



City of Denton

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

Meeting Agenda

Planning and Zoning Commission

Wednesday, October 21, 2020

4:30 PM

Council Work Session Room

WORK SESSION BEGINS AT 4:30 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 October 21, 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, October 16, 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, October 21, 2020, at 4:30 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. Citizen Comments on Consent Agenda Items

This section of the agenda allows citizens to speak on any item listed on the Consent Agenda prior to its consideration. Each speaker will be given a total of three (3) minutes to address any item(s). Any person who wishes to address the Planning and Zoning Commission regarding these items may do so by utilizing the "By Phone" registration process as referenced under the REGISTRATION GUIDELINES FOR ADDRESSING THE PLANNING AND ZONING COMMISSION detailed at the beginning of this agenda. Registration is required prior to the time the Planning and Zoning Commission considers this item. Registrants may call in and remain on hold or receive a call back at the time the Work Session is called to Order and are encouraged to ensure they remain accessible to accept the call.

2. Work Session Reports

- A. [ID 20-2141](#) Receive a report, hold a discussion, and give staff direction regarding the trails concept map for future identification, renovation, and expansion of facilities and trails.

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

- B. [ID 20-2008](#) Receive a report regarding outcomes of a City Council work session regarding plugged gas well issues, including risks and public protections from plugged wells, current inspection practices, setback distances in Denton and other area cities, and zoning incentives such as density bonuses that could encourage plugging wells in areas of new development.

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

3. 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.

REGULAR MEETING

The Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, October 21, 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. [PZ20-240](#) Consider approval of the October 7, 2020 meeting minutes.

Attachments: [October 7, 2020](#)

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PP20-0021](#) Consider a request by Chris Franke of LEMC, Inc. for a Preliminary Plat of The Woodlands Addition. The approximately 120.08-acre site is generally located on the north side of E. McKinney Street and on the west side of Trinity Road in the City of Denton, Denton County, Texas. Staff recommends denial of this request; however, the applicant has requested an extension to November 18, 2020. (PP20-0021, The Woodlands of McKinney, Hayley Zagurski)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Preliminary Plat](#)
[Exhibit 5 - LLC Members List](#)
[Exhibit 6 - 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. [DCA20-0001](#) Hold a public hearing and consider making a recommendation to City Council regarding proposed amendments to the Denton Development Code; specifically, amending Sections 2.3.3A through 2.3.3C, related to Planning and Zoning Commission Operational Procedures; Sections 2.6.1A through 2.6.1D, related to Subdivision Procedures; and Sections 8.4.6A and 8.4.6B, related to Development Contracts; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; and providing a severability clause and an effective date. STAFF IS REQUESTING THAT THIS ITEM BE POSTPONED TO A DATE UNCERTAIN. (DCA20-0001, DDC Amendments, Ron Menguita)

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

- B. [PD20-0006](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Texas Health Presbyterian Hospital Denton and Texas Health Resources for a rezoning from Mixed Use Regional (MR) District to Planned Development (PD) District.

The 38.2-acre property is generally located on the east side of the Interstate Highway 35 frontage road and the west side of Bonnie Brae Street between West Oak Street and Scripture Street, in the City of Denton, Denton County, Texas. (PD20-0006, Texas Health Resources, Hayley Zagurski).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Zoning Map](#)
[Exhibit 5 - Future Land Use Map](#)
[Exhibit 6 - PD Development Regulations](#)
[Exhibit 7 - PD Layout Exhibits](#)
[Exhibit 8 - Notification Map and Responses](#)
[Exhibit 9 - Draft Ordinance](#)

- C. [S20-0003](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Michael D. Clark, P.E. of Winkelmann and Associates, Inc., on behalf of the property owner, for a Specific Use Permit (SUP) to allow for a multi-family development on three adjacent tracts totaling approximately 21.960 acres. The subject property is generally located on the northwest corner of Shady Shores Road and Lakeview Boulevard in the City of Denton, Denton County, Texas. (S20-0003, Shady Shores Towne Crossing - Multi-family, Karina Maldonado) STAFF IS REQUESTING THAT THIS ITEM BE POSTPONED TO A DATE CERTAIN OF NOVEMBER 4, 2020.

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

- D. [AESA20-0005a](#) Hold a public hearing and consider making a recommendation to City Council regarding a request for an Alternative Environmentally Sensitive Area Plan. The subject property is generally located on the northwest corner of Shady Shores Road and Lakeview Boulevard in the City of Denton, Denton County, Texas. (AESA20-0005 Shady Shores Town Center Multifamily, Christi Upton) STAFF IS REQUESTING THAT THIS ITEM BE POSTPONED TO A DATE CERTAIN OF NOVEMBER 4, 2020.

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

5. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ20-241](#) 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 16th day of October, 2020 at 5:52 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.