

Minutes
Planning and Zoning Commission
June 5, 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, June 5, 2019 at 5:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which time the following items were considered:

PRESENT: Chair Andrew Rozell. Commissioners: Alfred Sanchez, Larry Beck, Jason Cole, and Mat Pruneda.

ABSENT: Commissioners: Margie Ellis, and Tim Smith.

STAFF: Richard Cannone, Jerry Drake, Ron Menguita, Julie Wyatt, Hayley Zagurski, Sean Jacobson, and Cathy Welborn.

WORK SESSION

Chair Rozell opened the Work Session at 5:04 p.m.

1. Work Session Reports

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

Ron Menguita, Principal Planner, provided an update to the upcoming City Initiated Rezoning's

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 the applicant for Public Hearing item 5D and Public Hearing item 5E are wishing to postpone the items to June 19, 2019.

Chair Rozell asked the Commission if they had any changes to the meeting minutes. The Commission had no changes. Chair Rozell asked the Commission if there were any questions regarding the Consent Agenda. Commissioner Beck questioned if Consent Agenda item 3A is an extension to the current lot. Julie Wyatt, Senior Planner, stated no this will be a standalone elderly housing facility.

Julie Wyatt, Senior Planner, presented Item for Individual Consideration 4A. Wyatt stated the request is for Alternative Development Plan (ADP) for a proposed Elderly Housing development on approximately 1.83 acres. The purpose of the Alternative Development Plan is to deviate from Sections 35.13.8, Buffer Requirements, and Section 35.13.13.4, Nonresidential and Mixed Use Buildings in a Pedestrian Oriented District.

Staff does recommend approval of this request as it meets the established requirements for the approval of an ADP in Denton Development Code section 35.13.5.A.

Sean Jacobson, Assistant Planner, presented Item for Individual Consideration 4B. Jacobson stated the request is to consider approval of an ADP to deviate from Section 35.13.4 Nonresidential and Mixed Use Buildings in a Pedestrian Oriented District. Jacobson stated staff does recommend approval of the request as it meets the established requirements for the approval of an ADP in DDC 35.13.5.A.

Hayley Zagurski, Senior Planner, presented Public Hearing 5A. Zagurski stated the request is to replat three lots that were previously subdivided into one lot with the intent of building a pastoral center for students.

Sean Jacobson, Assistant Planner, presented Public Hearing item 5B. Jacobson stated the request is to combine unplatted lots and platted lots and create one platted lot. Jacobson stated staff does recommend approval of the request as it meets the established requirement for the approval of a Final Replat.

Hayley Zagurski, Senior Planner, presented Public Hearing item 5C. Zagurski stated the request is to consider making a recommendation to City Council regarding a request for an amendment to Specific Use Permit Ordinance 2017-222 to allow for a change in the previously approved building facades within a multi-family development. Zagurski stated staff does recommend approval of the SUP amendment with the following condition: **1.** The proposed building elevations shall replace those approved with and attached to SUP ordinance 2017-222. All other provisions of ordinance 2017-222 shall remain as adopted.

Chair Rozell stated the applicant for Public Hearing items 5D and 5E are requesting a continuance to the June 19, 2019 Planning and Zoning Commission meeting and the presentation will not be heard this evening.

Chair Rozell closed the Work Session at 5:38 p.m.

REGULAR MEETING

The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, June 5, 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 6:30 p.m.

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag B. Texas Flag

Chair Rozell stated the applicant for Public Hearing items 5D and 5E are requesting a continuance to the June 19, 2019 Planning and Zoning Commission.

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 to approve the meeting minutes for the May 1, 2019 Planning and Zoning Commission meeting. Motion seconded by Commissioner Mat Pruneda. Motion carried.

AYES (5): Chair Andrew Rozell and Commissioners: Alfred Sanchez, Larry Beck, Jason Cole, Mat Pruneda.

NAYS (0): None

ABSENT (2): Commissioners: Margie Ellis and Tim Smith

Commissioner Mat Pruneda motioned to approve the meeting minutes for the May 15, 2019 Planning and Zoning Commission meeting. Motion seconded by Commissioner Jason Cole. Motion carried.

AYES (4): Chair Andrew Rozell and Commissioners: Larry Beck, Jason Cole, Mat Pruneda.

NAYS (0): None

ABSENT (2): Commissioners: Margie Ellis and Tim Smith

RECUSED (1): Commissioner Alfred Sanchez

3. CONSENT AGENDA

A. Consider a request by JAMP Senior Living LLC for approval of a Preliminary Plat for JAMP 35 Senior Living Addition. The approximately 7.743-acre tract of land is generally located on the southwest side of South I-35E, approximately 1,490 feet south of Lillian B. Miller Parkway in the City of Denton, Denton County, Texas. (PP18-0030, Elderly Housing, Julie Wyatt)

B. Consider a request by Tarrant Acquisitions, LTD. for approval of a Preliminary Plat for Newell Tract Addition. The approximately 81-acre tract of land is generally located on the south side of East McKinney Street, approximately 1,117 feet east of Grissom Road in the City of Denton, Denton County, Texas. (PP18-0032, Newell Tract, Julie Wyatt)

C. Consider a request by Martin Lukacko, representing JMH United, LLC., for approval of a Conveyance Plat of Denton Living Addition, Lot 1, Block 1. The approximately 2.40 acre tract is generally located along north Elm Street also known as US Highway 77 being approximately 1,300 feet from the intersection of Windsor Drive and Elm Street. (CV19-0002 Denton Living Addition, Mark Laird).

Commissioner Larry Beck motioned to approve the Consent Agenda. Motion seconded by Commissioner Jason Cole. Motion carried.

AYES (5): Chair Andrew Rozell and Commissioners: Alfred Sanchez, Larry Beck, Jason Cole, Mat Pruneda.

NAYS (0): None

ABSENT (2): Commissioners: Margie Ellis and Tim Smith

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. Consider a request by Kimberly Truax for approval of an Alternative Development Plan for a proposed Elderly Housing development on approximately 1.83 acres located at the northeast corner of East McKinney Street and Bellaire Drive in the City of Denton, Denton County, Texas. The property is currently zoned Neighborhood Residential Mixed Use 12 (NRMU-12) District with overlay conditions. The purpose of the Alternative Development Plan is to deviate from Sections 35.13.8, Buffer Requirements, and Section 35.13.13.4, Nonresidential and Mixed Use Buildings in a Pedestrian Oriented District, of the Denton Development Code. (SP18-0054, Bellaire Assisted Living, Julie Wyatt)

Julie Wyatt, Senior Planner, presented Item for Individual Consideration 4A. Wyatt stated the request is for Alternative Development Plan (ADP) for a proposed Elderly Housing development on approximately 1.83 acres. The purpose of the Alternative Development Plan is to deviate from Sections 35.13.8, Buffer Requirements, and Section 35.13.13.4, Nonresidential and Mixed Use Buildings in a Pedestrian Oriented District.

Commissioner Larry Beck motioned to approve Item of Individual Consideration Item 4A. Motion seconded by Commissioner Alfred Sanchez. Motion carried.

AYES (5): Chair Andrew Rozell and Commissioners: Alfred Sanchez, Larry Beck, Jason Cole, Mat Pruneda.

NAYS (0): None

ABSENT (2): Commissioners: Margie Ellis and Tim Smith

B. Consider a request by Brad Isbell of Eikon, on behalf of the City of Denton, for approval of an Alternative Development Plan (ADP) for a park building expansion on approximately 3.639 acres located at the northeast corner of the intersection of Wilson Street and Lakey Street in the City of Denton, Denton County, Texas. The property is currently zoned Neighborhood Residential 2 (NR-2) District. The purpose of this ADP request is to deviate from the requirements of Section 35.13.13.4 Nonresidential and Mixed Use Buildings in a Pedestrian Oriented District of the Denton Development Code. (ADP19-0005, Fred Moore Park, Sean Jacobson).

Sean Jacobson, Assistant Planner, presented Item for Individual Consideration 4B. Jacobson stated the request is to consider approval of an ADP to deviate from Section 35.13.4 Nonresidential and Mixed Use Buildings in a Pedestrian Oriented District. Jacobson stated staff does recommend approval of the request as it meets the established requirements for the approval of an ADP in DDC 35.13.5.A.

Commissioner Larry Beck motioned to approve Item of Individual Consideration Item 4B. Motion seconded by Commissioner Mat Pruneda. Motion carried.

AYES (5): Chair Andrew Rozell and Commissioners: Alfred Sanchez, Larry Beck, Jason Cole, Mat Pruneda.

NAYS (0): None

ABSENT (2): Commissioners: Margie Ellis and Tim Smith

5. PUBLIC HEARINGS

D. 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. (Z18-0025, Hunters Creek, Julie Wyatt)

Chair Rozell opened the Public Hearing.

Commissioner Larry Beck motioned to postpone Public Hearing item 5D to a date certain of June 19, 2019. Motion seconded by Commissioner Mat Pruneda. Motion carried.

AYES (5): Chair Andrew Rozell and Commissioners: Alfred Sanchez, Larry Beck, Jason Cole, Mat Pruneda.

NAYS (0): None

ABSENT (2): Commissioners: Margie Ellis and Tim Smith

E. 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. (S19-0004, Hunters Creek, Julie Wyatt)

Chair Rozell opened the Public Hearing.

Commissioner Mat Pruneda motioned to postpone Public Hearing item 5E to a date certain of June 19, 2019. Motion seconded by Commissioner Alfred Sanchez. Motion carried.

AYES (5): Chair Andrew Rozell and Commissioners: Alfred Sanchez, Larry Beck, Jason Cole, Mat Pruneda.

NAYS (0): None

ABSENT (2): Commissioners: Margie Ellis and Tim Smith

A. Hold a public hearing and consider a request by The Catholic Diocese of Fort Worth for approval of a Final Replat of Lot 2R of the F.M. Darnall Addition; being a residential replat of Lots 2, 3, and 4 of the F.M. Darnall Addition. The approximately 0.87-acre property is generally located on the east side of McCormick Street, approximately 75 feet south of W. Eagle Drive in the City of Denton, Denton County, Texas. (FR19-0001, Saint John Paul II University Pastoral Center, Hayley Zagurski).

Hayley Zagurski, Senior Planner, presented Public Hearing 5A. Hayley Zagurski, Senior Planner, presented Public Hearing 5A. Zagurski stated the request is to replat three lots that were previously subdivided into one lot with the intent of building a pastoral center for students.

Chair Rozell closed the Public Hearing.

Commissioner Mat Pruneda motioned to approve Public Hearing item 5A. Motion seconded by Commissioner Alfred Sanchez. Motion carried.

AYES (5): Chair Andrew Rozell and Commissioners: Alfred Sanchez, Larry Beck, Jason Cole, Mat Pruneda.

NAYS (0): None

ABSENT (2): Commissioners: Margie Ellis and Tim Smith

B. Hold a public hearing and consider a request by Marty King with Teague Nall and Perkins, representing the City of Denton, for approval of a Final Replat of Lot 1R, Block 7 of Fred Moore Park; being a residential replat of Lot 1 of Fred Moore Park, Lot 11, Block 7 of the Amended Plat of Jasper Addition, and three unplatted tracts of land. The approximately 3.639-acre property is generally located at the northeast corner of Lakey Street and Wilson Street, in the City of Denton, Denton County, Texas. (FR19-0005, Fred Moore Park, Sean Jacobson)

Chair Rozell opened the Public Hearing.

Sean Jacobson, Assistant Planner, presented Public Hearing item 5B. Jacobson stated the request is to bring unplatted lots and platted lots and create one platted lot. Jacobson stated staff does recommend approval of the request as it meets the established requirement for the approval of a Final Replat.

Chair Rozell closed the Public Hearing.

Commissioner Alfred Sanchez motioned to approve Public Hearing item 5B. Motion seconded by Commissioner Mat Pruneda. Motion carried.

AYES (5): Chair Andrew Rozell and Commissioners: Alfred Sanchez, Larry Beck, Jason Cole, Mat Pruneda.

NAYS (0): None

ABSENT (2): Commissioners: Margie Ellis and Tim Smith

C. Hold a public hearing and consider making a recommendation to City Council regarding a request by Daniel L Hale of DLH Investments, LLC for an amendment to Specific Use Permit Ordinance 2017-222 to allow for a change in the previously approved building facades within a multi-family development on approximately 0.9 acre. The property is generally located on the north side of the Riney Road and Riney Court intersection in the City of Denton, Denton County, Texas. (S19-0008, Riney Road Apartments, Hayley Zagurski).

Chair Rozell opened the Public Hearing.

Hayley Zagurski, Senior Planner, presented Public Hearing item 5C. Zagurski stated the request is to consider making a recommendation to City Council regarding a request for an amendment to Specific Use Permit Ordinance 2017-222 to allow for a change in the previously approved building facades within a multi-family development. Zagurski stated staff does recommend approval of the SUP amendment with the following condition: 1. The proposed building elevations shall replace

those approved with and attached to SUP ordinance 2017-222. All other provisions of ordinance 2017-222 shall remain as adopted.

Chair Rozell closed the Public Hearing.

Commissioner Larry Beck motioned to approve Public Hearing item 5C. Motion seconded by Commissioner Jason Cole. Motion carried.

AYES (5): Chair Andrew Rozell and Commissioners: Alfred Sanchez, Larry Beck, Jason Cole, Mat Pruneda.

NAYS (0): None

ABSENT (2): Commissioners: Margie Ellis and Tim Smith

6. PLANNING & ZONING COMMISSION PROJECT MATRIX


A. Planning and Zoning Commission project matrix.

Richard Cannone, Deputy Director of Development Services, provide an update to the matrix. Cannone stated matrix item regarding a discussion on how to maintain upland habitats long term will be presented for the Commission on July 17, 2019. Cannone provided the outcomes for items that have gone before City Council.

Chair Rozell closed the Regular Meeting at 6:58 p.m.

X 

Andrew Rozell
Chair

X 

Catherine Welborn
Administrative Assistant III

