



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda

Planning and Zoning Commission

Wednesday, July 22, 2020

5:00 PM

Council Work Session Room

WORK SESSION BEGINS AT 5:00 P.M. IN THE COUNCIL WORK SESSION ROOM

REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL WORK SESSION ROOM

Note: Chair Andrew Rozell, Vice Chair Margie Ellis and Commissioners Ronnie Anderson, Brian Beck, Jason Cole, Mat Pruneda, and Tim Smith will be participating in the Planning and Zoning meeting via video/teleconference.

Due to COVID-19 precautions, members of the public will not be able to attend the July 22, 2020, Planning and Zoning Commission meeting in-person. To accommodate and receive input on agenda items, citizens will be able to participate in one of the following ways (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- Virtual White Card – On Friday, Jul 17, 2020, the agenda was posted online at www.cityofdenton.com/publicmeetings. Once the agenda is posted, a link to the Virtual White Card, an online form, will be made available under the main heading on the webpage. Within this form, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting, at which time, the Virtual White Card form will be closed. Similar to when a citizen submits a white card to indicate their position on the item, these comment forms will be sent directly to Planning and Zoning Commission members and recorded by the Secretary.

Planning and Zoning Commissioners review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Chair will announce the number of Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant's name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

OR

- By phone – Citizens wishing to speak over the phone during this Planning and Zoning Commission meeting, may call (940) 349-7800 beginning 30 minutes prior to the meeting start time. Comments by phone will be accepted until the item is opened for discussion by the Planning and Zoning Commission. When the call is initially received, a staff member will receive the caller's information and either: 1) offer to call the citizen back when it is time for them to speak, or 2) record the caller's information, support or opposition, and comment. If the caller chooses to record their support or opposition, rather than speaking during the meeting, the Chair will announce the number of comments submitted in support or opposition to the item. If the caller wishes to receive a call back, the voice of each caller will be broadcast into the meeting during the public commenting time of their desired agenda item. Individuals will be able to comment once per agenda item, no matter the method.

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, July 22, 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 will be considered:

WORK SESSION

1. Work Session Reports

- A. [PZ20-150](#) Receive a report and hold a discussion on platting regulations within the City of Denton, including the purpose, types, criteria for approval, and the effect of HB 3167 (commonly known as the “Shot Clock”). (Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2- Presentation](#)

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.

CLOSED MEETING

- A. [PZ20-153](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with the City’s attorneys and discuss legal issues, including deadlines, limitations, local permit vesting, and other legal constraints relating to approval and denial of plats, local permits, site plans and development plans; where discussion of these legal matters in an open meeting would conflict with the duty of the City’s attorneys to the City of Denton, the Denton Planning & Zoning Commission, and the Denton City Council, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City’s legal position in the event of a legal dispute.

REGULAR MEETING

The Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, July 22, 2020 at 6:30 p.m. in the Council Work Session Room 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. [PZ20-151](#) Consider the approval of the July 8, 2020 meeting minutes.

Attachments: [July 8, 2020 Meeting minutes](#)

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PP20-0015](#) Consider a request by Brock A. Pfister of Kimley-Horn and Associates, Inc., on behalf of Michael H. Drury, for approval of a Preliminary Plat of the Drury Tract Addition. The approximately 22.8025-acre site is generally located on the east side of Highland Park Road, approximately 750 feet south of Willowood Street, 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 the August 19, 2020 Planning and Zoning Commission meeting. (PP20-0015, Forestar Rayzor Phase 1A Drury Tract, Ron Menguita).

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Preliminary Plat](#)

[Exhibit 5 - Request for Extension](#)

- B. [FR20-0007](#) Consider a Final Replat of Lots 1-R1 & 1-R2, Block A, McDonnell Highlands Phase One Addition; being a replat of Lot 1, Block A, McDonnell Highlands Phase One Addition. The approximately 3.241-acre property is generally located on the south side of E. McKinney Street and west of the intersection of Glenngary Way in the City of Denton, Denton County, Texas. Staff recommends denial of this request; however, the applicant has requested an extension to August 19, 2020. (FR20-0007, E. McKinney Street Retail Development, Hayley Zagurski)

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Final Replat](#)

[Exhibit 5 - Extension Request](#)

4. 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. [AESA20-0003a](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Kimley-Horn Engineering representing Forestar (USA) Real Estate Group, Inc. for an Alternative Environmentally Sensitive Area Plan for approximately 213.9 acres located on the north side of Rose Lawn Drive, and the west side of railroad tracks in the City of Denton, Denton County, Texas. STAFF HAS REQUESTED TO POSTPONE THIS ITEM TO AUGUST 5, 2020. (AESA20-0003, Forestar Rayzor, Christi Upton).

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

- B. [S19-0013](#) Hold a public hearing and consider a making a recommendation to City Council regarding a request by DLH Investments LLC for a Specific Use Permit to allow a multi-family dwelling use. The 4-acre property is generally located on the north side of Mingo Road, approximately 150 feet southwest of Boyd Street in the City of Denton, Denton County, Texas. (S19-0013, Mingo Road Apartments, Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Aerial Map](#)
 [Exhibit 4 - Future Land Use Map](#)
 [Exhibit 5 - Previous SUP Ordinance S17-0006a](#)
 [Exhibit 6 - Concept Plan](#)
 [Exhibit 7 - Landscape Plan](#)
 [Exhibit 8 - Conceptual Architectural Elevations](#)
 [Exhibit 9 - LLC Members List](#)
 [Exhibit 10 - Notification Map and Responses](#)
 [Exhibit 11 - Draft Ordinance](#)

5. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ20-152](#) Hold a discussion regarding the Planning and Zoning Commission project matrix.

Attachments: [2020 Matrix](#)

6. 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 notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the 17th day of July, 2020 at 3:50 p.m.

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.