

Minutes
Planning and Zoning
September 18, 2019

PRESENT: Chair Andrew Rozell. Commissioners: Larry Beck, Jason Cole, Mat Pruneda, Margie Ellis, Tim Smith, and Ronnie Anderson.

ABSENT: None.

STAFF: Scott McDonald, Richard Cannone, Jerry Drake, Cynthia Kirchoff, Julie Wyatt, Hayley Zagurski, Mark Laird, Karina Maldonado, Roman McAllen, Sean Jacobson, Christi Upton, Deborah Viera, Ron Mengueta, and Cathy Welborn.

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 18, 2019 at 5:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items were considered:

Chair Rozell opened the Work Session at 5:05 p.m.

WORK SESSION

1. Work Session Reports

- A. Receive a presentation and hold a discussion regarding the 2019 Denton Development Code project types and the development process.

Julie Wyatt, Senior Planner, presented Work Session Report 1A. Discussion followed.

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 changes to the minutes. The Commission had no changes.

Chair Rozell questioned if there were any questions regarding the Consent Agenda. Chair Rozell questioned why 3B and 3C are two different plats for different phases. Richard Cannone, Deputy Director of Development Services, stated the applicant wanted to keep the two phases as two separate final plats.

Chair Rozell stated Item for Individual Consideration 4A will consist of a nomination and vote during the Regular meeting but requested the commission to provide nominations during Work

Session. Commissioner Ellis nominated Andrew Rozell as chair. Commissioner Smith nominated Margie Ellis as Vice- Chair.

Chair Rozell stated Item for Individual Consideration 4B will be heard during the Regular Meeting.

Roman McAllen, Historic Preservation Officer, presented Item for Individual Consideration item 4C. Discussion followed. Commissioner Tim Smith requested a change in the wording of goal two to state: **recommend exploring a program for the partial or full exemptions from City of Denton property taxes in coordination with other applicable taxing authorities designated historic homes.**

Chair Rozell stated Public Hearing item 5A has been removed.

Sean Jacobson, Assistant Planner, presented Public Hearing item 5B. The Commission had no questions regarding the item.

Karina Maldonado, Assistant Planner, presented Public Hearing item 5C. The Commission had no questions regarding the item.

Commissioner Cole recused himself from Public Hearing item 5D.

Hayley Zagurski, Senior Planner and Kristi Upton, Environmental Compliance Coordinator, presented Public Hearing item 5D. Discussion followed.

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, September 18, 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:

PRESENT: Chair Andrew Rozell. Commissioners: Larry Beck, Jason Cole, Mat Pruneda, Margie Ellis, Tim Smith, and Ronnie Anderson.

ABSENT: None.

STAFF: Scott McDonald, Richard Cannone, Jerry Drake, Cynthia Kirchoff, Julie Wyatt, Hayley Zagurski, Mark Laird, Karina Maldonado, Roman McAllen, Sean Jacobson, Christi Upton, Deborah Viera, Ron Mengueta, and Cathy Welborn.

Chair Rozell opened the Regular Meeting at 6:39 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 minutes for August 21, 2019.

Commissioner Margie Ellis motioned to approve the August 21, 2019 meeting minutes. Motion seconded by Commissioner Mat Pruneda. Motion carried 5-0-2.

AYES (5): Chair Andrew Rozell. Commissioners: Tim Smith, Larry Beck, Margie Ellis, and Mat Pruneda.

NAYS (0): None

RECUSED (0): None

ABSENT (0): None

ABSTAINED (2): Commissioners: Jason Cole and Ronnie Anderson.

3. CONSENT AGENDA

A. Consider a request by Haven at Denton LLC for approval of a Preliminary Plat of Lot 1, Block 1, Haven at Daugherty Addition. The approximately 8.871-acre site is generally located on the north side of Daugherty Street, 282 feet west of Johnson Street in the City of Denton, Denton County, Texas. (PP18-0029, Haven at Daugherty, Julie Wyatt)

B. Consider a request by Kimley Horn & Associates representing Toll Southwest LLC, for approval of a Final Plat of Parkvue by Toll Brothers, Phase 1. The approximately 27.08 acre property is generally located on the south side of Ryan Road, approximately 600 feet west of Roxbury Street, in the City of Denton, Denton County, Texas. (FP19-0011, Parkvue by Toll Brothers, Ph. 1, Cindy Jackson)

C. Consider a request by Kimley Horn & Associates representing Toll Southwest LLC, for approval of a Final Plat of Parkvue by Toll Brothers, Phase 2. The approximately 17.09 acre property is generally located on the south side of Ryan Road, west of Duffy Way, in the City of Denton, Denton County, Texas. (FP19-0014, Parkvue by Toll Brothers, Ph. 2, Cindy Jackson)

Commissioner Tim Smith motioned to approve the Consent Agenda. Motion seconded by Commissioner Margie Ellis. Motion carried 7-0.

AYES (7): Chair Andrew Rozell. Commissioners: Tim Smith, Larry Beck, Margie Ellis, Jason Cole, Ronnie Anderson and Mat Pruneda.

NAYS (0): None

RECUSED (0): None

ABSENT (0): None

ABSTAINED (0): None

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. Consider and appoint a member for the Planning and Zoning Commission Chair and Vice-Chair positions.

Commissioner Margie Ellis motioned to approve the nomination of Andrew Rozell as Chair. Motion seconded by Commissioner Tim Smith. Motion carried 7-0.

AYES (7): Chair Andrew Rozell. Commissioners: Tim Smith, Larry Beck, Margie Ellis, Jason Cole, Ronnie Anderson and Mat Pruneda.

NAYS (0): None

RECUSED (0): None

ABSENT (0): None

ABSTAINED (0): None

Commissioner Tim Smith motioned to approve the nomination of Margie Ellis as Vice Chair. Motion seconded by Commissioner Mat Pruneda. Motion carried 7-0.

AYES (7): Chair Andrew Rozell. Commissioners: Tim Smith, Larry Beck, Margie Ellis, Jason Cole, Ronnie Anderson and Mat Pruneda.

NAYS (0): None

RECUSED (0): None

ABSENT (0): None

ABSTAINED (0): None

B. Consider a request by Commissioner Cole to reclassify his absence on August 21, 2019 as excused.

Commissioner Cole recused himself from the following item.

Commissioner Margie Ellis motioned to reclassify Commissioner Cole's absence on August 21, 2019 as excused. Motion seconded by Commissioner Tim Smith. Motion carried 6-0-1.

On roll call vote: Larry Beck "aye", Andrew Rozell "aye", Mat Pruneda "aye", Margie Ellis "aye", Tim Smith "aye", and Ronnie Anderson "aye".

AYES (6): Chair Andrew Rozell. Commissioners: Tim Smith, Larry Beck, Margie Ellis, Ronnie Anderson and Mat Pruneda.

NAYS (0): None

RECUSED (1): Commissioners: Jason Cole.

ABSENT (0): None

ABSTAINED (0): None

Commissioner Cole returned to the dais.

C. Consider making a recommendation to City Council regarding a Resolution adopting the vision, value statements, goals, policies, recommendations, and the implementation matrix proposed in the Denton Historic Preservation Plan. (HLC19-030a, Historic Preservation Plan, Roman McAllen)

Chair Rozell stated Item for Individual Consideration 4C will be taken out of order and heard after the Public Hearings.

5. PUBLIC HEARINGS

A. Hold a public hearing and consider making a recommendation to City Council regarding a request to assign an initial zoning designation of Neighborhood Residential Mixed Use (NRMU) on approximately 6.71 acres of land and to rezone approximately 11.359 acres of land from Neighborhood Residential 1 (NR-2) to Neighborhood Residential Mixed Use (NRMU). The subject site is generally located at the northeast corner of the intersection of U.S. 377/Fort Worth Drive and Brush Creek Road, in the City of Denton, Denton County, Texas. (Z18-0013, Brush Creek Apartments, Cindy Jackson) STAFF HAS REMOVED THIS ITEM FROM THE AGENDA AND IT WILL BE RESCHEDULED TO A FUTURE MEETING.

Chair Rozell stated Public Hearing item 5A has been removed.

B. Hold a public hearing and consider a residential replat of Lot 1, Block A of the Brazeel Addition to create two lots. The approximately 4.994-acre property is generally located at the southeast corner of the intersection of Fort Worth Drive and Wildflower Place, in the City of Denton, Denton County, Texas. (FR19-0011, Brazeel Addition, Sean Jacobson)

Chair Rozell opened the Public Hearing.

Sean Jacobson, Assistant Planner, presented Public Hearing item 5B. The Commission had no questions regarding the item.

Chair Rozell closed the Public Hearing.

Commissioner Tim Smith motioned to approve Public Hearing item 5B. Motion seconded by Commissioner Mat Pruneda. Motion carried 7-0.

AYES (7): Chair Andrew Rozell. Commissioners: Tim Smith, Larry Beck, Margie Ellis, Jason Cole, Ronnie Anderson and Mat Pruneda.

NAYS (0): None

RECUSED (0): None

ABSENT (0): None

ABSTAINED (0): None

C. Consider a request by Teague Nall & Perkins, representing the City of Denton, for approval of a Final Replat for Lot 4R, Block 1, Fire Station No. 8 Addition. The approximately 5.86-acre site is generally located on the northeast side of Colorado Boulevard, approximately 280 feet southeast of the intersection of Colorado Boulevard and Brinker Road in Denton County, Texas (FR19-0015, City of Denton Fire Station No. 8, Karina Maldonado)

Karina Maldonado, Assistant Planner, presented Public Hearing item 5C. The Commission had no questions regarding the item.

Chair Rozell opened the Public Hearing.

Chair Rozell closed the Public Hearing.

Commissioner Mat Pruneda motioned to approve Public Hearing item 5C. Motion seconded by Commissioner Margie Ellis. Motion carried 7-0.

AYES (7): Chair Andrew Rozell. Commissioners: Tim Smith, Larry Beck, Margie Ellis, Jason Cole, Ronnie Anderson and Mat Pruneda.

NAYS (0): None

RECUSED (0): None

ABSENT (0): None

ABSTAINED (0): None

D. Hold a public hearing and consider making a recommendation to the City Council regarding a request by Fisher59 Properties LLC. for an Alternative Environmentally Sensitive Area Plan for approximately 49.9-acres of land generally located on the north side of West University Drive and west of North Masch Branch Road in the City of Denton, Denton County, Texas. (AES19-0001, Fisher 59, Hayley Zagurski). THIS ITEM HAS BEEN POSTPONED FROM THE AUGUST 21, 2019 PLANNING AND ZONING COMMISSION MEETING.

Chair Rozell opened the Public Hearing.

Commissioner Cole rescued himself from the following item.

Hayley Zagurski, Senior Planner and Kristi Upton, Environmental Compliance Coordinator, presented Public Hearing item 5D.

Chair Rozell closed the Public Hearing.

Commissioner Tim Smith motioned to approve Public Hearing item 5D with staff recommendations. Motion seconded by Commissioner Mat Pruneda. Motion carried 6-0-1.

AYES (6): Chair Andrew Rozell. Commissioners: Tim Smith, Larry Beck, Margie Ellis, Ronnie Anderson and Mat Pruneda.

NAYS (0): None

RECUSED (1): Commissioner Jason Cole.

ABSENT (0): None

ABSTAINED (0): None

Commissioner Cole returned to the dais.

C. Consider making a recommendation to City Council regarding a Resolution adopting the vision, value statements, goals, policies, recommendations, and the implementation matrix proposed in the Denton Historic Preservation Plan. (HLC19-030a, Historic Preservation Plan, Roman McAllen)

Roman McAllen, Historic Preservation Officer, presented Item for Individual Consideration 4C.

Commissioner Tim Smith motioned to approve Item for Individual Consideration 4C with the recommendations from the Historic Landmark Commission along with the following change of recommendation goal to state: **recommend the exploration of partial or full exemptions from City of Denton property taxes in coordination with other applicable taxing authorities designated historic homes.** Motion seconded by Commissioner Mat Pruneda. Motion carried 7-0.

AYES (7): Chair Andrew Rozell. Commissioners: Tim Smith, Larry Beck, Margie Ellis, Jason Cole, Ronnie Anderson and Mat Pruneda.

NAYS (0): None

RECUSED (0): None

ABSENT (0): None

ABSTAINED (0): None

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

A. Planning and Zoning Commission project matrix.

Richard Cannone, Deputy Director of Development Services, provided an update regarding the Project Matrix. Cannone stated the staff analysis update will be coming back before the Commission on October 2, 2019.


Cannone provided an update on City Council items.

Chair Rozell requested an update on the batch of City Initiated Rezoning's that were pushed out.

Chair Rozell closed the Regular Meeting at 7:19 p.m.



Margie Ellis
Vice-Chair



Catherine Welborn
Administrative Assistant