

Minutes
Planning and Zoning Commission
December 12, 2018

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, December 12, 2018 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: Vice- chair Margie Ellis. Commissioners: Alfred Sanchez, Larry Beck, Jason Cole, Mat Pruneda, and Tim Smith.

ABSENT: Chair Andrew Rozell.

STAFF: Richard Cannone, Scott McDonald, Jerry Drake, Hayley Zagurski, Julie Wyatt, Ron Menguita, Sean Jacobson, Charlie Rosendahl, Karen Hermann, Pritam Deshmukh, and Cathy Welborn.

Vice-chair Ellis opened the Work Session at 4:35 p.m.

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.

Richard Cannone, Deputy Director of Development Services, stated the applicant for Public Hearing item 4D has withdrawn their application.

Vice-chair Ellis asked the Commission if there were any questions regarding the minutes. Vice-Chair Ellis stated in the November 28, 2018 meeting minutes on page 10 line 43 it states Chair Rozell left the Public Hearing opened, but doesn't mention he opened the Public Hearing. Jerry Drake, First Assistant City Attorney, advised to revise the minutes to eliminate the sentence.

Vice-chair Ellis stated Public Hearing item 4A has been postponed to January 9, 2019.

The Commission agreed to hear Public Hearing item 4B during the Regular Meeting.

Ron Menguita, Principal Planner, presented Public Hearing item 4C.

Menguita, provided a presentation regarding the Oak Gateway Area Plan. Menguita stated the purpose comes from the Community Vision statements in the Denton Plan 2030 that states: 1. we retain our sense of community and shared values, while welcoming new arrivals and celebrating growing diversity. 2. Established neighborhoods where revitalization and compatible infill development contributes to stable, livable and historic character, and fosters neighborhood

pride and homeownership.

Menguita stated the Committee had over 20 meetings that consisted of residents, business owners, bicyclists, developers and others. The Oak Gateway Area Plan consists of three subareas.

Commissioner Beck questioned in order to obtain the vision will rezoning be required. Menguita stated yes rezonings would be required to support the vision.

Commissioner Smith questioned if the Steering Committee talked to the Leadership Denton Leisure Class 32. Menguita stated the Steering Committee did not. Commissioner Smith stated he recommends reaching out to Leadership Denton Class 32 because their project was regarding affordable housing in Denton, and there was an intensive real estate analysis done to help solve the affordable housing issue.

Commissioner Pruneda questioned what feedback was given by local business owners on parking. Menguita stated there were local business owners on the committee, they didn't seem to object. Menguita continued to state the general idea is to create a mechanism to improve the area. He added parking was a topic discussed at the two public meetings.

Menguita stated staff recommends approval of the draft visions, goals, recommendations, and implementation strategy.

Vice-chair Ellis stated one thing missing is where density should be. Menguita stated density falls under the zoning designation; there is a recommendation for designating appropriate zoning which will be addressed with the Denton Development Code (DDC) update.

Commissioner Beck stated the bulk of the concern was on Subarea One. Commissioner Beck questioned if staff believes the other two subareas were focused and represented equally as Subarea One. Menguita stated he agrees with Commissioner Beck the majority of the steering committee was focused on Subarea One, but between the chair and vice-chair they made sure the other subareas were discussed.

2. Work Session Reports

A. Receive an update on the proposed amendments to the Water and Wastewater Design Criteria Manual.

Pritam Deshmukh, Deputy City Engineer, provided the upcoming amendments to the water & wastewater criteria manual, storm water design criteria manual, and standard details.

B. Receive an update on project notification and submission list.

Charlie Rosendahl, Business Services Manager, provided an update regarding the changes to the website, where the neighborhood meetings and new project submission list would be located and

informed the Commission that notifications would be sent out to the Planning and Zoning Commissioners.

Vice-chair Ellis closed the Work Session at 6:15 p.m.

REGULAR MEETING

The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, December 12, 2018 at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney at which time the following items were considered:

Vice-chair Ellis opened the Regular Meeting at 6:44 p.m.

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag B. Texas Flag

Vice-chair Ellis stated Public Hearing item 4A is postponed to the January 9, 2018 Planning and Zoning Commission meeting and 4D has been permanently withdrawn.

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

A. Consider approval of the Planning and Zoning Commission meeting minutes.

Commissioner Larry Beck motioned, Commissioner Mat Pruneda seconded to approve the November 14, 2018 meeting minutes. Motion approved (5-0). Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Commissioner Mat Pruneda "aye", Vice-chair Margie Ellis "aye", and Commissioner Tim Smith "aye". Commissioner Alfred Sanchez "recused".

Commissioner Tim Smith motioned. Commissioner Mat Pruneda seconded to approve the November 28, 2018 minutes with the removal of line 43 located on page 10. Motion approved (6-0). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Commissioner Mat Pruneda "aye", Vice-Chair Margie Ellis "aye", and Commissioner Tim Smith "aye".

3. CONSENT AGENDA

A. Consider a request by Texas Blue Horseshoe Ltd. for approval of a Preliminary Plat of Lots 1 & 2, Block 1 of the All Storage Denton Addition. The approximately 12.56-acre site is generally located along the west side of the I-35 southbound service road and at the eastern terminus of Jim Christal Road in the City of Denton, Denton County, Texas. (PP18-0021, All Storage Denton, Hayley Zagurski).

B. Consider a request by Robson Denton Development, LP for approval of a Final Plat for Robson Ranch Unit 28-1. The approximately 47.050-acre site is generally located on the north side of Yarbrough Way, approximately 1,770 feet east of Florence Road in the City of Denton, Denton County, Texas. (FP18-0010, Robson Ranch Unit 28-1, Julie Wyatt)

Commissioner Tim Smith motioned, Commissioner Larry Beck seconded to approve the Consent Agenda. Motion approved. (6-0). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Commissioner Mat Pruneda "aye", Vice-Chair Margie Ellis "aye", and Commissioner Tim Smith "aye".

4. PUBLIC HEARINGS

A. Hold a public hearing and consider making a recommendation to City Council regarding a request by Agave Ranch Development LLC and 428 Diamond LLC for a change in the zoning district and use classification from Rural Residential (RD-5) to a Neighborhood Residential 4 (NR-4) district and an initial zoning district and use classification of Neighborhood Residential 4 (NR-4) on approximately 92.06 acres of land generally located on the east side of East Sherman Drive (FM 428), approximately 1,465 feet north of Hartlee Field Road in the City of Denton, Denton County, Texas. THIS ITEM HAS BEEN POSTPONED TO THE JANUARY 9, 2018 PLANNING AND ZONING COMMISSION MEETING. (Z18-0011, Agave Ranch, Julie Wyatt)

B. Hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; specifically to amend Subchapters 13 and 17 related to tree preservation, landscape standards, and environmentally sensitive area standards. (DCA18-0008, Conservation and Landscape Code, Hayley Zagurski). THIS ITEM HAS BEEN CONTINUED FROM THE NOVEMBER 28, 2018 PLANNING AND ZONING COMMISSION MEETING.

Vice- chair Ellis opened Public Hearing item 4B.

Richard Cannone, Deputy Director of Development Services and Hayley Zagurski, Senior Planner, presented the proposed revisions to the Conservation and Landscape Code.

Cannone stated there were minor amendments made in 2015, and in 2016 the State of Denton Urban Forest report was completed.

Zagurski stated staff recommends a point system be applied to compatibility buffers and site landscaping in lieu of strict planting requirements.

Zagurski provided the anticipated timeline and implementation dates.

The following individual spoke during the Public Hearing:

Rick Baria, 5112 Edwards Road, Denton, Texas 76208. Supports the request.

Vice-chair Ellis closed the Public Hearing.

Commissioner Tim Smith motioned, Commissioner Larry Beck seconded to indefinitely postpone Public Hearing item 4B. Motion approved (6-0). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Commissioner Mat Pruneda "aye", Vice-Chair Margie Ellis "aye", and Commissioner Tim Smith "aye".

Cannone stated for the record, if the public would like to provide any comments or feedback, there is a comment form located on the website or reach out directly to staff.

C. Hold a public hearing and consider making a recommendation to City Council regarding an ordinance accepting the visions, goals, recommendations, and implementation strategy proposed in the Oak Gateway Area Plan. The Area Plan is generally located south of Panhandle Street, north of Interstate 35 (I-35), east of Bonnie Brae Street, and west of Carroll Boulevard. (Oak Gateway Area Plan, Ron Menguita)

Vice-chair Ellis opened the Public Hearing.

Ron Menguita, Principal Planner, and the following members of the Oak Gateway Steering Committee, Patrice Lyke, Kim McKibben, Christopher Walker, and Christopher Wilkins, presented Public Hearing item 4C.

Commissioner Smith questioned if staff's intent is to get approval for the recommendation to City Council, to provide direction for the overview of the Oak Gateway Area Plan. Menguita stated yes that is correct.

Commissioner Pruneda questioned if the Steering Committee identified any particular areas to entice a grocery store. Patrice Lyke stated the committee was not able to identify specific areas, but the Committee has provided suggestions to create hope which could create an expectation.

The following individuals spoke during the Public Hearing:

Kevin Marshall, 700 W. Hickory Street, Denton, Texas 76201. Supports the request.
Daisy Horta, 3252 Bent Creek Drive, Denton, Texas 76210. Supports the request.
Suzann Rumohr, 1700 Crescent Street, Denton, Texas 76201. Opposed to the request.
Garret Rumohr, 1700 Crescent Street, Denton, Texas 76201. Supports the request.
Ginger Cain, 1600 Church Drive, Denton, Texas 76209. Opposed to the request.
Jennifer Lane, 1526 Willowood Street, Denton, Texas 76205. Supports the request.

Commissioner Beck asked Suzann Rumohr if she approves the Oak Gateway Area Plan, just not the recommendations regarding the bike lanes. Rumohr agreed and she. She stated in 2012 the City Council approved a bike plan.

Commissioner Pruneda questioned the process that will be used to ensure citizens' concerns are addressed. Menguita stated if the Planning and Zoning Commission wants to move forward with the recommendations, they can or the Commission can add a condition or provide comments to City Council.

Vice-chair Ellis closed the Public Hearing.

Commissioner Smith motioned, Commissioner Cole seconded to approve Public Hearing item 4C.

Vice-chair Ellis stated the steering committee did a great job creating the Oak Gateway Area Plan, she just wishes density could have been better addressed. The only issue she is having is the way the item was posted as having the word ordinance. Jerry Drake, First Assistant City Attorney, stated there is no particular requirement for noticing as it is with a zoning change. But nevertheless the meeting was posted properly and there was a hearing awarded to the citizens.

Commissioner Pruneda asked if Commissioner Smith would be amenable to change recommendation wording to state resolution instead of ordinance. Commissioner Smith and Commissioner Cole both agreed to amend the motion.

Commissioner Tim Smith motioned, Commissioner Jason Cole seconded to approve Public Hearing item 4C with the following amendment: Hold a public hearing and consider making a recommendation to City Council regarding a resolution accepting the visions, goals, recommendations, and implementation strategy proposed in the Oak Gateway Area Plan. Motion approved (6-0). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Jason Cole "aye", Commissioner Mat Pruneda "aye", Vice-Chair Margie Ellis "aye", and Commissioner Tim Smith "aye".


D. Hold a public hearing and consider making a recommendation to City Council regarding a request by Lee Allison of the Allison Engineering Group on behalf of Responsive Education Solutions and Lifeline Church of Denton for a rezoning from a Neighborhood Residential 2 (NR-2) to a Neighborhood Residential Mixed-Use (NRMU) District on two adjacent tracts, one of approximately 5.723 acres and the other of approximately 4.389 acres. The subject site is generally located southwest of the intersection of Teasley Lane and Pennsylvania Drive, in the City of Denton, Denton County, Texas (CDP Bravo, Z18-0021, Sean Jacobson).

5. PLANNING & ZONING COMMISSION PROJECT MATRIX

A. Planning and Zoning Commission project matrix.

Vice-chair Ellis stated if the fellow Commissioners want to provide input regarding the Conservation and Landscape Code, to send those to Richard Cannone, Deputy Director of Development Services or Hayley Zagurski, Senior Planner.

Vice-chair Ellis closed the Regular Meeting at 9:10 p.m.

X 

Margie Ellis
Vice-Chair
3.20.19

X 

Cathy Welborn
Administrative Assistant