

Minutes
Planning and Zoning
December 11, 2019

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 11, 2019 at 3:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which time the following items were considered:

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

ABSENT: Commissioners: Mat Pruneda, and Tim Smith.

STAFF: Scott McDonald, Richard Cannone, Hayley Zagurski, Julie Wyatt, Cindy Jackson, Cynthia Kirchoff, Jerry Drake, Ron Menguita, Sean Jacobson, Charlie Rosendahl, and Cathy Welborn.

WORK SESSION

Chair Rozell opened the Work Session at 3:38 p.m.

Chair Rozell stated to let the record show that Commissioner Smith and Commissioner Pruneda are currently absent.

Commissioner Cole recused himself from Work Session Report 1A.

1. Work Session Reports

A. Receive a report, hold a discussion, and give staff direction regarding the development of the Hunter-Cole Ranch master planned community in southwest Denton.

Richard Cannone, Deputy Director of Development Services, presented Work Session report 1A. Ocie Vest with Stratford Land and Brian Carlock with Hillwood Communities, provided a presentation regarding Hunter Cole Ranch. A discussion followed.

Commissioner Pruneda arrived.

Commissioner Smith arrived.

B. Receive a report, hold a discussion, and give staff direction regarding public hearing notifications.

Due to time the Planning and Zoning Commission was unable to hear Work Session Report 1B.

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.

Chair Rozell stated Public Hearing item 5A is being postponed and the applicant for Item for Individual Consideration 4D has satisfied all requirements to change the request from a denial to an approval.

Commissioner Cole returned to the dais.

Commissioner Ellis requested clarification Item for Individual Consideration 4E. Julie Wyatt, Senior Planner provided clarification.

Chair Rozell called a recess at 5:30 p.m.

Chair Rozell reconvened the Work Session at 5:40 p.m.

Julie Wyatt, Senior Planner, presented Public Hearing item 5B.

Hayley Zagurski, Senior Planner, presented Public Hearing item 5C. A discussion followed.

Cindy Jackson, Senior Planner, presented Public Hearing item 5D. A discussion followed.

Julie Wyatt, Senior Planner, presented Public Hearing item 5E. A discussion followed.

Chair Rozell closed the Work Session at 6:30 p.m.

REGULAR MEETING

The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, December 11, 2019 at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney at which time the following items were considered:

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

ABSENT: None.

STAFF: Scott McDonald, Richard Cannone, Hayley Zagurski, Julie Wyatt, Cindy Jackson, Cynthia Kirchoff, Jerry Drake, Sean Jacobson, and Cathy Welborn.

Chair Rozell opened the Regular Meeting at 6:39 p.m.

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag B. Texas Flag

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

A. Consider the approval of the November 6, 2019 and November 20, 2019 minutes.

Commissioner Mat Pruneda motioned to approve the November 6, 2019 meeting minutes. Motion seconded by Commissioner Margie Ellis. Motion carried 7-0.

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

NAYS (0): None

RECUSED (0): None

ABSENT. (0): None.

Commissioner Margie Ellis motioned to approve the November 20, 2019 meeting minutes. Motion seconded by Commissioner Mat Pruneda. Motion carried 6-0-1.

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

NAYS (0): None

RECUSED (1): Chair Andrew Rozell.

ABSENT. (0): None.

3. CONSENT AGENDA

A. Consider a request by John Cox with Eagle Surveying, on behalf of Teasley Land Venture, JV, LLC., for a Preliminary Plat of Lot 1 Block A, Teasley Office Park. The approximately 3.42-acre property is located on the west side of Teasley Lane, approximately 248 feet south of Bent Oaks Drive. (PP19-0036, Teasley Office Park, Cindy Jackson)

B. Consider a request by Pacheco Koch, LLC representing SP Denton 1, LLC, for a Preliminary Plat of SP Denton 1 Addition, Block A, Lots 1 through Lots 6. The approximately 93.548-acre property is generally located on the northwest corner of Western Boulevard and Airport Road, in the City of Denton, Denton County, Texas. (PP19-0021, Industrial Development, Karina Maldonado)

C. Consider a request by Denton West Joint Venture for a Preliminary Plat of the Hunter's Creek Addition. The approximately 22.63-acre site is generally located on the north side of East Ryan Road, approximately 850 feet west of Teasley Lane in the City of Denton, Denton County, Texas. (PP19-0015, Hunter's Creek Addition, Julie Wyatt)

D. Consider a request by Columbia Medical Center of Denton for a Preliminary Plat of the Apex Health & Rehabilitation Addition. The approximately 6.345-acre site is generally located 180 feet northwest of Medpark Drive and 191 feet south of Colorado Boulevard in

the City of Denton, Denton County, Texas. (PP19-0030, Apex Health & Rehabilitation Addition, Julie Wyatt)

E. Consider a request by Kimley Horn and Associates, on behalf of JR Lott Holding, LLC., for a Preliminary Plat of the Country Club Terrace Addition. The approximately 34.5-acre property is located on the east side of Country Club Road, approximately 1,625-feet south of Ryan Road in the City of Denton. (PP19-0007, Lott Tract, Cindy Jackson)

Commissioner Margie Ellis motioned to approve the Consent Agenda. Motion seconded by Commissioner Mat Pruneda. Motion carried 7-0.

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

NAYS (0): None

RECUSED (0): None

ABSENT. (0): None.

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. Consider a request by John Cox of Eagle Surveying, on behalf of Lucro Investments, LLC, for a Minor Plat of the Meadow Lane Addition. The approximately 0.28-acre property is generally located on the west side of Meadow Street, approximately 112 feet south of the intersection of Meadow Street and East Daugherty Street. (MP19-0018, Sean Jacobson)

Commissioner Tim Smith motioned to deny Item for Individual Consideration 4A. Motion seconded by Commissioner Mat Pruneda. Motion carried 7-0.

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

NAYS (0): None

RECUSED (0): None

ABSENT. (0): None.

B. Consider a request by Kimley Horn and Associates, on behalf of Preston Alpha Investments, LLC., for a Preliminary Plat of Stuart Ridge, Phases 2 and 3. The approximately 93.23-acres property is located on the north side of Long Road and on the east side of Stuart Road in the City of Denton's Extra-Territorial Jurisdiction. (PP19-0035, Stuart Ridge, Cindy Jackson)

Commissioner Tim Smith motioned to postpone Item for Individual Consideration 4B to the January 8, 2019 Planning and Zoning Commission meeting. Motion seconded by Commissioner Mat Pruneda. Motion carried 7-0.

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

NAYS (0): None

RECUSED (0): None
ABSENT. (0): None.

C. Consider a request by the County of Denton for a Preliminary Plat for the Denton County Emergency Operations Center. The approximately 5.137-acre site is generally located on the southwest side of the intersection of Karina Street and Kimberly Drive in the City of Denton, Denton County, Texas. (PP19-0031, Denton County Emergency Services, Hayley Zagurski).

Commissioner Tim Smith motioned to postpone Item for Individual Consideration 4C to the January 8, 2019 Planning and Zoning Commission meeting. Motion seconded by Commissioner Mat Pruneda. Motion carried 7-0.

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

NAYS (0): None
RECUSED (0): None
ABSENT. (0): None.

D. Consider a request by Glory of Zion International Ministries Inc. for a Final Plat of Lot 1 of the Windsor 35 Addition. The approximately 16.579-acre site is generally located on the north side of West Windsor Drive and east of the I-35 frontage road in the City of Denton, Denton County, Texas. (FP19-0032, Windsor Apartments, Hayley Zagurski).

Commissioner Tim Smith motioned to approve Item for Individual Consideration 4D. Motion seconded by Commissioner Margie Ellis. Motion carried 6-1.

A YES (6): Chair Andrew Rozell. Commissioners: Margie Ellis, Jason Cole, Tim Smith, Ronnie Anderson and Mat Pruneda.

NAYS (1): Commissioner Brian Beck.
RECUSED (0): None
ABSENT. (0): None.

E. Consider a request by Shercross Development, LLC for a Preliminary Plat of the Sherman Crossing Phase 2B Addition. The approximately 18.74-acre site is generally located on the north side of Hercules Lane, at the intersection of Hercules Lane and Buckingham Drive in the City of Denton, Denton County, Texas. (PP19-0013, Sherman Crossing Phase 2B Addition, Julie Wyatt)

Commissioner Tim Smith motioned to approve Item for Individual Consideration 4E. Motion seconded by Commissioner Margie Ellis. Motion carried 7-0.

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

NAYS (0): None
RECUSED (0): None

ABSENT. (0): None.

5. PUBLIC HEARINGS

A. Hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; specifically to amend Subchapter 2, Administration and Procedures and Subchapter 7: Development Standards, related Alternative Environmentally Sensitive Area (ESA) Plans and platting. STAFF HAS POSTPONED THIS ITEM TO A DATE UNCERTAIN. (DCA19-0024, Alt ESA Plan, Julie Wyatt)

Chair Rozell stated Public Hearing item 5A has been postponed to date uncertain.

B. Hold a public hearing and consider making a recommendation to City Council regarding a request by Oxford at Sherman Drive, LLC for a Specific Use Permit to allow for a Multifamily Dwelling use on approximately 12.33 acres. The property is generally located on the north side of Poinsettia Boulevard, approximately 945 feet east of East Sherman Drive in the City of Denton, Denton County, Texas. (S19-0003, Oxford at Sherman Drive, Julie Wyatt)

Chair Rozell opened the Public Hearing.

Julie Wyatt, Senior Planner, presented Public Hearing 5B.

Chair Rozell closed the Public Hearing.

Commissioner Tim Smith motioned to approve Public Hearing Item 5B. Motion seconded by Commissioner Mat Pruneda. Motion carried 7-0.

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

NAYS (0): None

RECUSED (0): None

ABSENT. (0): None.

C. Hold a public hearing and consider making a recommendation to City Council regarding a request by Ken Newman Properties LLC and Aerie Castle Investments LLC for a zoning change from Residential 2 (R-2) on approximately 34.31 acres and Residential 3 (R3) on approximately 2.34 acres to a Planned Development (PD) District. The total 36.66-acre site is generally located north of Ryan Road, approximately 120 feet east of Monte Carlo Lane, in the City of Denton, Denton County, Texas. (PD19-0003, Ryan Way, Hayley Zagurski).

Chair Rozell opened the Public Hearing.

Hayley Zagurski, Senior Planner, presented Public Hearing item 5C. A discussion followed.

The following individuals spoke during the Public Hearing:

Jim Strange, 3613 Falcon Court, Denton, Texas 76210. Supports the request.
Thomas Fletcher, 6160 Warren Parkway, Frisco, Texas 75034. Supports the request.
Mat Wenthold, 1405 San Marino Lane, Denton, Texas 76210. Opposed to the request.
Jacob Scott, 1400 San Marino Lane, Denton, Texas 76210. Opposed to the request.
Beverly Hoch-Steinel, 3819 Monte Carlo Lane, Denton, Texas 76210. Opposed to the request.
Mike Steinel, 3819 Monte Carlo Lane, Denton, Texas 76210. Opposed to the request.
Holly Crancer, 1424 Montevideo Court, Denton, Texas 76210. Opposed to the request.
Brett Blackstone, 4000 Crosstrees Drive, Denton, Texas 76210. Supports the request.
Claude Drury, 3520 Monte Carlo Lane, Denton, Texas 762010. Opposed to the request.
Lesli Yamashita, 1404 San Marino Lane, Denton, Texas 76210. Opposed to the request.
Jill Cruz, 1404 Montevideo Court, Denton, Texas 76210. Opposed to the request.
Stephen Flowers, 3811 Monte Carlo Lane, Denton, Texas 76210. Opposed to the request.
Jodi Williamson, 745 Seville Road, Denton, Texas 76205. Opposed to the request.
Randy Yamashita, 1404 San Marino Lane, Denton, Texas 76210. Opposed to the request.
Danny Dutmer, 3823 Monte Carlo Lane, Denton, Texas 76210. Opposed to the request.

The following individuals requested not to speak during the Public Hearing:

Gene Mann, 1413 Montecristo Court, Denton, Texas 76210. Opposed to the request.
Celina Mann, 1413 Montecristo Court, Denton, Texas 76210. Opposed to the request.
Keith Ganslen, 3807 Ridgemont Lane, Denton, Texas 76210. Opposed to the request.
Richard Orth, 3801 Monte Carlo Lane, Denton, Texas 76210. Supports the request.
Michelle McDonald, 3805 Seville Road, Denton, Texas 76205. Opposed to the request.
Danny Dutmer, 3823 Monte Carlo Lane, Denton, Texas 76210. Opposed to the request.
Rebecca Orth, 3801 Monte Carlo Lane, Denton, Texas 76210. Supports the request.
Rae Mowry, 3800 Ridgemont Lane, Denton, Texas 76210. Opposed to the request,
Donna Despain, 1409 Montecristo Court, Denton, Texas 76210. Opposed to the request.
Shari Brand, 3816 Ridgemont Lane, Denton, Texas 76210. Opposed to the request.
Neal Brand, 3816 Ridgemont Lane, Denton, Texas 76210. Opposed to the request.
Ryan Montcalm, 3831 Ridgemont Lane, Denton, Texas 76210. Opposed to the request.

The Planning and Zoning Commissioner's deliberated, requested clarifications and provide their thoughts regarding the item.

Chair Rozell closed the Public Hearing.

Commissioner Tim Smith motioned to approve Public Hearing Item 5C. Motion seconded by Commissioner Andrew Rozell. Motion carried 4-3.

A YES (4): Chair Andrew Rozell. Commissioners: Jason Cole, Tim Smith and Ronnie Anderson
NAYS (3): Commissioners: Margie Ellis, Brian Beck and Mat Pruneda.

RECUSED (0): None

ABSENT. (0): None.

Chair Rozell called a recess at 8:48 p.m.

Chair Rozell reconvened the Regular Meeting at 8:59 p.m.

D. Hold a public hearing and consider making a recommendation to City Council regarding a proposed amendment to the First United Methodist Church special sign district (Ord. No. 2010-016) to permit wall signs. The 4.17-acre site is located at 201 S. Locust Street, between Mulberry and Sycamore Streets. (SD19-0001, First United Methodist Church Special Sign District, Cindy Jackson)

Chair Rozell opened the Public Hearing.

Cindy Jackson, Senior Planner, presented Public Hearing item 5D. A discussion followed.

Chair Rozell closed the Public Hearing.

Commissioner Tim Smith motioned to approve Public Hearing Item 5D. Motion seconded by Commissioner Mat Pruneda. Motion carried 7-0.

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

NAYS (0): None

RECUSED (0): None

ABSENT. (0): None.

E. Hold a public hearing and consider making a recommendation to City Council regarding a request by Evolving Texas and Pedcor Investments, LLC on behalf of the property owner for a Specific Use Permit to allow a multi-family development. The 15.34-acre site is generally located on the northwest corner of Duchess Drive and Loop 288 in the City of Denton, Denton County, Texas. (S19-0012, Denton Grove Apartments, Julie Wyatt)

Chair Rozell opened the Public Hearing.

Julie Wyatt, Senior Planner, presented Public Hearing item 5E. A discussion followed.

The following individuals spoke during the Public Hearing:

Kent Key, 3100 Triple Crowne Court, Denton, Texas 76210. Opposed to the request.

John Rainey, 2909 Destin Drive, Denton, Texas 76205. Opposed to the request. (Gave time to Kent Key)

John Cornelsen, 420 Throckmorton Street, Fort Worth, Texas 76102. Supports the request.

Thomas Crowe, 770 3Rd Avenue, Carmel, Indiana 46032. Supports the request.

Chair Rozell closed the Public Hearing.

Commissioner Beck motioned to approve Public Hearing item 5E. Commissioner Pruneda asked if the motion included the additional trees. Commissioner Beck amended the motion to include the additional trees.

Commissioner Brian Beck motioned to approve Public Hearing Item 5E with staff recommendations to include the additional trees. Motion seconded by Commissioner Mat Pruneda. Motion failed 3-4.

A YES (3): Commissioners: Margie Ellis, Brian Beck and Mat Pruneda.

NAYS (4): Chair Andrew Rozell. Commissioners: Jason Cole, Tim Smith and Ronnie Anderson.

RECUSED (0): None

ABSENT. (0): None.

Commissioner Tim Smith motioned to deny Public Hearing Item 5E. Motion seconded by Commissioner Jason Cole. Motion carried 4-3.

A YES (4): Chair Andrew Rozell. Commissioners: Jason Cole, Tim Smith and Ronnie Anderson

NAYS (3): Commissioners: Margie Ellis, Brian Beck and Mat Pruneda.

RECUSED (0): None

ABSENT. (0): None.

F. Hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; specifically to amend Subchapter 5, the Table of Allowed Uses and Use Regulations related to use-specific standards for Administrative, Professional, and Government Office and Medical Office uses in the Residential 7 (R7) District. (DCA19-0023, Office Standards, Julie Wyatt)

Chair Rozell opened the Public Hearing.

Julie Wyatt, Senior Planner, presented Public Hearing item 5F. A discussion followed.

The following individual spoke during the Public Hearing:

Pam Ruchle-Ruiz Family, 3490 Teasley Lane, Denton, Texas 76210. Supports the request.

Chair Rozell closed the Public Hearing.

Commissioner Tim Smith motioned to approve Public Hearing Item 5B. Motion seconded by Commissioner Mat Pruneda. Chair Rozell requested an amendment to remove the following wording from section 2.5.2- **unless located on an arterial roadway as designated by the City's Mobility Plan**. Commissioner Tim Smith and Commissioner Mat Pruneda accepted the amendment.

Commissioner Tim Smith motioned to approve Public Hearing Item 5B with the amendment of the removal of the following wording from section 2.5.2- **unless located on an arterial**

roadway as designated by the City's Mobility Plan. Motion seconded by Commissioner Mat Pruneda. Motion carried 7-0.

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

NAYS (0): None

RECUSED (0): None

ABSENT. (0): None.



6. PLANNING & ZONING COMMISSION PROJECT MATRIX

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

Richard Cannone, Deputy Director of Development Services, provided an update regarding the matrix and future agenda items.

Commissioner Smith requested if Denton Independent School District is including approved but not constructed homes in the student tally.

Chair Rozell closed the Regular Meeting at 10:36 p.m.

X 	X 
Andrew Rozell Chair	Cathy Welborn Administrative Assistant