Denton Texas 76210. Supports the request.
Susan Smith, 7736 F.M. 428, Denton, Texas 76208. Opposed to the request.
Bridgett Marshall, 3539 Pine Trail, Denton, Texas 76208. Opposed to the request.
Sharon Kremer, 3574 Pine Trail, Denton, Texas 76208. Opposed to the request.
Suzanne Fulton, 729 Greenwood Drive, Denton, Texas 76209. Opposed to the request.
Suzie Autry, 1501 Eufemia Drive, Denton, Texas 76207. Supports the request.
David Grant, 2701 Hartlee Field Road, Denton, Texas 76208. Supports the request.
Ann Woodbridge, 3596 Hartlee Field Road, Denton, Texas 76208. Opposed to the request.
Ned Woodbridge, 3596 Hartlee Field Road, Denton, Texas 76208. Opposed to the request.
Richard Wells, 3830 Warschun Road, Denton, Texas 76227. Opposed to the request.
Catlin Ashley, 3601 Meadowtrail Lane, Denton, Texas 76207. Supports the request.
Buddy Ford Dobson, 5547 Woodland Hills, Denton, Texas 76208. Support the request.
Ronald L Carter, 4105 Hartlee Field Road, Denton, Texas 76208. Supports the request.
Joshua Smith, 5020 Golden Circle, Denton, Texas 76208. Opposed to the request.
John Heilman, 300 Lamar Street, Roanoke, Texas 76262. Support the request.

Jason Faigle, Allison Engineering, and Aimee Bissett, Northbridge Consultants, provided a presentation regarding the proposed development.

The following individuals requested not to speak:

Elizabeth Ferring, 4572 Coyote Point, Denton, Texas 76208. Opposed to the request.
Vickie McGovern, 3110 Hartlee Field Road, Denton, Texas 76208. Opposed to the request.
Walter McGovern, 3110 Hartlee Field Road, Denton, Texas 76208. Opposed to the request.
Janell Trachta, 2558 Deer Run Road, Aubrey, Texas 76227. Opposed to the request.
Kelly Grizzaffi, 2882 Trails End, Aubrey, Texas 76227. Opposed to the request.

Chair Rozell closed the Public Hearing.

Commissioner Smith motioned to approve Public Hearing item 3E with staff recommendations. Commissioner Smith continued to state that Texas Department of Transportation (TxDOT) is very reactionary and doesn't feel the pressure unless they know the homes are coming.

Chair Rozell asked if there was a second to the motion on the board. Chair Rozell stated since there is no seconded the motion fails.

Commissioner Cole stated he appreciates the applicant for making the changes but this is still the same project just dressed up. Commissioner Cole stated he does not support this kind of density is not appropriate next to rural areas.

Commissioner Beck thanked the citizens for coming out and agrees with both sides. Commissioner Beck stated this development meets all the expectations he would have for a single family residence, but he agrees with Commissioner Cole that this development does not belong in this area.

Commissioner Beck motioned to deny Public Hearing item 3E. Commissioner Cole seconded. Chair Rozell requested the Commission =continue the discussion.

Commissioner Ellis stated she is struggling with intensity of zoning for this side of FM 428, and even though it looks like a great concept she is concerned about the feasibility of the project.

Commissioner Pruneda stated he would love to see this development in another location, and is unable to support this project, but he hopes the developer is able to come back with a soft Neighborhood Residential 3 (NR-3) to a larger Neighborhood Residential 2 (NR-2).

Commissioner Smith asked Bissett if the applicant was given the chance would they consider lowering the density to an NR-3 and NR-2. Bissett stated she does not want to speak on behalf of the property owner but he is here this evening. John Heilman, Property Owner, stated yes it is possible and they have actually talked about changing the zoning from NR-4 to NR-3.

Chair Rozell stated he appreciates the willingness to change the zoning from NR-4 to NR-3 and understands the economic conditions, but would personally rather see the amount of homes decrease to 184 which is a straight NR-2.

Commissioner Smith made a secondary motion for an indefinite postponement.

Bissett stated the applicant is amicable to a postponement.

Commissioner Tim Smith motioned, Commissioner Mat Pruneda seconded to postpone Public Hearing item 3E indefinitely. Motion approved (6-0). Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

Chair Rozell called a recess at 9:18 p.m.

Chair Rozell reconvened the Regular Meeting at 9:29 p.m.

F. Hold a public hearing and consider making a recommendation to City Council regarding an amendment to the Rayzor Ranch Overlay District to provide standards and criteria for the residential development within the Rayzor Ranch South Campus - South Mixed Use District. The Rayzor Ranch South Campus includes approximately 257 acres generally located on the south side of West University Drive/US 380 and west of Bonnie Brae Street in the City of Denton, Denton County, Texas. (Z18-0026, Rayzor Ranch South, Hayley Zagurski).

Chair Rozell opened the Public Hearing.

Hayley Zagurski, Senior Planner, presented Public Hearing item 3F. Zagurski stated the request is to make an amendment to the Rayzor Ranch Overlay District to provide standards and criteria for residential development within the Rayzor Ranch South Campus - South Mixed Use District.

Zagurski stated staff recommends approval of the request with the following condition: 1. Section 35.7.15.10.A [RROD Parking] be updated to include the following language: "3. Subsection 35.14.7.C Mixed Uses [DDC Parking] shall not apply to residential uses with a base zoning of NRMU District and located in the South Mixed-Use District east of Heritage Trail insofar as a parking reduction beyond the minimum required amount shall not be granted for any residential uses."

The following individuals spoke during the public hearing:

Gerald Luecke, 13642 Omega Road, Dallas, Texas 75244. Supports the request.

Aimee Bissett, 212 S Elm Street, Denton, Texas 76201. Supports the request.

Gerald Luecke, the applicant, spoke regarding the amendments to the Rayzor Ranch Overlay District.

Commissioner Smith questioned if the applicant would be agreeable to adding the same guideline that all buildings abutting an existing single-family use outside of Rayzor Ranch Overlay District shall comply with the Residential Proximity Slope. No part of any building may extend beyond the Residential Proximity Slope, to single family residents abutting multifamily inside the Rayzor Ranch District. Luecke stated in the original master plan of Rayzor Ranch this area was set up based on the densities and layouts without the residential proximity slope. Luecke continued to state this part of Rayzor Ranch it is set up to be more urban.

Bissett stated she represents the buyer for the cottage portion of the development and provided some of the expectations for the development.

Chair Rozell closed the Public Hearing.

Commissioner Mat Pruneda motioned, Commissioner Larry Beck seconded to approve Public Hearing item 3F. Motion approved (6-0). Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Chair Andrew Rozell "aye", Commissioner Mat Pruneda "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

4. PLANNING & ZONING COMMISSION PROJECT MATRIX

A. Planning and Zoning Commission project matrix.

Richard Cannone, Deputy Director of Development Services, provided an update to the matrix. Cannone stated the discussion regarding rural area small area plans will be put on the June 19, 2019 Planning and Zoning Commission agenda. Cannone stated staff will provide an update regarding the bills going through the Senate. Cannone stated Gary Packan, Director of Parks & Recreation, will present the Urban Forester Master Plan and Tree Fund to the Planning and Zoning Commission within the next month.

Chair Rozell closed the Regular Meeting at 9:50 p.m.

X

Andrew Rozell
Chair

X

Catherine Welborn
Administrative Assistant III

