

Minutes
Planning and Zoning
February 5, 2020

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, February 5, 2020 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:

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

ABSENT: Commissioner Mat Pruneda.

STAFF: Richard Cannone, Scott McDonald, Hayley Zagurski, Julie Wyatt, Cynthia Kirchoff, Cindy Jackson, Sean Jacobson, Karina Maldonado and Cathy Welborn.

WORK SESSION

Chair Rozell opened the Work Session at 5:02 p.m. Chair Rozell stated the record that Commissioner Pruneda is absent.

1. 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 asked if there were any changes to the minutes. The Commission had no changes regarding the minutes.

Commissioner Beck had questions regarding Consent Agenda item 3A. Cindy Jackson, Senior Planner, provided clarification.

Commissioner Beck had questions regarding Consent Agenda item 3B. Julie Wyatt, Senior Planner, provided clarification.

There were no further questions regarding the Consent Agenda.

Hayley Zagurski, Senior Planner, presented Items for Individual Consideration 4A. A discussion followed.

Hayley Zagurski, Senior Planner presented Items for Individual Consideration 4B. A discussion followed.

Commissioner Cole recused himself from the dais.

Cindy Jackson, Senior Planner, presented Items for Individual Consideration 4C. A discussion followed.

Chair Rozell stated Items for Individual Consideration 4D has been removed from the agenda.

Commissioner Cole returned to the dais.

Sean Jacobson, Assistant Planner, presented Public Hearing item 5A. A discussion followed.

Cindy Jackson, Senior Planner, presented Public Hearing item 5B. A discussion followed.

Cindy Jackson, Senior Planner, presented Public Hearing item 5C. A discussion followed.

Julie Wyatt, Senior Planner, presented Public Hearing item 5D. A discussion followed.

Chair Rozell provided clarification regarding an ordinance change.

Chair Rozell closed the Work Session at 6:18 p.m.

REGULAR MEETING

The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, February 5, 2020 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: Margie Ellis, Tim Smith, Ronnie Anderson, Brian Beck, and Jason Cole.

ABSENT: Commissioner Mat Pruneda.

STAFF: Richard Cannone, Hayley Zagurski, Julie Wyatt, Cynthia Kirchoff, Cindy Jackson, Sean Jacobson, Karina Maldonado and Cathy Welborn.

Chair Rozell opened the Regular Meeting at 6:39 p.m. Chair Rozell stated Commissioner Mat Pruneda is absent.

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag B. Texas Flag

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES FOR:

A. Consider the approval of the January 22, 2020 minutes.

Commissioner Tim Smith motioned to approve the January 22, 2020 meeting minutes. Motion seconded by Commissioner Ronnie Anderson. Motion carried 6-0-1.

A YES (6): Chair Andrew Rozell. Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian Beck and Ronnie Anderson.

NAYS (0): None.

RECUSED (0): None

ABSENT (1): Commissioner Mat Pruneda

ABSTAINED (0): None.

3. CONSENT AGENDA

A. Consider a request by Ben Williams with Kimley-Horn, on behalf of Rayzor Investments, Ltd., for approval of a Preliminary Plat of the Forestar Rayzor Addition. The approximately 214-acre property is located on the north side of Rose Lawn Drive, and the west side of railroad tracks, in the City of Denton, Denton County, Texas. (PP19-0019, Forestar Rayzor Addition, Cindy Jackson)

B. Consider a request by Denton Independent School District for approval of a Final Plat of the Bonnie Brae High School Addition. The approximately 151.9-acre site is generally located on the southwest corner of North Bonnie Brae Street and Riney Road in the City of Denton, Denton County, Texas. (FP19-0021, Bonnie Brae High School Addition, Julie Wyatt)

C. Consider a request by PAAGE, LTD. for approval of a Final Plat of the Mark at Denton Addition. The approximately 18.054-acre site is generally located on the east side of North Bonnie Brae Street, approximately 464 feet north of Riney Road in the City of Denton, Denton County, Texas. (FP19-0036, The Mark at Denton Addition, Julie Wyatt)

D. Consider a request by Eric Schmitz and Don Dreiske for approval of a Final Plat of Northgate Addition, Lots 1-7, Block A. The approximately 10.00-acre property is generally located on the southeast corner of E. Sherman Drive and N. Loop 288, in the City of Denton, Denton County, Texas. (FP19-0031, Northgate Addition, Hayley Zagurski)

E. Consider a request by Ken Newman Properties LLC and Aerie Castle Investments LLC for a General Development Plan for the Ryan Way subdivision. The approximately 36.66-acre site is generally located on the north side of Ryan Road, approximately 120 feet east of Monte Carlo Lane in the City of Denton, Denton County, Texas. (GDP19-0002, Ryan Way, Hayley Zagurski).

Commissioner Margie Ellis motioned to approve the Consent Agenda. Motion seconded by Commissioner Tim Smith. Motion carried 6-0-1.

A YES (6): Chair Andrew Rozell. Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian Beck and Ronnie Anderson.

NAYS (0): None.

RECUSED (0): None

ABSENT (1): Commissioner Mat Pruneda

ABSTAINED (0): None.

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. Consider a request by Schmitz Realty Holdings, LLC for approval of a Preliminary Plat for the Elm Street Townhomes Addition. The approximately 0.81-acre site is generally located on the southwest side of the intersection of Sycamore Street and Elm Street in the City of Denton, Denton County, Texas. Staff recommends denial of this request. (PP19-0027, Elm Street Townhomes, Hayley Zagurski).

Hayley Zagurski, Senior Planner, presented Items for Individual Consideration 4A.

Commissioner Tim Smith motioned to deny Item for Individual Consideration 4A. Motion seconded by Commissioner Ronnie Anderson. Motion carried 6-0-1.

A YES (6): Chair Andrew Rozell. Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian Beck and Ronnie Anderson.

NAYS (0): None.

RECUSED (0): None

ABSENT (1): Commissioner Mat Pruneda

ABSTAINED (0): None.

B. Consider a request by Muhammad Y Karim for approval of a Preliminary Plat for the Eagle Cove Addition. The approximately 18.83-acre site is generally located on the south side Duchess Drive approximately 1,850 feet west of South Loop 288 in the City of Denton, Denton County, Texas. Staff recommends denial of this request; however, the applicant has requested an extension to March 4, 2020. (PP19-0038, Eagle Cove, Hayley Zagurski).

Hayley Zagurski, Senior Planner presented Items for Individual Consideration 4B.

Commissioner Brian Beck motioned to deny Item for Individual Consideration 4B. Motion was not seconded. Motion failed.

Commissioner Tim Smith motioned to postpone Item for Individual Consideration 4B to a date certain of March 4, 2020. Motion seconded by Commissioner Ronnie Anderson. Motion carried 5-1-1.

A YES (5): Chair Andrew Rozell. Commissioners: Margie Ellis, Tim Smith, Jason Cole and Ronnie Anderson.

NAYS (1): Commissioner Brian Beck.

RECUSED (0): None

ABSENT (1): Commissioner Mat Pruneda

ABSTAINED (0): None.

C. Consider a request by Grimes Consulting, on behalf of Denton 1 Exchange, LLC. (c/o Fisher 59), for approval of a Final Plat of Lot 2, Block A, Fisher 59 Addition. The approximately 12.07-acres property is located northwest corner of the intersection of North

Masch Branch Road and West University Drive/ US 380 in the City of Denton. Staff is recommending approval with conditions. (FP19-0033, Fisher 59, Cindy Jackson)

Commissioner Cole recused himself from the dais. Cindy Jackson, Senior Planner presented Items for Individual Consideration 4C. A discussion followed.

Commissioner Ronnie Anderson motioned to approve Item for Individual Consideration 4A with conditions. Motion seconded by Commissioner Tim Smith. Motion carried 5-0-1-1.

A YES (5): Chair Andrew Rozell. Commissioners: Margie Ellis, Tim Smith, Brian Beck and Ronnie Anderson.

NAYS (0): None.

RECUSED (1): Commissioner Jason Cole.

ABSENT (1): Commissioner Mat Pruneda

ABSTAINED (0): None.

Commissioner Cole returned to the dais.

D. Consider a request by Evolving Texas and Pedcor Investments, LLC on behalf of the property owner for approval of an Alternative Development Plan (ADP) for a proposed multifamily development on approximately 15.34 acres of land, generally located at the northeast corner of Duchess Drive and Loop 288 in the City of Denton, Denton County, Texas. The purpose of this ADP request is to deviate from the requirements of Section 35.13.13.2.A Multiple Unit Residential Dwellings and Multi Family Developments of the 2002 Denton Development Code. (ADP19-0009, Denton Grove Apartments, Julie Wyatt).

Chair Rozell stated Items for Individual Consideration 4D has been withdrawn from the agenda.

5. PUBLIC HEARINGS

A. Hold a public hearing and consider making a recommendation to City Council regarding a request by Jerry Sylo, on behalf of Denton CJW Partners, LTD., to rezone approximately 59.244 acres from Planned Development (PD) to Residential 6 (R6). The subject property is generally located on the west side of South Bonnie Brae Street, approximately 1,604 feet south of the intersection of South Bonnie Brae Street and Killdeer Trail, in the City of Denton, Denton County, Texas. (Z19-0013, Cambridge Brook, Sean Jacobson) THIS ITEM WAS POSTPONED FROM THE JANUARY 22, 2020 MEETING.

Chair Rozell opened the Public Hearing.

Sean Jacobson, Assistant Planner, presented Public Hearing item 5A. A discussion followed.

The following individual spoke during the Public Hearing.

Jerry Sylo, 2121 Midway Road, Carrollton, Texas 75006. Supports the request.

Chair Rozell closed the Public hearing.

Commissioner Tim Smith motioned to approve Public Hearing item 5A. Motion seconded by Commissioner Ronnie Anderson. Motion carried 6-0-1.

A YES (6): Chair Andrew Rozell. Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian Beck and Ronnie Anderson.

NAYS (0): None.

RECUSED (0): None

ABSENT (1): Commissioner Mat Pruneda

ABSTAINED (0): None.

B. Hold a public hearing and consider making a recommendation to City Council regarding a request by Thomas Fletcher representing Sowell Property Partners Hickory Creek, LP for approval to rezone approximately 16.79 acres from Residential 2 (R2) zoning district and Suburban Corridor (SC) zoning district to Residential 4 (R4) zoning district. The subject property is generally located between Country Club Road to the west and the railroad to the east, and north of Hickory Creek Road, in the City of Denton, Denton County, Texas. (Z19-0011, Country Club Terrace Ph. 2, Cindy Jackson)

Chair Rozell opened the Public Hearing.

Cindy Jackson, Senior Planner, presented Public Hearing item 5B.

The following individual spoke during the Public Hearing.

Thomas Fletcher, 6160 Warren Parkway, Frisco, Texas 75034. Supports the request.

Chair Rozell closed the Public Hearing.

Commissioner Tim Smith motioned to approve Public Hearing item 5B. Motion seconded by Commissioner Jason Cole. Motion carried 6-0-1.

A YES (6): Chair Andrew Rozell. Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian Beck and Ronnie Anderson.

NAYS (0): None.

RECUSED (0): None

ABSENT (1): Commissioner Mat Pruneda

ABSTAINED (0): None.

C. Hold a public hearing and consider making a recommendation to City Council regarding a request by Ann Yale with AHY, LLC for approval to rezone approximately 0.154 acres from a Residential 4 (R4) district to a Mixed-Use Neighborhood (MN) district. The subject property is generally located at 311 Jannie Street, in the City of Denton, Denton County, Texas. (Z19-0014, Jannie Street, Cindy Jackson)

Chair Rozell opened the Public Hearing.

Cindy Jackson, Senior Planner, presented Public Hearing item 5C.

The following individual spoke during the Public Hearing.

Roger Yale, 1417 E McKinney Street, Denton, Texas 76209. Supports the request.

Chair Rozell closed the Public Hearing.

Commissioner Ronnie Anderson motioned to approve Public Hearing item 5C. Motion seconded by Commissioner Tim Smith. Motion carried 6-0-1.

A YES (6): Chair Andrew Rozell. Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian Beck and Ronnie Anderson.

NAYS (0): None.

RECUSED (0): None

ABSENT (1): Commissioner Mat Pruneda

ABSTAINED (0): None.

D. 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 2, Administration and Procedures, related Alternative Environmentally Sensitive Area (ESA) Plans and platting. (DCA19-0024a, Alt ESA Plan, Julie Wyatt)

Chair Rozell opened the Public Hearing.

Julie Wyatt, Senior Planner, presented Public Hearing item 5D.

Chair Rozell closed the Public Hearing.

Commissioner Tim Smith motioned to approve Public Hearing item 5D. Motion seconded by Commissioner Margie Ellis. Motion carried 6-0-1.

A YES (6): Chair Andrew Rozell. Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian Beck and Ronnie Anderson.

NAYS (0): None.

RECUSED (0): None

ABSENT (1): Commissioner Mat Pruneda

ABSTAINED (0): None.

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

A. Hold a discussion regarding the Planning and Zoning Commission project matrix.

Richard Cannone, Deputy Director of Development Services, provided an update to the matrix and an update regarding City Council items.

Chair Rozell closed the Regular Meeting at 7:40 p.m.

X

Andrew Rozell
Chair

A. Rozell 4/19/20

X

Catherine Welborn
Administrative Assistant

C. Welborn 2/19/20