



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda Planning and Zoning Commission

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Wednesday, March 18, 2020

4:00 PM

Work Session Room & Council Chambers

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**Cancelled March 16, 2020**

### **WORK SESSION BEGINS AT 4:00 P.M. IN THE WORK SESSION ROOM**

### **REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL CHAMBERS**

After determining that a quorum is present, the Planning and Zoning Commission of the City of Denton, Texas will convene in a Work Session on Wednesday, March 18, 2020 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 will be considered:

#### **WORK SESSION**

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.

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#### **REGULAR MEETING**

The Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, March 18, 2020 at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney at which time the following items will be considered:

#### **1. PLEDGE OF ALLEGIANCE**

- A. U.S. Flag
- B. Texas Flag

“Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

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

- A. [PZ20-079](#) Consider approval of the February 27, 2020 and March 4, 2020 meeting minutes.

Attachments:      [February 27, 2020](#)  
                                 [March 4, 2020](#)

#### **3. CONSENT AGENDA**

Staff recommends approval of the following items because they meet the requirements of the Denton Development Code. Approval of the Consent Agenda includes staff recommendations for approvals and authorizes staff to proceed. The Planning and Zoning Commission has reviewed the applications and has

had an opportunity to raise questions regarding the items prior to consideration.

- A. [FP20-0003a](#) Consider a request by the County of Denton for approval of a Final Plat for the Denton County Emergency Operations Center. The approximately 5.137-acre site is generally located on the southwest side of the intersection of Karina Street and Kimberly Drive in the City of Denton, Denton County, Texas. (FP20-0003, Denton County Emergency Services, Hayley Zagurski).

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                             [Exhibit 2 - Staff Analysis](#)  
                             [Exhibit 3 - Site Location Map](#)  
                             [Exhibit 4 - Final Plat](#)

- B. [FP20-0005b](#) Consider a request by Jeff Landon of Kimley-Horn, on behalf of Hunt Midwest Real Estate Development, Inc., for approval of a Final Plat of Lots 1 & 2, Block 1 of HSW Westpark Addition. The approximately 41.6785-acre site is generally located on the west side of Western Boulevard, approximately 277 feet south of the intersection of Western Boulevard and Jim Christal Road, in the City of Denton, Denton County, Texas. (FP20-0005b, Lots 1 & 2, Block 1, HSW Westpark Addition, Sean Jacobson)

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                             [Exhibit 2 - Staff Analysis](#)  
                             [Exhibit 3 - Site Location Map](#)  
                             [Exhibit 4 - Final Plat](#)

- C. [PP20-0009](#) Consider a request by Goodhorn Land Holdings, LLC for a Preliminary Plat of the Audra Heights Assisted Living Center Addition. The approximately 19.910-acre site is generally located on the northwest side of the intersection of Audra Lane and South Loop 288 in the City of Denton, Denton County, Texas. (PP20-0009, Audra Heights Assisted Living Center Addition, Julie Wyatt)

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                             [Exhibit 2 - Staff Analysis](#)  
                             [Exhibit 3 - Site Location Map](#)  
                             [Exhibit 4 - LLC Members List](#)  
                             [Exhibit 5 - Preliminary Plat](#)

- D. [FP19-0022](#) Consider a request by Goodhorn Land Holdings, LLC for a Final Plat of the Audra Assisted Living Center Addition. The approximately 15.254-acre site is generally located on the north side of the Audra Lane, 513 feet west of South Loop 288 in the City of Denton, Denton County, Texas. (FP19-0022, Audra Assisted Living Center Addition, Julie Wyatt)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Staff Analysis](#)  
[Exhibit 3 - Site Location Map](#)  
[Exhibit 4 - LLC Members List](#)  
[Exhibit 5 - Final Plat](#)

#### 4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A.    [FR20-0002b](#)    Consider a request by Allen Perez with J.M. Civil Engineering representing Dennis J. Koop and GEO Exchange Corporation for approval of a Final Replat of Lots 1 and 7R1, Block A of the Sonic and Murphy Oil Addition. The 2.1875-acre site is generally located at the northwest corner of the intersection of East McKinney Street and North Loop 288 in the City of Denton, Denton County, Texas. This item was postponed to the March 18, 2020 Planning and Zoning Commission agenda. THIS APPLICATION HAS BEEN WITHDRAWN. (FR20-0002, Sonic and Murphy Oil Addition, Cindy Jackson)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2- Withdrawal Letter](#)

- B.    [PP20-0003a](#)    Consider a request by Alex Camunez with Pacheco Koch on behalf of Rayzor Investments, Ltd., for approval of a Preliminary Plat of the Lots 2R and 3R, Block A of the Westpark Addition. The 14.716-acre site is generally located on the east side of South Western Boulevard, 2,333.9 feet north of Airport Road in the City of Denton, Denton County, Texas. Staff is recommending denial of this request, however the applicant has requested a 30-day extension to April 8, 2020. (PP20-0003, Westpark Addition, Cindy Jackson)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet PP20-0003 2](#)  
[Exhibit 2 - Staff Analysis](#)  
[Exhibit 3 - Site Location Map](#)  
[Exhibit 4 - Preliminary Plat](#)  
[Exhibit 5 - Extension Request](#)

- C.    [FR19-0023](#)    Consider a request by the Marc DeGenaro of Coleman & Associates Land Surveying on behalf of the property owners Daniel Soberanes, Jr. and Rosa Maria Calva, husband and wife, for approval of Replat Lot 7(4)R, Block A, Little Brook Estates. The approximately 1.00-acre site is generally located on the north line of Miller Road and being near middle of the residential neighborhood in the City of Denton, Denton County, Texas. Staff recommends denial of this request; however, the applicant has requested an extension to April 8, 2020. (FR19-0023 Little Brook Estates, Mark Laird).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Staff Analysis](#)  
[Exhibit 3 - Location Map](#)  
[Exhibit 4 - Final Replat](#)  
[Exhibit 5 - Extension request](#)

- D. [FP20-0004a](#) Consider a request Pulte Homes of Texas, LP for approval of a Final Plat for Townsend Green Phase 1 Addition. The approximately 52.737-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. Staff recommends denial of this request. (FP20-0004a, Townsend Green Phase 1, Julie Wyatt)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Staff Analysis](#)  
                                 [Exhibit 3 - Site Location Map](#)  
                                 [Exhibit 4 - Final Plat](#)

- E. [PP19-0038b](#) 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 approval of this request. (PP19-0038, Eagle Cove, Hayley Zagurski).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Staff Analysis](#)  
                                 [Exhibit 3 - Site Location Map](#)  
                                 [Exhibit 4 - Preliminary Plat](#)

- F. [PP20-0004](#) Consider a request by Ken Newman Properties LLC and Aerie Castle Investments LLC for a Preliminary Plat for the Ryan Way subdivision. The approximately 34.09-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. Staff recommends denial of this request; however, the applicant has requested an extension to April 8, 2020. (PP20-0004, Newman/Ryan Way, Hayley Zagurski).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Staff Analysis](#)  
                                 [Exhibit 3 - Site Location Map](#)  
                                 [Exhibit 4 - LLC Members List](#)  
                                 [Exhibit 5 - Preliminary Plat](#)  
                                 [Exhibit 6 - Extension Request](#)

- G. [ZCP20-0002](#) Consider a request by WB Denton Land, LP for approval of a Site Plan for single-family detached and single-family attached residences to be constructed within the Rayzor Ranch Marketplace Residential Area. The approximately 40.06-acre property is generally on the west side of North Bonnie Brae Street, approximately 1,400 feet north of West University Drive (US 380) in the City of Denton, Denton County, Texas. (ZCP20-0002, Residences at Rayzor Ranch, Hayley Zagurski)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Staff Analysis](#)  
[Exhibit 3 - Site Location Map](#)  
[Exhibit 4 - Site Plan](#)  
[Exhibit 5 - Landscape Plan](#)  
[Exhibit 6 - Conceptual Building Elevations](#)  
[Exhibit 7 - RROD Ordinance No. Z18-0001b](#)

## 5. PUBLIC HEARINGS

This notice authorizes the Planning and Zoning Commission to recommend and City Council to approve a different zoning district which is equivalent to or more restrictive than that which is requested by the applicant, as the different district may not have a maximum structure height, floor area ratio, or density that is higher than the one requested or be nonresidential when the request is for a residential use or vice versa. The different zoning district must be deemed consistent with the Comprehensive Plan and the Future Land Use Plan.

- A.    [Z20-0004](#)      Hold a public hearing and consider making a recommendation to City Council regarding a request for a change in the zoning district and use classification from Residential 3 (R-3) to a Residential 4 (R4) Zoning District, on approximately 2.53 acres of land, generally located between Ector Street and Gober Street, north of Sena Street and south of Crow Street in the City of Denton, Denton County, Texas. (Z20-0004, CDP Charlie, Ron Menguita). THE APPLICANT HAS REQUESTED THAT THIS ITEM BE POSTPONED TO A DATE UNCERTAIN.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)

- B.    [PD19-0005a](#)      Hold a public hearing and consider making a recommendation to City Council regarding a request by Buc-ee's, Ltd. for a zoning change on 10.91-acres from Planned Development-Mixed Use Regional (PD-MR) district and on 1.51-acres from Mixed-Use Neighborhood (MN) district to a Planned Development (PD) district. The 12.42-acre site is generally located on the southwest side of the I-35E Service Road, at the intersection of Buc-ee's Boulevard and the I-35E Service Road, in the City of Denton, Denton County, Texas. (PD19-0005, Buc-ee's Outparcels, Cindy Jackson)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Staff Analysis](#)  
                                 [Exhibit 3 - Site Location Map](#)  
                                 [Exhibit 4 - Current Zoning Map](#)  
                                 [Exhibit 5 - Proposed Zoning Map](#)  
                                 [Exhibit 6 - Future Land Use Map](#)  
                                 [Exhibit 7 - Ordinance No. 2008-157](#)  
                                 [Exhibit 8 - DRC Approved Concept Plan](#)  
                                 [Exhibit 9 - PD Development Regulations](#)  
                                 [Exhibit 10 - Buc-ee's #39 Addition Plat](#)  
                                 [Exhibit 11 - PD Site Layout](#)  
                                 [Exhibit 12 - Historic Zoning Comparison Table](#)  
                                 [Exhibit 13 - PD Parking Requirements](#)  
                                 [Exhibit 14 - PD Traffic Memo](#)  
                                 [Exhibit 15 - Transportation and Access Plan](#)  
                                 [Exhibit 16 - Zoning Exhibit](#)  
                                 [Exhibit 17 - Notification Map and Responses](#)  
                                 [Exhibit 18 - Draft Ordinance](#)

- C.    [S19-0015b](#)      Hold a public hearing and consider making a recommendation to City Council regarding a request by Mark Martin representing Jodo Co., LLC for approval of a Specific Use Permit to allow a 150- foot communications tower. The property is located 3401 Barcelona Street in the City of Denton, Denton County, Texas. (S19-0015, Speed of Light, Cindy Jackson)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Staff Analysis](#)  
                                 [Exhibit 3 - Site Location Map](#)  
                                 [Exhibit 4 - Current Zoning Map](#)  
                                 [Exhibit 5 - Future Land Use Map](#)  
                                 [Exhibit 6 - Site Plan - Full Site](#)  
                                 [Exhibit 7 - Site Plan - Impact Area](#)  
                                 [Exhibit 8 - Landscape Plan](#)  
                                 [Exhibit 9 - Building Elevations](#)  
                                 [Exhibit 10 - Notification Map](#)  
                                 [Exhibit 11 - LLC Membership](#)  
                                 [Exhibit 12 - Draft Ordinance](#)

- D.    [PD19-0004a](#)      Hold a public hearing and consider making a recommendation to City Council regarding a request by Hugh Pruett for a zoning change from Residential 2 (R-2) to a Planned Development (PD) District. The approximately 15.74 site is generally located at the southeast corner of Fort Worth Drive and Brush Creek Road, in the City of Denton,

Denton County, Texas. This item was postponed at the March 4, 2020 Planning and Zoning Commission meeting. (PD19-0004, Villas at Eagle Ridge, Julie Wyatt)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Staff Analysis](#)  
                              [Exhibit 3 - Site Location Map](#)  
                              [Exhibit 4 - Existing Zoning Map](#)  
                              [Exhibit 5 - Future Land Use Map](#)  
                              [Exhibit 6 - PD Development Regulations](#)  
                              [Exhibit 7 - PD Development Plan](#)  
                              [Exhibit 8 - Proposed Representative Product](#)  
                              [Exhibit 9 - Trip Generation Memo](#)  
                              [Exhibit 10 - Notification Map and Responses](#)  
                              [Exhibit 11 - Draft Ordinance](#)

- E.    [DCA20-0003](#)    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 Use Regulations, Subsection 7.9, Parking and Loading, and Subchapter 9, Definitions related to supportive residential uses and treatment facilities. (DCA20-0003, Treatment Centers, Julie Wyatt).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Staff Analysis](#)  
                              [Exhibit 3 - Redline of Subchapter 5](#)  
                              [Exhibit 4 - Redline of Subsection 7.9](#)  
                              [Exhibit 5 - Redline of Subchapter 9](#)  
                              [Exhibit 6 - June 4, 2019 Staff Report with Exhibits](#)  
                              [Exhibit 7 - Draft Ordinance](#)

## 6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A.    [PZ20-080](#)      Hold a discussion regarding the Planning and Zoning Commission project matrix.

**Attachments:**      [2020 Matrix](#)

## 7. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Planning & Zoning Commission or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

NOTE: The Planning and Zoning Commission reserves the right to adjourn into a Closed Meeting on any item on its Work Session or Regular Session agenda consistent with Chapter 551 of the Texas Government Code, as amended, including without limitation, Sections 551.071-551.086 of the Texas Open Meetings Act.

#### CERTIFICATE

I certify that the above Cancellation notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the 16th day of March, 2020 at 3:33 p.m.

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CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.