

MINUTES
PLANNING AND ZONING
February 27, 2020

The Planning and Zoning Commission convened in a Special Called Meeting on Thursday, February 27, 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: Mat Pruneda, Margie Ellis, Tim Smith, Ronnie Anderson, and Brian Beck.

ABSENT: Commissioner Jason Cole.

STAFF: Scott McDonald, Richard Cannone, David Gaines, Pritam Deshmukh, Kenny Banks, Deborah Viera Sierra, Frank Pugsley, Cynthia Kirchoff, Aaron Leal, Jerry Drake, Ron Menguita, Hayley Zagurski

Chair Rozell opened the Special Called Meeting at 6:31 p.m.

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag B. Texas Flag

Chair Rozell called a Closed Session at 6:32 p.m.

Chair Rozell reconvened the Special Called Meeting at 7:14 p.m.

2. PUBLIC HEARINGS

Chair Rozell opened both Public Hearing item 2A and 2B.

A. Hold a public hearing and consider making a recommendation to City Council regarding a request by SLF Cole Property LP for a Major Amendment in accordance with Section 35.7.12.8 of the Denton Development Code to the Cole Ranch Master Plan Community (MPC) Zoning District generally located west of Interstate 35 west, south of Tom Cole Road, bounded by Tom Cole Road to the north, bisected by FM 2449 near the center of the property, bounded on the eastern side by John Payne Road south of FM 2449 and Underwood Road north of FM 2449. (MPC19-0001, Cole Ranch MPC, Richard Cannone).

B. Hold a public hearing and consider making a recommendation to City Council regarding a request by Petrus Investment LP for a Major Amendment in accordance with Section 35.7.12.8 of the Denton Development Code to the Hunter Ranch Master Plan Community (MPC) Zoning District that includes a change of zoning on approximately 22 acres from a Mixed-Use Neighborhood (MN) district and approximately 2.24 acres from Planned Development (PD) to Master Planned Community (MPC) and amend the Hunter Ranch MPC zoning district by adopting new standards and regulations including an updated development plan map on approximately 3167 acres that is generally located on both sides

of I-35W between Robson Ranch Road and Vintage Boulevard (MPC19-0002, Hunter Ranch MPC, Richard Cannone).

Richard Cannone, Deputy Director of Development Services, presented Public Hearing items 2A and 2B. Cannone provided the changes to the development plan and map. Commissioner Ellis questioned if the recommendation would be with the changes. Cannone stated that yes, the recommendation should include the changes as presented.

David Gaines, Director of Finance, presented the Cost of Impact Analysis. A discussion followed.

Cannone stated staff recommendations. A discussion followed.

The following individuals spoke during the Public Hearings:

Richard Holland, 6704 Roaring Creek, Argyle, Texas 76226. Opposed to the request.
Michael Gibson, 6508 Roaring Creek, Argyle, Texas 76226. Opposed to the request.
Erick Pruitt, 2111 Westwood Drive, Denton, Texas 76205. Opposed to the request.
Matt Marsh, 6617 Roaring Creek, Argyle, Texas 76226. Opposed to the request.
Suzanne Rumohr, 1700 Crescent Street, Denton, Texas 76201. Opposed to the request.
Michael Skinner, 9209 Benbrook Lane, Argyle, Texas 76226. Opposed to the request.
Mary C. Joiner, 9313 Benbrook Lane, Argyle, Texas 76226. Opposed to the request.
Misty Ventura, 9406 Biscayne Blvd, Dallas, Texas 75218. Supports the request.

Chair Rozell read into the record the following cards:

Richard & Roxanne Kinkead, 9008 Athens Drive, Argyle, Texas 76226. Support or opposition not marked.
Anthony Hadfield & Jennifer Maxam, 9300 Benbrook Lane, Argyle, Texas 76226. Opposed to the request.
Sherri Moore- Holland, 6704 Roaring Creek, Argyle, Texas 76226. Opposed to the request.
Delores M. Moore, 9121 Perimeter Street, Denton, Texas 76207. Opposed to the request.
George Varrallo, 448 Meandering Creek, Argyle, Texas 76226. Opposed to the request.
Claudie Lynch, 2585 Underwood Road, Denton, Texas 76207. Opposed to the request.
Anne Allison, 9212 Benbrook Lane, Argyle, Texas 76226. Opposed to the request.

Chair Rozell closed the Public Hearings.

Commissioner Tim Smith motioned to approve Public Hearing item 2A as presented by staff with following findings of fact: **1.** The development proposed furthers the goals of The Denton Plan. **2.** In the case of proposed residential development, the development will promote compatible buildings and uses, and it will be compatible with the character of the surrounding area. **3.** The provisions for public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services, and parks are adequate to serve the anticipated population within the MPC District. **4.** In the case of proposed commercial, industrial, institutional, recreational, and other non-residential uses or mixed-uses, the development will be appropriate in area, location, and overall planning for the purpose intended. **5.** The development is fiscally sound, as demonstrated in the Cost Impact Analysis, and is consistent with adopted policies, infrastructure plans and applicable Capital Improvement Programs (CIP) and that the Development Plan sets

forth the phasing and the plan for paying for the infrastructure and responsibilities for payment. Also, to include the amended changes as presented. Motion seconded by Commissioner Ronnie Anderson. Motion carried 6-0-1.

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

NAYS (0): None.

RECUSED (0): None.

ABSENT (0): None.

ABSTAINED (1): Commissioner Jason Cole.

Commissioner Tim Smith motioned to approve Public Hearing item 2B as presented by staff with following findings of fact: **1.** The development proposed furthers the goals of The Denton Plan. **2.** In the case of proposed residential development, the development will promote compatible buildings and uses, and it will be compatible with the character of the surrounding area. **3.** The provisions for public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services, and parks are adequate to serve the anticipated population within the MPC District. **4.** In the case of proposed commercial, industrial, institutional, recreational, and other non-residential uses or mixed-uses, the development will be appropriate in area, location, and overall planning for the purpose intended. **5.** The development is fiscally sound, as demonstrated in the Cost Impact Analysis, and is consistent with adopted policies, infrastructure plans and applicable Capital Improvement Programs (CIP) and that the Development Plan sets forth the phasing and the plan for paying for the infrastructure and responsibilities for payment. Also, to include the amended changes as presented and the revised development plan map that incorporated the Residential 7 (R7) to the area abutting Country Lakes. Motion seconded by Commissioner Mat Pruneda. Motion carried 6-0-1.

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

NAYS (0): None.

RECUSED (0): None.

ABSENT (0): None.

ABSTAINED (1): Commissioner Jason Cole.

Commissioner Ronnie Anderson motioned to approve the rezoning for Public Hearing 2B. Motion seconded by Commissioner Tim Smith. Motion carried 6-0-1.

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

NAYS (0): None.

RECUSED (0): None.

ABSENT (0): None.

ABSTAINED (1): Commissioner Jason Cole.

Chair Rozell closed the Special Called meeting at 9:36 p.m.

X

Andrew Rozell
Chair



X

Catherine Welborn
Administrative Assistant

