

Chair Strange opened the Public Hearing. Cindy Jackson, Senior Planner presented this request. Staff recommends approval of the request. Staff received one response in opposition, which covers 49 percent of the surrounding area, a super majority vote by City Council will be required.

The following individuals spoke during the Public Hearing:

Victor Eneh, 1222 Golden Hoof Dr, Krum, Texas. Opposed to the request. Eneh shared his concerns regarding the number of neighboring gas well sites surrounding his property, specifically regarding fracking, and the impact this will have on his residential property. Eneh also shared his concerns regarding the potential noise impacts the subject site will have, as well as the precedence this development will set for any future development in the area.

The property owner, Dr. Lester Schachar, 105 Choctaw, Lake Kiowa, Texas, stated he would like to develop a medical facility on the subject site. The site is only large enough to develop one building. Schachar stated the land is very limited for development due to the number of neighboring gas wells. He does not want to have any impact on the surrounding neighbors.

The Commission discussed a less intense zoning district for the subject site. Commissioner Beck and Commissioner Ellis stated the proposed zoning will set precedence for future rezoning and development within the area, which will impact the existing rural property owners.

Commissioner Sanchez stated more of these developments will continue to show up along this area due to the nature of this being primary arterial road. Chair Strange agreed.

There was no one else to speak, Chair Strange closed the Public Hearing.

Commissioner Tim Smith motioned, Commissioner Andrew Rozell seconded to approve this request. Motion approved (5-1). Commissioner Alfredo Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", and Commissioner Tim Smith "aye". Commissioner Margie Ellis "nay".

- B. [Hold a public hearing and consider making a recommendation to City Council regarding a request by Eric Schmitz representing Marvin Jeffries to rezone approximately 8.887 acres from a Neighborhood Residential 6 \(NR-6\) District to a Neighborhood Residential Mixed-Use 12 \(NRMU-12\) District. The property is generally located on the southwest side of Colorado Boulevard, approximately 315 feet northwest of San Jacinto Boulevard. \(Z17-0032, Colorado Townhouses, Cindy Jackson\).](#)

Chair Strange opened the Public Hearing. Cindy Jackson, Senior Planner, presented this request. Staff recommends approval of the request, based on the following condition: 1. The use of the site is limited to townhomes with a maximum density of ten dwelling units per acre.

Eric Schmitz, applicant, 207 W. Hickory Street, Denton, Texas. Schmitz stated he held a neighborhood meeting where approximately 42 individuals were in attendance, there was mixed feedback from the neighbors. He stated many of the neighbors did not want a big disturbance next

to their property. Schmitz stated he assured the property owners there will not be a large disturbance with the proposed development. There will a proposed Homeowner's Association to help maintain the property. Schmitz stated they are willing to share the proposed amenities with the neighboring property owners. He stated they would like to develop a turn-lane to help assist with the traffic concerns along Colorado Boulevard. Schmitz stated the neighbors provided 10 comments, of those 10 comments eight have been addressed, the other comments were general comments regarding not wanting any development on the property.

The following individuals spoke during the Public Hearing:

Jennifer Geer, 1512 Greenspoint Circle, Denton, Texas, opposed to the request.

Linda Dudley, 1916 Cavender Circle, Denton, Texas, opposed to the request.

Gary Glover, 1501 Greenspoint Circle, Denton, Texas, opposed to the request.

Daniel Kettler, 1925 Canyon Court, Denton, Texas, opposed to the request.

Jerry Rowan, 2316 Clermont Lane, Denton, Texas, opposed to the request.

Derek Geer, 1512 Greenspoint Circle, Denton, Texas, opposed to the request.

Martha Henderson, 1917 Piney Creek Boulevard, Denton, Texas, opposed to the request.

Lisa Kettler, 1925 Canyon Court, Denton, Texas, opposed to the request.

The following individuals did not wish to speak but provided a speaker card:

Colette Brandon, 1921 Canyon Court, Denton, Texas, opposed to this request.

Nate Brandon, 1921 Canyon Court, Denton, Texas, opposed to this request.

The citizens provided feedback regarding the following concerns: erosion control, density, insufficient need of additional amenities in the area, opposed to the emergency access "crash" gate, overfill of land, safety, noise, traffic, and on-street parking, fence height requirements, and concerns regarding the proposed height of the structure. The neighbors stated they would rather see single-family detached constructed. They would also prefer not to see a three-story structure constructed.

There was no one else to speak, Chair Strange closed the Public Hearing.

The Commission discussed traffic concerns, the proposed "crash gate", the potential need for a second point of access for the subject site, fencing, and building height restrictions. The Commission provided the citizens feedback regarding the steps during the review process, such as what would be reviewed during the zoning or platting processes.

Commissioner Andrew Rozell motioned, Commissioner Tim Smith seconded to approve the request, based on staff's condition and additional conditions: **1.** The use of the site is limited to townhomes with a maximum density of ten dwelling units per acres, **2.** Limitation to two-story construction on contiguous properties, **3.** Installation of an emergency gate on Clermont Lane, and **4.** Installation of a minimum fence height of eight (8) feet along adjacent properties. Motion approved (6-0). Commissioner Alfredo Sanchez "aye", Commissioner Larry Beck "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".