

MINUTES  
PLANNING AND ZONING  
October 21, 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, 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 were considered:

PRESENT: Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Ronnie Anderson, Brian Beck, Mat Pruneda and Jason Cole.

ABSENT: None

STAFF: Richard Cannone, Cynthia Kirchoff, Hayley Zagurski, and Selena Dillard.  
On the phone: Karina Maldonado, Christi Upton and Ron Mengueta

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

**WORK SESSION**

Chair Andrew Rozell opened the Work Session at 4:32 p.m.

Chair Rozell noted that Commissioner Ronnie Anderson was absent at the beginning of the Work Session.

**1. Citizen Comments on Consent Agenda Items**

None

**2. Work Session Reports**

**A. 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.**

Gary Packan, Director of Parks and Recreation, presented the report to the Commission. A discussion followed.

Chair Rozell noted that Commissioner Anderson was in attendance.

**B. Receive a report regarding the 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.**

1  
2 Hayley Zagurski, Senior Planner, presented the report to the commission. A discussion followed.

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

5  
6 Hayley Zagurski presented item 3A, PP20-0021. A discussion followed.

7  
8 Hayley Zagurski presented item 4B, PD20-0006. A discussion followed. Commissioner Tim Smith  
9 asked for the current hospital bed to parking ratio be given during the regular meeting.  
10 Commissioner Margie Ellis was concerned with the height of the parking garage in relation to the  
11 surrounding residential area. Zagurski assured that any major changes to the site would have to  
12 meet criteria that is in the Denton Development Code.

13  
14  
15 REGULAR MEETING

16  
17 The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, October  
18 21, 2020 at 6:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney at which  
19 time the following items were considered:

20  
21  
22 PRESENT: Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Ronnie  
23 Anderson, Brian Beck, Mat Pruneda and Jason Cole.

24  
25 ABSENT: None

26  
27 STAFF: Richard Cannone, Cynthia Kirchoff, Hayley Zagurski and Selena Dillard.  
28 On the phone: Karina Maldonado, Christi Upton and Ron Menguita

29  
30 Chair Andrew Rozell opened the Regular Meeting at 6:33 p.m.

31  
32 1. PLEDGE OF ALLEGIANCE

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

35  
36  
37 2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES  
38 FOR:

- 39 A. Consider the approval of the October 7, 2020 meeting minutes.

40  
41 Commissioner Margie Ellis motioned to approve the October 7, 2020 meeting minutes. Motion  
42 seconded by Commissioner Tim Smith. Motion approved (7-0)

43  
44 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian  
45 Beck, Mat Pruneda, and Ronnie Anderson.

46 NAYS (0): None.

1 RECUSED (0): None.  
2 ABSENT (0): None  
3 ABSTAINED (0): None.

### 4 3. ITEMS FOR INDIVIDUAL CONSIDERATION

- 5  
6  
7  
8 A. Consider a request by Chris Franke of LEMC, Inc. for a Preliminary Plat of The  
9 Woodlands Addition. The approximately 120.08-acre site is generally located on the  
10 north side of E. McKinney Street and the west side of Trinity Road in the City of  
11 Denton, Denton County, Texas. Staff recommends denial of this request; however,  
12 the applicant has requested an extension to November 18, 2020. (PP20-0021, The  
13 Woodlands of McKinney, Hayley Zagurski.

14 Commissioner Smith motioned to approve the Extension to a date certain of November 18, 2020.  
15 Motion seconded by Commissioner Brian Beck. Motion approved (7-0)

16  
17 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian  
18 Beck, Mat Pruneda, and Ronnie Anderson.

19 NAYS (0): None.

20 RECUSED (0): None.

21 ABSENT (0): None

22 ABSTAINED (0): None.

### 23 24 4. PUBLIC HEARINGS

- 25  
26 A. Hold a public hearing and consider making a recommendation to City Council  
27 regarding proposed amendments to the Denton Development Code; specifically,  
28 amending Sections 2.3.3A through 2.3.3C, related to Planning and Zoning Commission  
29 Operational Procedures; and Sections 8.4.6A and 8.4.6B, related to Development  
30 Contracts; providing for a penalty in the maximum amount of \$2,000.00 for violations  
31 thereof; and providing a severability clause and an effective date. STAFF IS  
32 REQUESTING THAT THIS ITEM BE POSTPONED TO A DATE UNCERTAIN.  
33 (DCA20-0001, DDC Amendments, Ron Menguita)  
34  
35  
36

37 Commissioner Smith motioned to approve the postponement of the item to a date uncertain.  
38 Motion seconded by Commissioner Mat Pruneda. Motion approved (7-0)

39  
40 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian  
41 Beck, Mat Pruneda, and Ronnie Anderson.

42 NAYS (0): None.

43 RECUSED (0): None.

44 ABSENT (0): None

45 ABSTAINED (0): None.

1 B. Hold a public hearing and consider making a recommendation to City Council  
2 regarding a request by Texas Health Presbyterian Hospital Denton and Texas Health  
3 Resources for a rezoning from Mixed Use Regional (MR) District to Planned  
4 Development (PD) District. The 38.2-acre property is generally located on the east side  
5 of the Interstate Highway 35 frontage road and west side of Bonnie Braw Street  
6 between West Oak Street and Scripture Street, in the City of Denton, Denton County,  
7 Texas. (PD20-0006, Texas Health Resources, Hayley Zagurski)  
8

9 Chair Rozell opened the public hearing.

10  
11 Hayley Zagurski, Senior Planner, presented item 4B, PD20-0006.

12  
13 Zagurski provided the number of current parking spaces at the site to Commissioner Smith.

14  
15 Chad Anderson, Applicant, discussed the location of where a future parking garage would be  
16 located.

17  
18 Chair Rozell closed the public hearing.

19  
20 Commissioner Smith motioned to approve the item. Motion seconded by Commissioner Anderson.  
21 Motion approved (7-0)

22  
23 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian  
24 Beck, Mat Pruneda, and Ronnie Anderson.

25 NAYS (0): None.

26 RECUSED (0): None.

27 ABSENT (0): None

28 ABSTAINED (0): None.

29 C. Hold a public hearing and consider making a recommendation to the City Council  
30 regarding a request by Michael D. Clark, P.E. of Winkelmann and Associates, Inc., on  
31 behalf of the property owner, for a Specific Use Permit (SUP) to allow for a multi-  
32 family development on three adjacent tracts totaling approximately 21.960 acres. The  
33 subject property is generally located on the northwest corner of Shady Shores Road and  
34 Lakeview Boulevard in the City of Denton, Denton County, Texas. (S20-0003, Shady  
35 Shores Towne Crossing – Multi-family, Karina Maldonado). STAFF IS  
36 REQUESTING THAT THIS ITEM BE POSTPONED TO A DATE CERTAIN OF  
37 NOVEMBER 4, 2020.  
38

39 Chair Rozell opened the public hearing.

40  
41 The following Individuals submitted a virtual comment card:

42 David Ahrens, 4508 Trumpet Vine, Denton, Texas 76208

43 Tira Warren, 8012 Bishop Pine Road, Denton, Texas 76208

44 Laurie Wheeler, 4521 Fox Sedge Lane, Denton, Texas 76208

1 Stacey Wolf, 6020 Marsh Rail Drive, Denton, Texas 76208

2  
3 Commissioner Smith motioned to approve postponement to a date certain of November 4, 2020.  
4 Motion seconded by Commissioner Pruneda. Motion approved (7-0)

5  
6 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian  
7 Beck, Mat Pruneda, and Ronnie Anderson.

8 NAYS (0): None.

9 RECUSED (0): None.

10 ABSENT (0): None

11 ABSTAINED (0): None.

12 D. Hold a public hearing and consider making a recommendation to City Council  
13 regarding a request for an Alternative Environmentally Sensitive Area Plan. The  
14 subject property is generally located on the northwest corner of Shady Shores Road and  
15 Lakeview Boulevard in the City of Denton, Denton County, Texas. (AESA20-0005  
16 Shady Shores Town Center Multifamily, Christi Upton) STAFF IS REQUESTING  
17 THAT THIS ITEM BE POSTPONED TO A DATE CERTAIN OF NOVEMBER 4,  
18 2020.

19  
20 Chair Rozell opened the public hearing.

21  
22 The following individual submitted a virtual comment card:

23 Wanda Coonce, 6303 W Shady Shores Road, APT 316, Denton, Texas 76208

24  
25 Commissioner Pruneda motioned to approve postponement to a date certain of November 4, 2020.  
26 Motion seconded by Commissioner Smith. Motion approved (7-0)

27  
28 AYES (7): Chair Andrew Rozell, Commissioners: Margie Ellis, Tim Smith, Jason Cole, Brian  
29 Beck, Mat Pruneda, and Ronnie Anderson.

30 NAYS (0): None.

31 RECUSED (0): None.

32 ABSENT (0): None

33 ABSTAINED (0): None.

34  
35 6. **PLANNING & ZONING COMMISSION PROJECT MATRIX**

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

38  
39 Richard Cannone, Deputy Director of Development Services, gave an update to the  
40 Commissioners regarding City Council as well as future Work Session items.

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42  
43 7. **CONCLUDING ITEMS**

- 1 Chair Rozell closed the Regular Meeting at 7:11 p.m.
- 2

X   
\_\_\_\_\_  
Andrew Rozell  
Chair

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