

MINUTES
PLANNING AND ZONING
August 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, August 5, 2020, at 5:30 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: Vice-Chair Margie Ellis. Commissioners: Tim Smith, Ronnie Anderson, Brian Beck, Mat Pruneda and Jason Cole.

ABSENT: Chair Andrew Rozell

STAFF: Scott McDonald, Cynthia Kirchoff, Julie Wyatt, Christi Upton, Selena Dillard.
On the phone: Richard Cannone, and Ron Menguita.

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

WORK SESSION

Vice-Chair Margie Ellis opened the Work Session at 5:31 p.m.

Vice-Chair Ellis stated for the record that Chair Andrew Rozell was absent.

1. Citizen Comments on Consent Agenda Items

The following individuals called into the meeting with comments:

Sharon Kramer, 3574 Pine Trail, Denton, TX 76208 (PP19-0023)
Bridget Marshall 3539 Pine Trail, Denton, TX 76208 (PP19-0023)
Reid Ferring 4572 Coyote Point, Denton, TX 76208 (PP19-0023)

3. Clarification of agenda items listed on the agenda for this meeting

The Commissioners had no changes to the July 22, 2020 minutes.

Vice-Chair Ellis noted that the applicant of Individual Consideration item 4A has requested a 30-day extension.

Commissioner Beck requested that items PP19-0023 and GDP10-0001 be pulled from the consent agenda and moved to individual consideration.

Julie Wyatt, Senior Planner, presented public hearing item 5B, S20-0004. A discussion followed.

1
2 Vice-Chair Ellis recommended the draft ordinance of S20-0004 be edited for clarity.

3
4 Christi Upton, Environmental Compliance Coordinator, presented public hearing item 5C,
5 AESA20-0003. A discussion followed.

6
7 Vice-Chair Ellis closed the Work Session at 6:32p.m.

8
9 REGULAR MEETING

10
11 Vice-Chair Margie Ellis opened the Regular Meeting at 6:45 p.m.

12
13 Vice-Chair Ellis stated for the record that Chair Andrew Rozell was absent.

14
15 The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, August 5,
16 2020 at 6:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney at which
17 time the following items were considered:

18
19
20 PRESENT: Vice-Chair Margie Ellis, Tim Smith, Ronnie Anderson, Brian Beck, Mat
21 Pruneda and Jason Cole.

22
23 ABSENT: Chair Andrew Rozell

24
25 STAFF: Scott McDonald, Cynthia Kirchoff, Julie Wyatt, Christi Upton, and Selena
26 Dillard.

27 On the phone: Richard Cannone, Ron Mengueta, Brian Jahn, and Deborah Viera.

28
29 1. PLEDGE OF ALLEGIANCE

30 A. U.S. Flag

31 B. Texas Flag

32
33
34 2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES
35 FOR:

36 A. Consider the approval of the July 22, 2020 meeting minutes.

37
38 Commissioner Brian Beck motioned to approve the July 22, 2020 meeting minutes. Motion
39 seconded by Commissioner Ronnie Anderson. Motion approved (6-0)

40
41 A YES (6): Vice-Chair Margie Ellis. Commissioners: Tim Smith, Jason Cole, Brian Beck, Mat
42 Pruneda, and Ronnie Anderson.

43 NAYS (0): None.

44 RECUSED (0): None.

45 ABSENT (1): Chair Andrew Rozell

46 ABSTAINED (0): None.

1
2 3. CONSENT AGENDA
3

- 4
5 A. Consider approval of a Final Plat of Country Club Terrace Addition, Phase 1, being
6 130 residential lots and 5 HOA lots. The approximately 34.296-acre property is
7 generally located at the along the east line of Country Club Road and being south of
8 Ryan Road and north of Hickory Creek Road in the City of Denton, Denton County,
9 Texas. (FP20-0011, Country Club Terrace Phase 1, Mark Laird)
10 B. Consider approval of a Final Plat of Country Club Terrace Addition, Phase 2, being
11 53 residential lots, 1 HOA lot and 1 Park Land lot. The approximately 56.775-acre
12 property is generally located along the east line of Country Club Road and being
13 south of Ryan Road and north of Hickory Creek Road in the City of Denton, Denton
14 County, Texas. (FP20-0012, Country Club Terrace Phase 2, Mark Laird)
15 C. Consider a request by Agave Ranch Development, LLC for approval of a General
16 Development Plan for Agave Ranch. The approximately 92-acre site is generally
17 located on the east side of East Sherman Drive (FM 428), approximately 1,465 feet
18 north of Hartlee Field Road in the City of Denton, Denton County, Texas. (GDP19-
19 0001, Agave Ranch, Julie Wyatt)
20 D. Consider a request by Agave Ranch Development, LLC for approval of a Preliminary
21 Plat for Agave Ranch. The approximately 92-acre site is generally located on the east
22 side of East Sherman Drive (FM 428), approximately 1,465 feet north of Hartlee
23 Field Road in the City of Denton, Denton County, Texas. (PP19-0023, Agave Ranch,
24 Julie Wyatt)

25 Commissioner Beck requested that Consent Agenda items 3C and 3D be pulled and moved to
26 Individual Consideration.
27

28 Commissioner Tim Smith motioned to approve the Consent Agenda items 3A and 3B. Motion was
29 seconded by Commissioner Ronnie Anderson. Motion approve (6-0)
30

31 A YES (6): Vice-Chair Margie Ellis. Commissioners: Tim Smith, Jason Cole, Brian Beck, Mat
32 Pruneda, and Ronnie Anderson.

33 NAYS (0): None.

34 RECUSED (0): None.

35 ABSENT (1): Chair Andrew Rozell

36 ABSTAINED (0): None.
37

38 4. ITEMS FOR INDIVIDUAL CONSIDERATION
39

- 40 A. Consider a request by Lee Allison of Allison Engineering Group, on behalf of North
41 Texas Contracting Inc., for approval of a Final Plat of Vintage Townhomes South
42 Addition. The approximately 2.97-acre site is generally located on the south side of
43 Vintage Boulevard, approximately 140 feet east of South Bonnie Brae Street and 138
44 feet west of Shagbark Drive, in the City of Denton, Denton County, Texas. Staff is
45 recommending Denial of this request; however, the applicant has requested a 30-day

1 extension to the September 2, 020 Planning and Zoning Commission meeting. (FP20-
2 0013, Vintage Townhomes South, Karina Maldonado

3
4 Commissioner Smith motioned to approve the postponement of the item to a date certain of
5 September 2, 2020. Motion seconded by Commissioner Mat Pruneda. Motion approved (6-0)

6
7 A YES (6): Vice-Chair Margie Ellis. Commissioners: Tim Smith, Jason Cole, Brian Beck, Mat
8 Pruneda, and Ronnie Anderson.

9 NAYS (0): None.

10 RECUSED (0): None.

11 ABSENT (1): Chair Andrew Rozell

12 ABSTAINED (0): None.

13
14
15 B. Consider a request by Agave Ranch Development, LLC for approval of a General
16 Development Plan for Agave Ranch. The approximately 92-acre site is generally
17 located on the east side of East Sherman Drive (FM 428), approximately 1,465 feet
18 north of Hartlee Field Road in the City of Denton, Denton County, Texas. (GDP19-
0001, Agave Ranch, Julie Wyatt)

19 Julie Wyatt, Senior Planner, presented item GDP10-0001.

20
21 Commissioner Beck asked for an explanation of the mobility plan for the area. Julie Wyatt
22 provided the information.

23
24 Commissioner Beck and Commissioner Ronnie Anderson noted that home owners of the
25 surrounding area had questioned if the future development of Hartlee Field Road could move
26 North.

27
28 Brian Jahn, Traffic Engineer, stated that deviation from the approved mobility plan would have to
29 go through an amendment process. There will be a road to the North that will be considered the
30 primary east/west connection. Hartlee Field Road will be a needed connectivity for an additional
31 access point.

32
33 Commissioner Anderson was concerned with the traffic impact in surrounding rural
34 neighborhoods.

35
36 Commissioner Pruneda questioned if the impact to existing homeowners could be mitigated.

37
38 John Cornelson, Developer, and Jason Faigle, Engineer, spoke on the item.

39
40 The following individuals submitted a virtual comment card:

41 Ashleigh McClendon, 0 Pine Trail, Denton, Texas 76208

42 Ann Woodbridge, 3596 Hartlee Field Road, Denton, Texas 76208

43 Lauren Bonenberger, 5633 Woodland Hills Drive Lot 1, Denton, Texas 76208

44 Reid Ferring 4572 Coyote Point, Denton, TX 76208

45 Steve Smith, 4224 Hartlee Field Road, Denton, Texas 76208

46 John Heilman, 300 Lamar Street, Roanoke, Texas 76262

1 John Landdeck, 5063 Farris Road, Denton, Texas 76208
2 Bridget Marshall, 3539 Pine Trail, Denton, Texas 76208
3 Gary Landreth, 5502 Farris Road, Denton, Texas 76208
4 Lois Plato, 5052 Golden Circle, Denton Texas 76208
5 Robert Horn, 5053 Golden Horn Circle, Denton, Texas 76208
6 Kevin Cornish, 5638 Woodland Hills Drive, Denton, Texas 76208
7 Mary Arndt, 3375 Hartlee Field Road, Denton, Texas 76208
8 Susan Wheeler, 5540 Woodland Hills Drive, Denton, Texas 76208
9

10 Commissioner Smith motioned to postpone the item to a date certain on August 19, 2020. Motion
11 seconded by Commissioner Pruneda. Motion approved (6-0)
12

13 A YES (6): Vice-Chair Margie Ellis. Commissioners: Tim Smith, Jason Cole, Brian Beck, Mat
14 Pruneda, and Ronnie Anderson.

15 NAYS (0): None.

16 RECUSED (0): None.

17 ABSENT (1): Chair Andrew Rozell

18 ABSTAINED (0): None.
19
20

21 C. Consider a request by Agave Ranch Development, LLC for approval of a Preliminary
22 Plat for Agave Ranch. The approximately 92-acre site is generally located on the east
23 side of East Sherman Drive (FM 428), approximately 1,465 feet north of Hartlee
24 Field Road in the City of Denton, Denton County, Texas. (PP19-0023, Agave Ranch,
25 Julie Wyatt)
26

27 The following Individuals submitted a virtual comment card

28 Ashleigh McClendon, 0 Pine Trail, Denton, Texas 76208
29 Sharon Kremer, 3574 Pine Trail, Denton, Texas 76208
30 Steve Smith, 4224 Hartlee Field Road, Denton, Texas 76208
31 Katherine Landdeck, 5063 Farris Road, Denton, Texas 76208
32 Kevin Cornish, 5638 Woodland Hills Drive, Denton, Texas 76208
33 Mary Arndt, 3375 Hartlee Field Road, Denton, Texas 76208
34 Ann Woodbridge, 3596 Hartlee Field Road, Denton, Texas 76208
Susan Wheeler, 5540 Woodland Hills Drive, Denton, Texas 76208
35

36 Commissioner Smith motioned to postpone the item to a date certain of August 19, 2020. Motion
37 seconded by Commissioner Beck. Motion approved (6-0).
38

39 A YES (6): Vice-Chair Margie Ellis. Commissioners: Tim Smith, Jason Cole, Brian Beck, Mat
40 Pruneda, and Ronnie Anderson.

41 NAYS (0): None.

42 RECUSED (0): None.

43 ABSENT (1): Chair Andrew Rozell

44 ABSTAINED (0): None.
45

1 5. PUBLIC HEARINGS

2
3 A. Hold a public hearing and consider making a recommendation to City Council
4 regarding a request by Forestar Real Estate Group, Inc. for a Concept Plan amendment
5 and Detailed Plan approval to Sections J & K of Planned Development 132, The
6 Preserve at Pecan Creek. The 7.2- acre property is generally located at the southeast
7 corner of Lakeview Boulevard and Edward Road, in the City of Denton, Denton
8 County, Texas. THE REQUEST HAS BEEN POSTPONED TO THE AUGUST 19,
9 2020 PLANNING AND ZONING COMMISSION MEETING. (PDA19-0004a,
10 Preserve at Pecan Creek J & K Amendment, Julie Wyatt)

11
12
13 The following individuals submitted a virtual comment card:

14 Raymond Grimes, 4268 Swisher Road, Denton, Texas 76208

15
16 Commissioner Beck motioned to postpone the item to a date certain of August 19, 2020. Motion
17 seconded by Commissioner Smith. Motion approved (6-0)

18
19 A YES (6): Vice-Chair Margie Ellis. Commissioners: Tim Smith, Jason Cole, Brian Beck, Mat
20 Pruneda, and Ronnie Anderson.

21 NAYS (0): None.

22 RECUSED (0): None.

23 ABSENT (1): Chair Andrew Rozell

24 ABSTAINED (0): None.

25
26 B. Hold a public hearing and consider making a recommendation to City Council regarding
27 a request by Evolving Texas and Pedcor Investments LLC on behalf of Dennis J Koop for
28 a Specific Use Permit to allow a multi-family development. The 16.2-acre site is generally
29 located on the northwest corner of Duchess Drive and Loop 288 in the City of Denton,
30 Denton County, Texas. (S20-0004, The Grove, Julie Wyatt)

31
32 Vice- Chair Ellis opened the public hearing.

33
34 Julie Wyatt, Senior Planner, presented Public Hearing Item 5B. A discussion followed.

35
36 Vice-Chair Ellis closed the public hearing.

37
38 Commissioner Beck motioned to approve the item with staff conditions. Motion seconded by
39 Commissioner Smith. Motion approved (6-0).

40
41 A YES (6): Vice-Chair Margie Ellis. Commissioners: Tim Smith, Jason Cole, Brian Beck, Mat
42 Pruneda, and Ronnie Anderson.

43 NAYS (0): None.

44 RECUSED (0): None.

45 ABSENT (1): Chair Andrew Rozell

46 ABSTAINED (0): None.

1
2 C. Hold a public hearing and consider making a recommendation to City Council
3 regarding a request by Kimley-Horn Engineering representing Forestar (USA) Real
4 Estate Group, Inc. for an Alternative Environmentally Sensitive Area Plan for
5 approximately 213.9-acres located on the north side of Rose Lawn Drive, and the west
6 side of railroad tracks in the City of Denton, Denton County, Texas. (AES20-0003,
7 Forestar Rayzor, Christi Upton).
8

9 Vice-Chair Ellis opened the public hearing.

10
11 Christi Upton, Environmental Compliance Coordinator, presented item 5C. A discussion followed.

12
13 Commissioner Beck ensured that the riparian alternate ESA is just for the region along the channel
14 and does not include the upland habitat regions. Upton confirmed.
15

16 The following Individuals spoke on this item:

17 Rachel Deoger, 2115 McCormick St, Denton, Texas 76205

18 Leann Todd, 3316 Rose Lawn Drive, Denton, Texas 76205

19 Jennifer Lane, Willow Wood Drive, Denton, Texas 76205
20

21 Vice-Chair Ellis closed the public hearing
22

23 Commissioner Smith motioned to approve with staff recommendations. Motion seconded by
24 Commissioner Cole. Motion approved (6-0)
25

26 A YES (6): Vice-Chair Margie Ellis. Commissioners: Tim Smith, Jason Cole, Brian Beck, Mat
27 Pruneda, and Ronnie Anderson.

28 NAYS (0): None.

29 RECUSED (0): None.

30 ABSENT (1): Chair Andrew Rozell

31 ABSTAINED (0): None.
32

33 6. PLANNING & ZONING COMMISSION PROJECT MATRIX 34

35 A. Hold a discussion regarding the Planning and Zoning Commission project matrix.
36

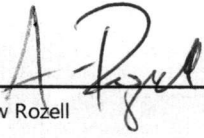
37 There were no changes made to the matrix.
38

39 7. CONCLUDING ITEMS 40

41 Vice-Chair Ellis closed Regular Meeting at 9:09 p.m.
42

X

Andrew Rozell
Chair

A handwritten signature in black ink, appearing to read 'A. Rozell', is written over a horizontal line.