



City of Denton

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

Meeting Agenda

Planning and Zoning Commission

Wednesday, February 12, 2025

5:00 PM

Council Work Session Room
&
Council Chambers

WORK SESSION BEGINS AT 5:00 P.M. IN THE COUNCIL WORK SESSION ROOM

REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL CHAMBERS

REGISTRATION GUIDELINES FOR ADDRESSING THE PLANNING AND ZONING COMMISSION

Individuals may speak during a Planning and Zoning Commission meeting under one of the following categories:

Comments on Agenda Items:

Public comments can be given for any item considered by the Planning and Zoning Commission, EXCEPT work session reports or closed meetings. Individuals are only able to comment one time per agenda item and cannot use more than one method to comment on a single agenda item. Public comments are limited to three (3) minutes per citizen.

Public Hearing Items:

Individuals are limited to four (4) minutes per public hearing item.

Individuals may participate by using one of the following methods:

1. In Person for Regular or Consent Agenda Items:

To provide in-person comments for regular or consent agenda items (excluding public hearing items), Individuals must be present at the meeting and submit a speaker card (available at the meeting location) to the Secretary prior to the item being called.

2. In Person for Public Hearing Items:

For public hearing items, speaker cards are encouraged but not required.

3. eComment:

The agenda is posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Using eComment, Individuals may indicate support or opposition and submit a brief comment about a specific agenda item. eComments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. eComments will be sent directly to members of the Planning and Zoning Commission immediately upon submission and recorded by the Secretary into the Minutes of the Meeting.

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, February 12th, at 5:00 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. 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.

3. Work Session Reports

- A. [PZ25-053](#) Receive a report and hold a discussion regarding updates to the residential development and rental housing data presented at the December 11, 2024 work session.

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

- B. [PZ25-057](#) Receive a report, hold a discussion, and receive direction regarding townhome development regulations in the City of Denton.

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

- C. [PZ25-054](#) Receive a report and hold a discussion regarding applicable statutory procedures and administrative implications when the Planning and Zoning Commission does not achieve a quorum.

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

In the event that the Planning and Zoning Commission does not finish their work session prior to 6:30 p.m., the Commission may return to the work session agenda after adjourning the regular meeting.

REGULAR MEETING

After determining that a quorum is present, the Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, February 12, at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas 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. [PZ25-051](#) Consider approval of the January 29, 2025, Planning and Zoning meeting minutes.

Attachments: [January 29, 2025](#)

3. 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. [AFP24-0011](#) Hold a public hearing and consider a request by Kirk Simmons for a Replat of Lots 3R, 4R, and 5R, Block 4 of the High School Addition. The subject property is generally located at on the west side of Fulton Street, approximately 180 feet south of West Congress Street. (AFP24-0011, High School Addition, Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Replat](#)

4. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ25-015](#) Hold a discussion regarding the Planning and Zoning Project Matrix.

Attachments: [Matrix 2025](#)

5. 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 official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on February 7, 2025, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE 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.



City of Denton

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Legislation Text

File #: PZ25-053, **Version:** 1

AGENDA CAPTION

Receive a report and hold a discussion regarding updates to the residential development and rental housing data presented at the December 11, 2024 work session.



AGENDA INFORMATION SHEET

DEPARTMENT: Development Services

DCM: Cassey Ogden

DATE: February 12, 2025

SUBJECT

Receive a report and hold a discussion regarding updates to the residential development and rental housing data presented at the December 11, 2024 work session.

BACKGROUND

Following the December 11, 2024 presentation to the Planning and Zoning Commission, staff received a question from a Commissioner that caused further investigation into one of the data points, which was found to be incorrect. The unit counts for multifamily dwellings from 2020 to 2023, which were calculated from data from the Denton County Appraisal District, have been determined to be incorrect. Therefore, staff has rerun the calculations and revised the presentation slides based upon a different data source which staff believes provides a greater level of accuracy particularly related to the existing number of multi-family units during 2020-2023. Given that the starting point for the multifamily projections was significantly different than what was originally presented, the percent increase between 2020 and today is much less dramatic than what was in the December slide deck (a 96% increase versus a 303% increase). Although the 2020-2023 unit counts for multifamily dwellings were not correct, the other data presented in December regarding single-family units, rental rates, current development trends, and projected unit needs are accurate.

The December work session transpired as a result of two inquiries in the fall of 2024. At the August 28, 2024 Planning and Zoning Commission meeting, the Commission requested a written update be shared with them regarding how many multifamily projects are currently in the development process. Following this request, in preparation for the September 17, 2024 meeting, questions were also raised by members of the City Council regarding how the volume of multifamily units in development relates to the anticipated units needed within the City by 2040 per the Denton 2040 Comprehensive Plan, as well as consideration of how the City's ratio of rental housing compared to owned housing units would be projected to change.

As was noted with the original presentation, the following important information must also be kept in mind when reviewing the data and information:

- The City's permitting and project data is fluid and changes weekly as permits and certificates of occupancy are issued and project applications are submitted, approved, and/or withdrawn. Therefore, while the data presented offers a good estimate of current development conditions, it is subject to change at any time.
- The Denton 2040 Comprehensive Plan's population and housing projections and staff's analysis in the work session are based on population data from the American Community Survey (ACS). The

ACS is an ongoing survey conducted by the U.S. Census Bureau that is updated annually with estimates related to demographics, cultural composition, housing, household composition, education, and employment data. The ACS is one of many sources offering population and housing projections, and it is important to note that data can vary greatly between sources. Additionally, it can be difficult to compare data between sources simply because land uses are defined and categorized differently, such as some sources grouping triplexes and fourplexes as multifamily while other sources include these in a catch-all category with townhomes, duplexes, and other housing products that are not strictly single-family detached or traditional multi-family apartments.

EXHIBITS

1. Agenda Information Sheet
2. Updated Housing Data Presentation

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/Planning
Director

Prepared by:
Hayley Zagurski, AICP
Assistant Planning Director

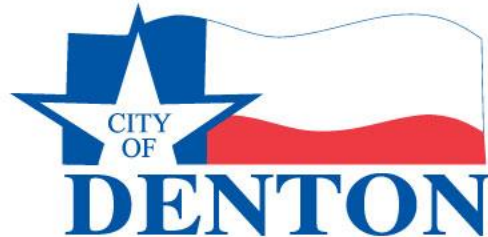
PZ25-053 Multifamily & Single-Family Housing Data

Hayley Zagurski

Original Planning & Zoning Commission Presentation Date: December 11, 2024

(Agenda ID: PZ24-234)

Updated: February 12, 2025



Agenda

1. What's Changed
2. City population growth
3. Housing composition
4. Multifamily projects and demand
5. Single-family projects and demand
6. Comparison of current growth and demand
7. Conclusions

What's Changed

- The 2020 Multifamily unit count used as the basis for the growth and demand calculations in the December presentation was found to be incorrect (4,550 vs. 17,449 units).
- The unit count originally cited was based on pairing the City's permit data with DCAD's certified totals.
 - Apartment complexes that didn't match between the data sets were inadvertently removed from the count, resulting in a much lower number than should have been reported.
 - Since discovering the error, staff has identified a different source to obtain annual multifamily unit counts from (Costar, a commercial real estate data source) and has rerun the calculations.
- No other data presented was affected by this error. This change affects only the following slides:
 - Slides 11 and 12 – Annual multifamily unit count and percent change
 - Slide 15 – 2020 multifamily unit total and percent change
 - Slide 21 – Percent of needs

Request

- August 28, 2024: P&Z request for written update regarding the number of multifamily projects currently in development.
- September 17, 2024: In preparation for the City Council meeting, Council members inquired about:
 - How close the City is to the anticipated multifamily need called for by 2040 Plan
 - How the City's current rental housing estimates are expected to change in the future

Notes on the data...

- City permit and project data is fluid and can change weekly as projects are submitted, permits are issued and finalized, etc.
- Population and housing estimates can vary by source – typically rely on Denton County Appraisal District (DCAD) & American Community Survey (US Census ACS).
 - Comprehensive Plan relies on US Census ACS
- Land uses are not tracked the same way by different sources
 - Example:
 - DDC defines multifamily as 5 or more units
 - Permit data considers everything 3 units of more as multifamily (same with DCAD & US Census ACS)

City Population Growth



Denton Plan 2040 Growth and Demand

Table 1.2 Population and Housing Growth

Population	Housing Growth
2020 Population (1)	139,869
2020 Household Size (2)	2.41
2020 Total Housing Units (3)	58,085
2040 Population Projection (4)	229,192
2020 – 2040 Population Change (5)	89,323
2040 Housing Demand (6)	37,094
Total Projected 2040 Housing Units (7)	95,179

Source: (1) 2020 US Census, (2) 2020 Population/2020 Total Housing Units, (3) 2020 US Census – Total Housing Units, (4) 2021 City of Denton estimate, (5) 2040 Population Projection – 2020 Population, (6) 2020 – 2040 Population Change/Household Size, (7) 2040 Housing Demand + 2019 Housing Units.

- Comp Plan projections assume a **3.19%** annual growth rate.
- US Census ACS Date:
 - 2023 Population estimate: **158,361**
 - 18,492 person increase (13.2%)
 - Annual growth rate since 2020: **4.41%**
 - Projected 2040 Population at 4.4% growth: **331,369**
 - **73% change** in anticipated 2040 population compared to Comp Plan estimate

Denton Plan 2040 Growth and Demand

Table 1.3 Residential Demand by Type

	2020 Units (1)	% of 2019 Units (2)	Existing Dev. Residential Area (Ac) (3)	Existing Density (4)	Acres Per Unit (5)	2040 New Units (6)	New Residential Area (Ac) (7)
1 Unit Detached (Residential Single-Family)	31,017	53.4%	15,204	2.04	0.49	19,808	12,137
1 Unit Attached, 2-4 Units, Other (Residential Other)	9,468	16.3%	1,667	5.68	0.18	6,046	1,331
5+ Units (Residential Multi-Family)	17,600	30.3%	1,152	15.28	0.07	11,239	920
Total	58,085	-	18,023	-	-	37,094	14,387

Source: (1) 2020 Total Housing units – 2019 American Community Survey 1 Year Estimates, (2) 2019 American Community Survey 1 Year Estimates, (3) City of Denton GIS, (4) 2020 Units/Existing Dev. Residential Acres, (5) 2040 Population Projection – 2020 Population, (6) 2020 – 2040 Population Change/Household Size, (7) Acres Per Unit x New Units + 25% of Land Area for Roads and Infrastructure.

If we assume continued growth at the current 4.4% rate, these projected needs would increase:

Single Family (detached): **34,278**

Townhome – Fourplex: 10,463

Multifamily: **19,449**

Growth of Denton's Colleges/Universities

School	2019	2020	2021	2022	2023	4-Year Growth Rate
UNT	39,330	40,796	42,372	44,532	46,940	19%
TWU	13,402	13,800	13,667	12,790	12,679	-5%
NCTC (Denton)	461.00	590	440	458	626	36%
Total	53,193	54,655	56,479	57,780	60,245	13%

Current Housing Composition



Housing Totals

	2020		2021		2022		2023	
Housing Type	Units (Total)	Percentage (of total stock)	Units (Total)	Percentage (of total stock)	Units (Total)	Percentage (of total stock)	Units (Total)	Percentage (of total stock)
SFR*	30,943	62.83%	31,461	59.73%	32,298	58.87%	34,090	58.73%
Duplex*	857	1.74%	1,836	3.49%	1,864	3.40%	1,930	3.33%
Multifamily**	17,449	35.43%	19,375	36.78%	20,703	37.73%	22,022	37.94%
Total	36,350	100%	38,537	100%	39,881	100%	42,274	100.00%

Sources:

*SFR and Duplex: DCAD Annual certified housing data

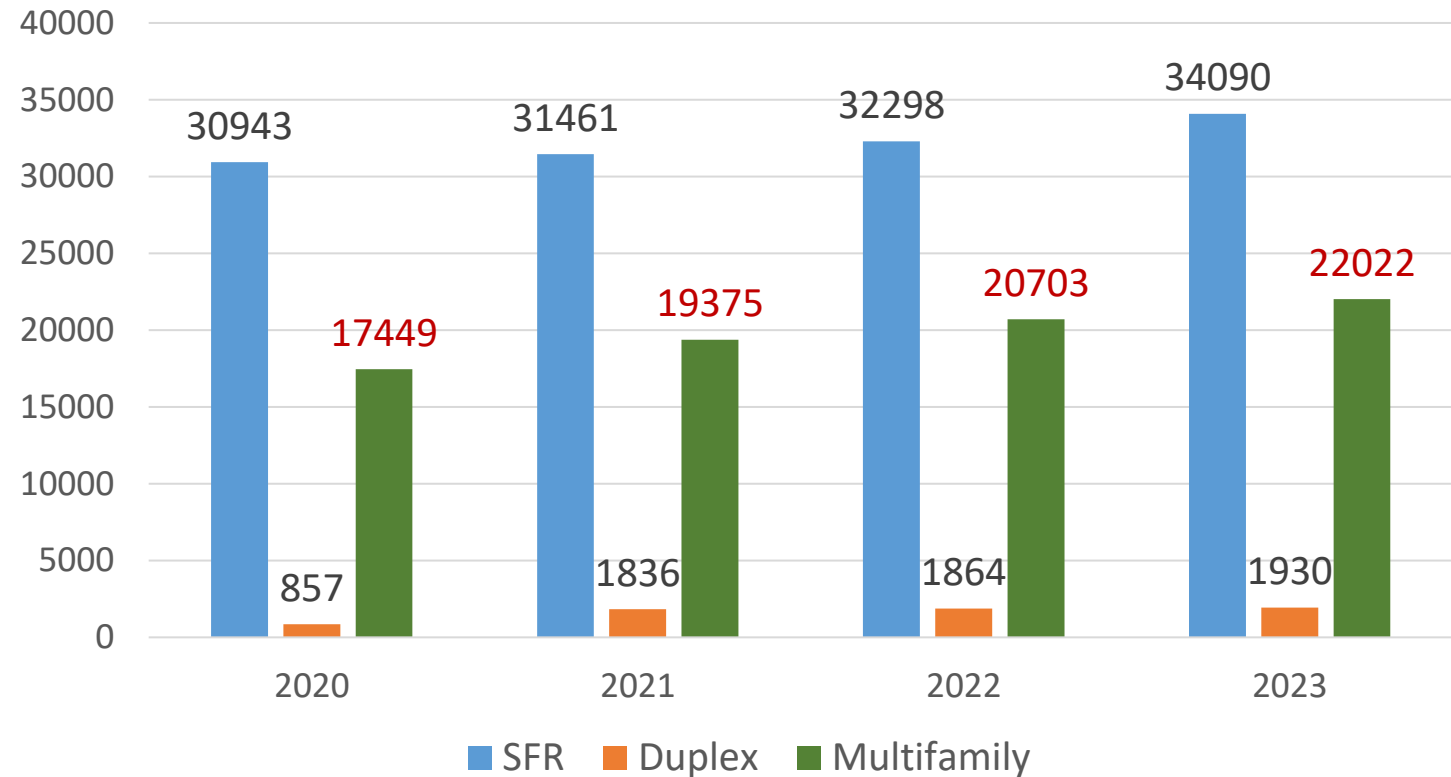
**Multifamily: Costar



Housing Totals

Increases from 2020 to 2023		
Type	Percent	Units
SFR	10.17%	3147
Duplex	125.20%	1073
Multifamily	26.21%	4573

Total Housing Units by Type 2020 - 2023



Sources: DCAD Annual certified housing data and Costar



Overall Rental Data

Annual Comparison for Denton

Year	Renter Occupied Housing Units
2023	52%
2018	53%
2013	52%
2010*	54%

Source: American Community Survey

*2010 is the earliest this ACS dataset is published

2023 Comparison of College Towns

City (TX)	Renter Occupied Housing Units
San Marcos (TX State)	71%
College Station (TX A&M)	65%
Nacogdoches (Stephen F Austin)	63%
Stephenville (Tarleton State)	54%
Bryan (TX A&M)	53%
Denton (UNT & TWU)	52%
Lubbock (TX Tech)	51%
Waco (Baylor)	49%



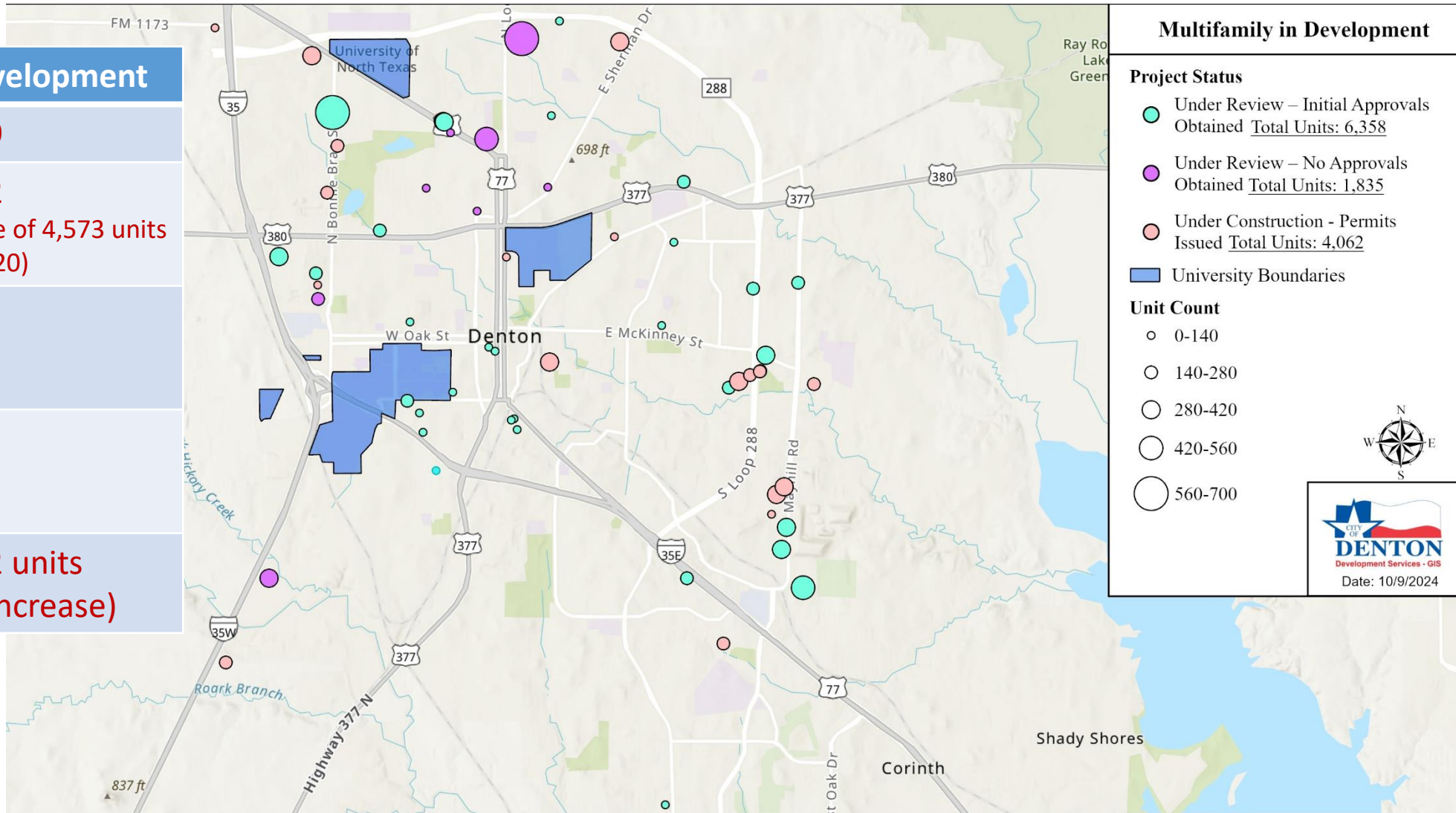
Multifamily Projects and Demands

Multifamily Projects in Development

Multifamily Units* in Development

2020 Unit Total**	17,449
2023 Unit Total**	22,022 (increase of 4,573 units from 2020)
Units in construction*** (19 projects as of 10/9/24)	4,062
Units in review*** (40 projects as of 10/9/24)	8,037
Total Increase since 2020	16,672 units (96% Increase)

** Costar Data (slides 10-11)
 *** City Permit Data, includes triplexes and fourplexes



Multifamily Demand Projections

Estimated Units Needed by 2040

	Based on 3% Growth (Comp Plan)	Based on 4.4% Growth (ACS current rate)
Multifamily (5 or more units/lot)	11,239	19,449
Multifamily, Triplex, & Fourplex *	14,262	24,680

*Table 1.3 Residential Demand by Type

	2020 Units (1)	% of 2019 Units (2)	Existing Dev. Residential Area (Ac) (3)	Existing Density (4)	Acres Per Unit (5)	2040 New Units (6)	New Residential Area (Ac) (7)
1 Unit Detached (Residential Single-Family)	31,017	53.4%	15,204	2.04	0.49	19,808	12,137
1 Unit Attached, 2-4 Units, Other (Residential Other)	9,468	16.3%	1,667	5.68	0.18	6,046	1,331
5+ Units (Residential Multi-Family)	17,600	30.3%	1,152	15.28	0.07	11,239	920
Total	58,085	-	18,023	-	-	37,094	14,387

Source: (1) 2020 Total Housing Units - 2019 American Community Survey 1 Year Estimates, (2) 2019 American Community Survey 1 Year Estimates, (3) City of Denton GIS, (4) 2020 Units/Existing Dev. Residential Acres, (5) 2040 Population Projection - 2020 Population, (6) 2020 - 2040 Population Change/Household Size, (7) Acres Per Unit x New Units + 25% of Land Area for Roads and Infrastructure.

2021 Affordable Housing Needs and Market Value Analysis of City Rental Units

Estimated additional rental units the City can support between 2025 and 2040 (any type of unit)	20,838
Estimated Rental Housing Demand 2021-2026 - moderate growth	4,100
Estimated Rental Housing Demand 2021-2026 - high growth	4,479
Total	24,938 – 25,317

*Triplex and Fourplex units estimated based on assumption that equal percentages of each unit type (townhome, duplex, triplex, and fourplex) make up the townhome – fourplex category in the Comp Plan

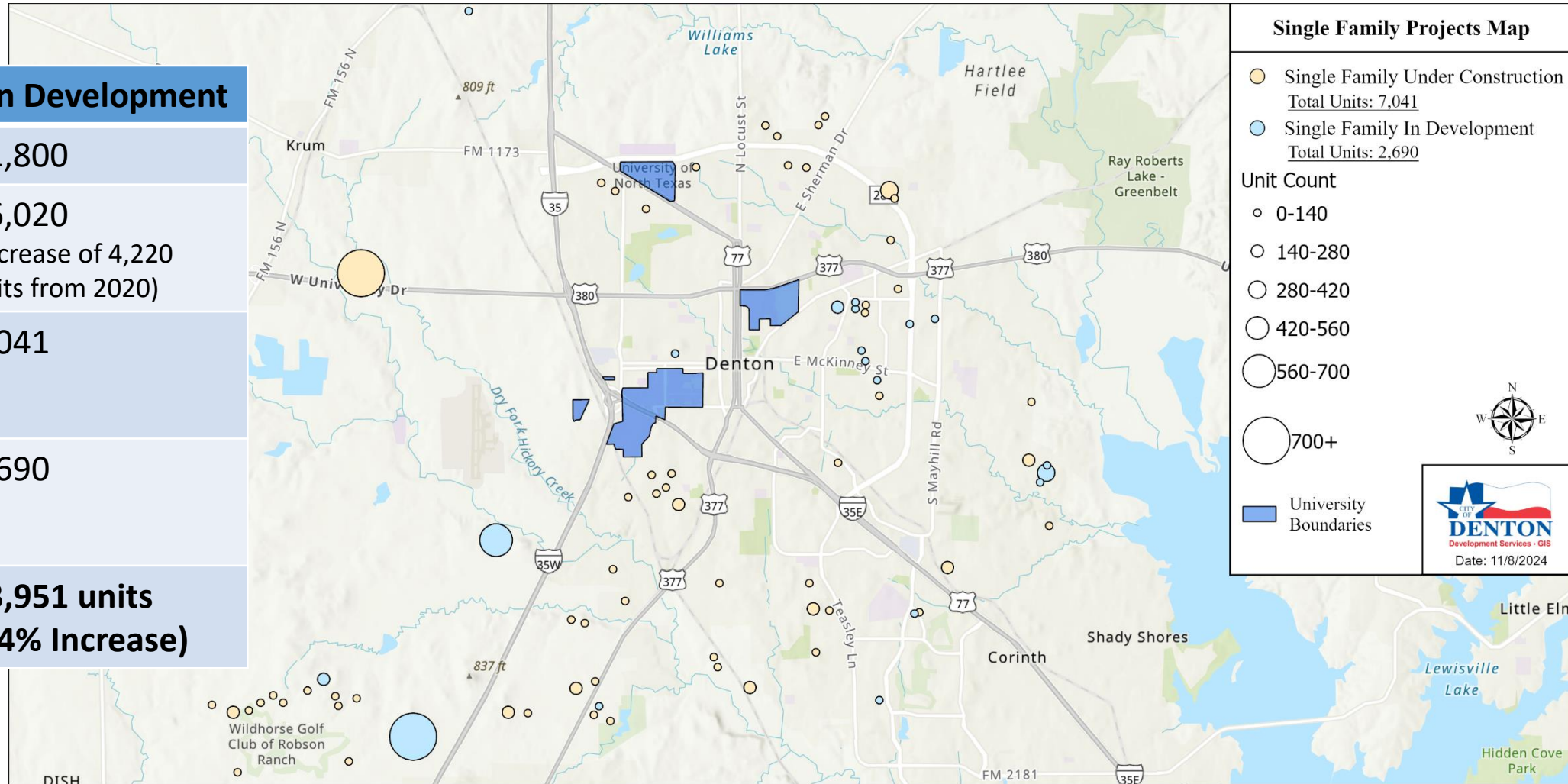
Single-family Projects and Demands



Single-Family Projects in Development

Single-Family Units* in Development	
2020 Unit Total**	31,800
2023 Unit Total**	36,020 (increase of 4,220 units from 2020)
Units (lots) in construction*** (62 projects as of 11/8/24)	7,041
Units (lots) in review*** (19 projects as of 11/8/24)	2,690
Total Increase since 2020	13,951 units (44% Increase)

** DCAD Data (slides 10-11)
 *** City Permit Data, includes townhomes and duplexes



Single Family Projects Map

- Single Family Under Construction
Total Units: 7,041
- Single Family In Development
Total Units: 2,690

Unit Count

- 0-140
- 140-280
- 280-420
- 420-560
- 560-700
- 700+

■ University Boundaries

CITY OF DENTON
 Development Services - GIS
 Date: 11/8/2024



Single-Family Demand Projections

Estimated Units Needed by 2040

	Based on 3% Growth (Comp Plan)	Based on 4.4% Growth (ACS current rate)
Single-Family Detached	19,808	34,278
Single-Family Detached, Townhomes, & Duplexes*	22,831	39,509

2021 Affordable Housing Needs and Market Value Analysis of City of Denton Ownership Units

Estimated additional homes for ownership the City can support between 2025 and 2040	45,523
Estimated Demand for Homeowner Units 2021-2026 - moderate growth	3,661
Estimated Demand for Homeowner Units 2021-2026 - high growth	5,015
Total	49,184 – 50,538

*Townhome and Duplex units estimated based on assumption that equal percentages of each unit type (townhome, duplex, triplex, and fourplex) make up the townhome – fourplex category in the Comp Plan

Comparison of Current Growth and Demands



How are these demands being met?

Multifamily (includes triplex and fourplex)

New MF units since 2020	16,672
Percent of need met so far at 3% growth (Comp Plan)	117% (of 14,262 units)
Percent of need met so far at 4% growth (ACS current rate)	68% (of 24,680 units)
Percent of rental housing need met so far (2021 Housing Needs Assessment)	66% (of 25,317 units)

Single-Family (includes townhome and duplex)

New SF units since 2020	13,951
Percent of need met so far at 3% growth (Comp Plan)	61% (of 22,831 units)
Percent of need met so far at 4% growth (ACS current rate)	41% (of 39,509 units)
Percent of demand for ownership units met so far (2021 Housing Needs Assessment)	28% (of 50,538 units)

What conclusions can we draw from this?

- Denton is growing and the student population of the City's colleges is growing.
 - The student population growth will continue to have an affect on the City's housing.
- The City's rental housing rate is comparable with other TX cities that have major universities.
- Growth rate projections vary widely depending on source, and the reality is likely be different from any of them.
- There is a demand for more housing, although the estimated amount needed by 2040 varies by source.
- Based on the Comp. Plan, the 2021 Housing Needs Assessment, and current development project trends, the City is on track to meet or exceed the units needed.
 - However, current rental rates and growth of university populations indicate we may struggle to provide sufficient units for owner occupancy compared to rental.

Given the uncertainties, what can we do?

- Continue to be thoughtful in our consideration of housing development projects to ensure the City is developing a diverse housing stock to meet the needs of current and future residents.
- When new MF zoning entitlements are requested, consider whether:
 - the location is consistent with the adopted Denton 2040 plan; and
 - the location is conducive to allowing additional housing in proximity to further neighborhood growth.
- Continue to monitor the City's growth trends and housing availability, especially in comparison to the 2021 Housing Needs Assessment.
 - Update Housing Needs Assessment and Comp Plan within next 5 years
- Incentivize and remove barriers to infill development to reduce impacts to the City's environmental assets as we grow.
 - Policy and code changes will be needed (Comp Plan, DDC, impact fees, economic tools)
- Encourage increased housing near the universities – increasing rental opportunities there can make ownership opportunities available elsewhere.

Questions?





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Legislation Text

File #: PZ25-057, **Version:** 1

AGENDA CAPTION

Receive a report, hold a discussion, and receive direction regarding townhome development regulations in the City of Denton.



AGENDA INFORMATION SHEET

DEPARTMENT: Development Services

DCM: Cassey Ogden

DATE: February 12, 2025

SUBJECT

Receive a report, hold a discussion, and receive direction regarding townhome development regulations in the City of Denton.

BACKGROUND

Given the continuing escalation of housing costs, townhomes are being viewed as a reasonable and more cost-effective alternative for persons interested in fee-simple homeownership and/or entering the homeownership market. Since 2020, despite 25 pre-application conferences with developers to discuss townhome development, there have only been three new townhome communities built in Denton. In more recent years, additional support for townhome development has been recommended through City Council Strategic Initiatives, the Denton 2040 Comprehensive Plan, Design Downtown Denton Plan, and the Affordable Housing Strategic Toolkit. However, even with the additional policy and regulatory support, there is still a very limited number of townhomes being built in the city.

At this time, staff believes that the zoning districts in which townhomes are presently allowed remain valid and appropriate, thus staff is taking a targeted approach and focusing on those regulations that are believed to be a potential barrier to development based on feedback received. Therefore, the purpose of this work session is to discuss those regulatory barriers that staff has identified and to seek feedback from the Planning and Zoning Commission on proposed Denton Development Code (DDC) amendments that may help to reduce barriers and ultimately increase townhome development.

Specifically, this work session presentation will address the following:

- What is a townhome—specific requirements needed to distinguish townhomes from other residential types;
- Current Denton Development Code regulations related to townhome lot sizes, maximum density, and open space, including how these regulations impact development; and
- Proposed changes to current regulations to remove barriers to townhome development.

There are a couple of key questions that will guide the discussion and the direction staff is seeking from the Planning and Zoning Commission:

- What is the minimum number of townhomes or minimum development land area needed to require open space?
- Should the project location impact open space needs, both common areas and privately-owned?

EXHIBITS

1. Agenda Information Sheet

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/Planning
Director

Prepared by:
Julie Wyatt, AICP
Principal Planner



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File #: PZ25-054, **Version:** 1

AGENDA CAPTION

Receive a report and hold a discussion regarding applicable statutory procedures and administrative implications when the Planning and Zoning Commission does not achieve a quorum.



AGENDA INFORMATION SHEET

DEPARTMENT: Development Services

DCM: Cassey Ogden

DATE: February 12, 2025

SUBJECT

Receive a report and hold a discussion regarding applicable statutory procedures and administrative implications when the Planning and Zoning Commission does not achieve a quorum.

BACKGROUND

The purpose of this work session is to discuss what happens procedurally when a quorum cannot be achieved for the Planning and Zoning Commission after the meeting agenda has been posted. Staff will specifically address the implications this can have on plats (whether posted for approval, extension, or denial) and entitlement cases posted for public hearing, including but not limited to zoning changes and Specific Use Permits.

Timelines for plats are governed by state statute (Texas Local Government Code Chapter 212), which requires action be taken to either approve or deny a plat within 30 days of submittal, unless one or more extensions are granted to extend the review period. If a city fails to act on a plat in the designated time frame, the plat becomes automatically approved regardless of any errors or lack of code compliance. Regardless of whether there are errors, an approved plat vests the development rights of a project. Therefore, when a quorum cannot be convened to act on plats, the plats are automatically approved due to inaction unless the applicant agrees to withdraw the plat and resubmit it at a later date for consideration on the next Planning and Zoning Commission agenda. While withdrawing the plat does create delays for the development project, it can be beneficial if it helps the applicant avoid the need to submit a replat later to correct errors on the approved plat.

Entitlement cases that would be posted for public hearing include the following application types: zoning changes, planned developments, specific use permits, alternative environmentally sensitive area plans, and comprehensive plan amendments. When a quorum is not achieved, these public hearings must be re-noticed for a later date. State law requires notification be placed in the newspaper and/or mailed to owners within 200 feet of the subject property, and these notices are prepared and sent 17 days in advance of the hearing (note that the City also distributes a courtesy mailed notice to residents within 500 feet of the subject property). Based on the Commission's calendar, this typically pushes the Planning and Zoning Commission public hearing back two meeting dates and also requires the item be moved back from the originally intended City Council meeting date.

EXHIBITS

1. Agenda Information Sheet

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/Planning
Director

Prepared by:
Hayley Zagurski, AICP
Assistant Planning Director



City of Denton

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

Legislation Text

File #: PZ25-051, **Version:** 1

AGENDA CAPTION

Consider approval of the January 29, 2025, Planning and Zoning meeting minutes.

MINUTES
PLANNING AND ZONING COMMISSSION
January 29, 2025

The Planning and Zoning Commission of the City of Denton, Texas was noticed to convene in a Work Session on Wednesday, January 29, 2025, at 5:00 p.m. in Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Eric Pruett, Vice-Chair Jordan Villarreal and Commissioner: Clay Riggs

ABSENT: Commissioners Desiree Padron and Lilyan Prado Carrillo

Attendees waited until 5:09 p.m. for a quorum of members to arrive.

A quorum failed to materialize, no action was taken, and the Work Session was adjourned at 5:09 p.m.

REGULAR MEETING

After determining that a quorum was present, the Planning and Zoning Commission of the City of Denton, Texas convened in a Regular Meeting on Wednesday, January 29, 2025, at 6:31 p.m. in the Council Chambers at City Hall, 215 E. McKinney, Denton, Texas.

PRESENT: Chair Eric Pruett, Vice-Chair Jordan Villarreal and Commissioners: Desiree Padron, and Clay Riggs

ABSENT: Commissioner Lilyan Prado Carrillo

1. PLEDGE OF ALLEGIANCE

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

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES

A. PZ25-002 Consider approval of the January 15, 2025, Planning and Zoning meeting minutes.

Vice-Chair Villarreal moved to approve the January 15, 2025, Planning and Zoning meeting minutes. Motion seconded by Commissioner Padron. Motion carried.

AYES (4): Chair Eric Pruett, Vice-Chair Jordan Villarreal and Commissioners: Desiree Padron, and Clay Riggs

NAYS (0): None

3. CONSENT AGENDA

- A. FP24-0016b Consider a request by Red Bird Ridge LLC for approval of a Final Plat for Red Bird Ridge Addition. The approximately 38.4-acre site is generally located south of Country Club Road, north of Oak Ridge Lane and west of Fincher Trail, in the City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0016b, Red Bird Ridge Addition, Erin Stanley).
- B. FP24-0041 Consider a request by MJ Thomas Engineering, on behalf of K-7 Enterprises, for a Final Plat of Starbucks. The 1.04-acre site is generally located on the west side of Loop 288, approximately 464 feet south of East McKinney Street, in the City of Denton, Denton County, Texas. (FP24-0041, Starbucks, Bryce Van Arsdale).
- C. FP25-0002 Consider a request by Eagle Surveying, on behalf of Jignesh Patel, for a Final Plat of Colonial Business Park, Lot 1R, Block A. The 2.5-acre site is generally located on the west side of the I-35 Service Road, approximately 280 feet north of Barcelona Street, in the City of Denton, Denton County, Texas. (FP25-0002, Towneplace Inn & Suites, Ashley Ekstedt).

Vice-Chair Villarreal moved to approve the Consent Agenda. Motion seconded by Commissioner Riggs. Motion carried.

AYES (4): Chair Eric Pruet, Vice-Chair Jordan Villarreal and Commissioners: Desiree Padron, and Clay Riggs

NAYS (0): None

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. FR25-0001 Consider a request by Brighton Yau of LJA Engineering, on behalf of the property owner, for a Final Replat of Lots 8, 9, and 11, Block D, Glenwood Meadows. The approximately 0.627-acre site is generally located on the east side of Loblolly Lane, at the intersection of Loblolly Lane and Parkwood Circle, in the City of Denton, Denton County, Texas. (FR25-0001, Glenwood Meadows Replat, Sean Jacobson)

City staff presented the item. No discussion followed.

Vice-Chair Villarreal moved to approve the extension of the item to date certain of February 26, 2025. Motion seconded by Commissioner Padron. Motion carried.

AYES (4): Chair Eric Pruet, Vice-Chair Jordan Villarreal and Commissioners: Desiree Padron, and Clay Riggs

NAYS (0): None

- B. FR25-0003 Consider a request by Williams Construction Company, on behalf of Larson Properties LLC, for approval of a Final Replat for Hemphill Yorlum Addition II. The 9.429-acre tract is generally located on the east side of N. Masch Branch Road approximately 1,630 feet south of U.S. 380 in the City of Denton, Denton County, Texas. (FR25-0003, Hemphill Yorlum Replat, Matt Bodine)

City staff presented the item. No discussion followed.

Vice-Chair Villarreal moved to approve the extension of the item to date certain of February 26, 2025. Motion seconded by Commissioner Padron. Motion carried.

AYES (4): Chair Eric Pruet, Vice-Chair Jordan Villarreal and Commissioners: Desiree Padron, and Clay Riggs

NAYS (0): None

- C. FP25-0005 Consider a request by Civil Point Engineers Inc, on behalf of Palmer Equities LLC, for approval of a Final Plat of Palmer Place. The approximately 16.42-acre tract is generally located on the east side of F.M. 1830 and approximately 1,675 feet south of Country Club Road in the Extraterritorial Jurisdiction Division 1 of the City of Denton, Denton County, Texas. (FP25-0005, Palmer Place, Matt Bodine)

City staff presented the item. No discussion followed.

Vice-Chair Villarreal moved to approve the extension of the item to date certain of February 26, 2025. Motion seconded by Commissioner Padron. Motion carried.

AYES (4): Chair Eric Pruet, Vice-Chair Jordan Villarreal and Commissioners: Desiree Padron, and Clay Riggs

NAYS (0): None

- D. FP25-0001 Consider a request by Double R. Devco, LLC. for a Final Plat of Hickory Grove, Phase 3. The 86.989-acre site is generally located just south of Jackson Road and approximately 1,800 feet west of Thomas J Eagan Road in City of Denton's ETJ Division 1, Denton County, Texas. (FP25-0001, Hickory Grove 3, Mia Hines).

City staff presented the item. No discussion followed.

Vice-Chair Villarreal moved to approve the extension of the item to date certain of February 26, 2025. Motion seconded by Commissioner Padron. Motion carried.

AYES (4): Chair Eric Pruet, Vice-Chair Jordan Villarreal and Commissioners: Desiree Padron, and Clay Riggs

NAYS (0): None

- E. FP25-0003 Consider a request by The Prestige Build LLC for a Final Plat of the Prestige at Mayhill Addition. The 22.9-acre site is generally located northeast of the intersection of S. Mayhill Road and Edwards Road, in the City of Denton, Denton County, Texas. (FP25-0003, Prestige at Mayhill, Julie Wyatt)

City staff presented the item. No discussion followed.

Commissioner Padron moved to approve the extension of the item to date certain of February 26, 2025. Motion seconded by Commissioner Riggs. Motion carried.

AYES (4): Chair Eric Pruett, Vice-Chair Jordan Villarreal and Commissioners: Desiree Padron, and Clay Riggs

NAYS (0): None

- F. FP24-0042 Consider a request by Quick N Clean TX-04, LLC for a Final Plat of the Quick N Clean Addition. The 2.10-acre site is generally located at the northeast corner of the intersection of McKinney Street and Loop 288, in the City of Denton, Denton County, Texas. (FP24-0042, Quick and Clean Car Wash, Julie Wyatt)

City staff presented the item. No discussion followed.

Vice-Chair Villarreal moved to approve the item as presented. Motion seconded by Commissioner Padron. Motion carried.

AYES (4): Chair Eric Pruett, Vice-Chair Jordan Villarreal and Commissioners: Desiree Padron, and Clay Riggs

NAYS (0): None

- G. FP25-0004 Consider a request by Scott Pangburn with Kimley-Horn on behalf of CLH Denton LLC for approval of a Final Plat for Kings Way Addition, Phase 2. The approximately 43.724-acre property is generally located along the east side of North Loop 288, approximately 1,650 feet northwest of the intersection of North Loop 288 and Kings Row in the City of Denton, Denton County, Texas. (FP25-0004, Kings Way, Ph 2, Julie Wyatt)

City staff presented the item. No discussion followed.

Commissioner Padron moved to approve the extension of the item to date certain of February 26, 2025. Motion seconded by Commissioner Riggs. Motion carried.

AYES (3): Chair Eric Pruett, and Commissioners: Desiree Padron, and Clay Riggs

NAYS (1): Vice-Chair Jordan Villarreal

5. PUBLIC HEARINGS

- A. AMPC24-0001b Hold a public hearing and consider making a recommendation to City Council regarding a request by LJA Engineering for a Master Planned Community Major Amendment to amend a portion of the Cole Ranch Master Planned Community Development Plan Map from Light Industrial (LI) and Residential 7 (R7) Base Zoning Districts to Mixed-Use Neighborhood (MN), Mixed-Use Regional (MR), Residential 4 (R4), and Residential 6 (R6), Base Zoning Districts. The approximately 3,169.4-acre site

is generally located west of I-35N, south of Tom Cole Road, bounded by Tom Cole Road to the north, bisected by FM 2449 near the center of the property, and bounded on the eastern side by John Paine Road south of FM 2449 and Underwood Road north of FM 2449, in the City of Denton, Denton County, Texas. (AMPC24-0001b, Cole Ranch, Angie Manglaris)

Chair Pruett opened the public hearing.

This item was presented, and discussion followed.

Ocie Vest, Applicant stated he was there for questions the commission may have.

Discussion continued.

Chair Pruett closed the public hearing.

Vice-Chair Villarreal moved to approve the item as presented. Motion seconded by Commissioner Riggs. Motion carried.

AYES (4): Chair Eric Pruett, Vice-Chair Jordan Villarreal and Commissioners: Desiree Padron, and Clay Riggs

NAYS (0): None

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

A. PZ25-014: Staff provided updates regarding the matrix and City Council items. The following item was added to the matrix.

Chair Pruett requested an overview of the platting process, including the Commission's responsibility, the process when last minute changes are made, and what the implications are if a quorum is not available to take action.

7. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 7:05 p.m.

X _____
Eric Pruett, Planning and Zoning Commission Chair Date

X _____
Cathy Welborn, Administrative Assistant III Date

Minutes approved on: _____



City of Denton

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

Legislation Text

File #: AFP24-0011, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider a request by Kirk Simmons for a Replat of Lots 3R, 4R, and 5R, Block 4 of the High School Addition. The subject property is generally located at on the west side of Fulton Street, approximately 180 feet south of West Congress Street. (AFP24-0011, High School Addition, Julie Wyatt)



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: February 12, 2025

SUBJECT

Hold a public hearing and consider a request by Kirk Simmons for a Replat of Lots 3R, 4R, and 5R, Block 4 of the High School Addition. The subject property is generally located at on the west side of Fulton Street, approximately 180 feet south of West Congress Street. (AFP24-0011, High School Addition, Julie Wyatt)

BACKGROUND

The purpose of this replat is to update the lot boundaries for four lots that were established in 1917 as Lots 3, 4, 5, and 6, Block 5 of the High School Addition. The subject lots are zoned Residential 3 (R3) District and developed with single-family dwellings.

The original lots were rectangular in shape, approximately 75 feet wide at the right-of-way, 150 feet deep, and contained approximately 10,900 square feet. However, shortly after the plat was filed, the lots were modified by deed in the 1920s, resulting in platted lot boundaries which did not match the deed boundaries.

The replat reduces the number of lots to three: Lot 3R, Lot 4R, and Lot 5R and updates the property lines so that the deed boundaries and the platted lot boundaries correspond.

To move forward with the replat, the property owner had to first seek approval of a variance for lot width for the proposed Lot 5R. Typically, the minimum lot width in R3 District is 60 feet, but as a result of the deed modifications in the 1920s, Lot 5R is 49 feet wide at the right-of-way. **The variance for minimum lot width was approved by the Zoning Board of Adjustment on December 16, 2024.**

Texas Local Government Code Section 212.015 requires a public hearing for replats of property zoned for single-family residential uses and which require a variance. In this instance, given the R3 District zoning and approved variance for lot width, a public hearing must be held, and notification was required to be mailed and published in advance of the hearing. More detail regarding the notifications is provided below.

A full analysis of the criteria for approval is provided as Exhibit 2.

Date Application Filed	November 12, 2024
Application Withdrawn	December 2, 2024
Date Resubmitted	January 7, 2025
Application Withdrawn	January 22, 2025
Date Resubmitted	February 3, 2025
Planning & Zoning Commission Meeting:	February 12, 2025
Days in Review:	9 Days

OPTIONS

1. Approve as submitted.
2. Deny with reasons.

RECOMMENDATION

Staff recommends approval of this replat as it meets the established criteria for approval. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
1917		Final Plat for High School Addition	Plat Filed of Record
October 2019	City Council	Implementation of the 2019 Denton Development Code	Transition from NR-3 District to R3 District
December 16, 2024	Zoning Board of Adjustment	Variance for lot width (V24-0131)	Approved

PUBLIC OUTREACH

Thirteen notices were sent to property owners within the original High School Addition and 200 feet of the subject property in accordance with Texas Local Government Code Section 212.015. As of the writing of this report, the City has received no responses. In accordance with Texas Local Government Code Section 212.015(c), if written protest is received from the owners of at least twenty percent of the land area within the 200-foot notification radius, then a three-fourths vote of the Planning and Zoning Commission is required to approve the plat.

A notice was published in the Denton Record Chronicle on January 26, 2025.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Replat

Respectfully submitted:
 Tina Firgens, AICP
 Deputy Director of Development Services/
 Planning Director

Prepared by:
Julie Wyatt, AICP
Principal Planner

Planning Staff Analysis
AFP24-0011 / High School Addition
Council District: 3
Planning & Zoning Commission

REQUEST:
 Replat three lots within the High School Addition.

APPLICANT:
 Kirk Simmons

RECOMMENDATION:
 Staff recommends approval of this Replat as it meets the established approval criteria.

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
<p>a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The Replat meets all review criteria as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The Replat meets the review criteria of DDC Section 2.6.4D as described below.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>There is no conflict.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
2. Prior Approvals			
<p>a. The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, development agreement, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities.</p> <p>Findings:</p> <div data-bbox="253 443 1040 541" style="border: 1px solid black; padding: 5px;"> <p>The proposed development is consistent with the approved variance V24-0131.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. Consistent with Comprehensive Plan and Other Applicable Plans</p> <p>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</p> <p>Findings:</p> <div data-bbox="253 716 1040 835" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. The decision-making authority shall weigh competing plan goals, policies, and strategies</p> <p>Findings:</p> <div data-bbox="253 978 1040 1077" style="border: 1px solid black; padding: 5px;"> <p>There are no competing plan goals, policies, and strategies for this site.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in Comprehensive Plan.</p> <p>Findings:</p> <div data-bbox="253 1262 1040 1381" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Compliance with this DDC			
<p>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</p> <p>Findings:</p> <div data-bbox="253 1572 1149 1770" style="border: 1px solid black; padding: 5px;"> <p>The development meets all applicable standards.</p> </div> <p><i>Continued on the next page.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div data-bbox="269 296 1166 373" style="border: 1px solid black; padding: 5px;">The Replat provides sufficient level of detail to recommend approval.</div></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations			
<p>a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations. Findings: <div data-bbox="253 695 1117 804" style="border: 1px solid black; padding: 5px;">The proposed Replat complies with all other applicable city regulations.</div></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements			
<p>a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the terms and conditions of any such agreements incorporated by reference into this DDC. Findings: <div data-bbox="253 1056 1117 1157" style="border: 1px solid black; padding: 5px;">No interlocal or development agreements are applicable to this project.</div></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Minimizes Adverse Environmental Impacts			
<p>a. The proposed development should be designed to minimize negative environmental impacts, and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation. Findings: <div data-bbox="253 1444 1117 1541" style="border: 1px solid black; padding: 5px;">Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property			
<p>a. The proposed development should not cause significant adverse impacts on surrounding properties. The results of the citizen participation process may be appropriately considered under this section. Findings: <div data-bbox="253 1770 1117 1866" style="border: 1px solid black; padding: 5px;">Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

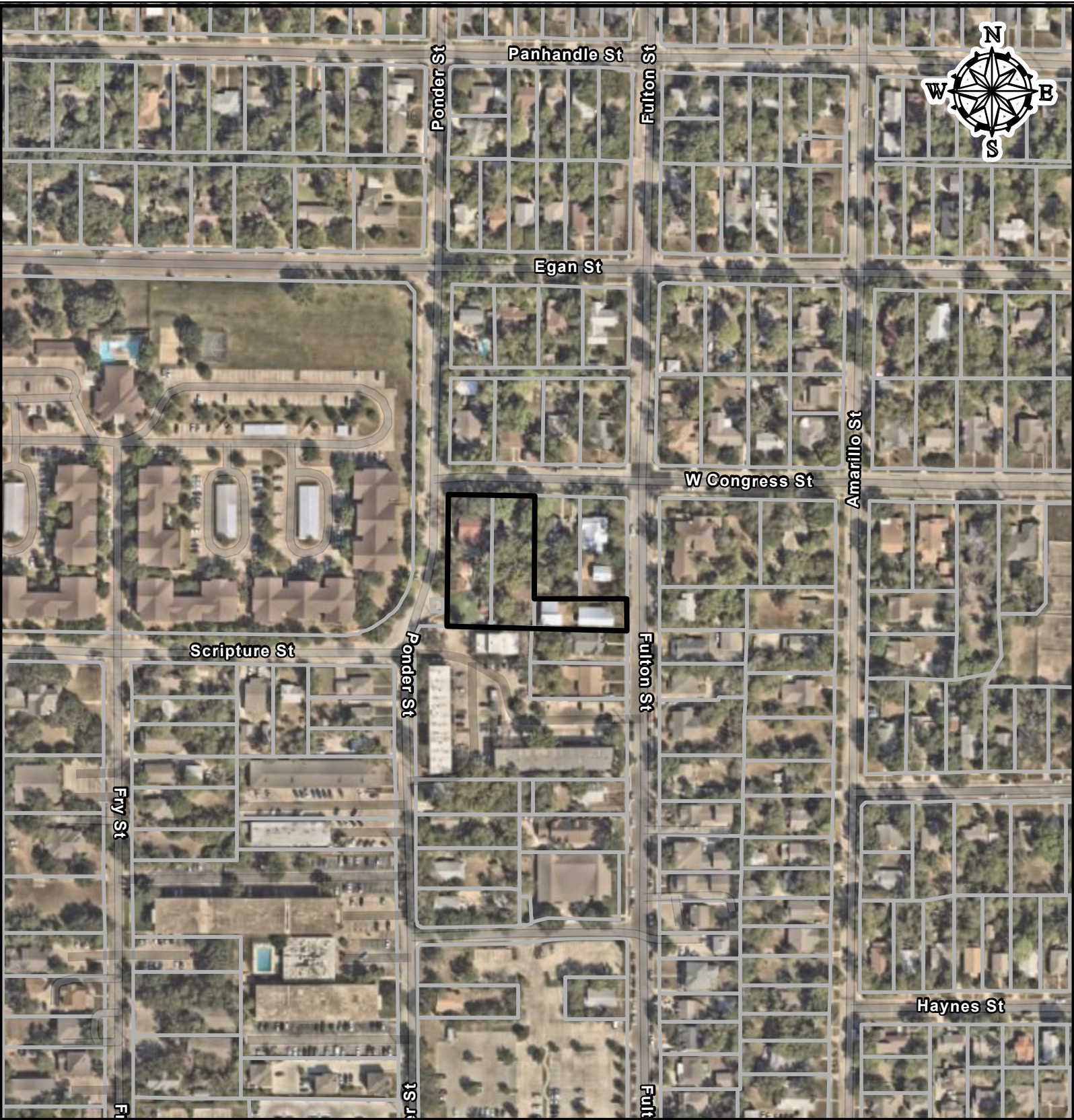
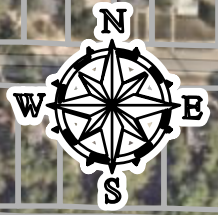
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
9. Minimizes Adverse Fiscal Impacts			
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings:</p> <div data-bbox="253 344 1117 453" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Compliance with Utility, Service, and Improvement Standards			
<p>a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards. Findings:</p> <div data-bbox="253 705 1133 814" style="border: 1px solid black; padding: 5px;"> <p>The proposed Replat complies with all City and County regulations as described herein.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems			
<p>a. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services. Findings:</p> <div data-bbox="253 1100 1117 1234" style="border: 1px solid black; padding: 5px;"> <p>Adequate road capacity exists to serve the development.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities			
<p>a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties. Findings:</p> <div data-bbox="253 1598 1101 1881" style="border: 1px solid black; padding: 5px;"> <p>Adequate public service and facility capacity exists to serve the development.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
12. Rational Phasing Plan			
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> No phasing is proposed at this time. </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

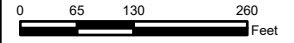
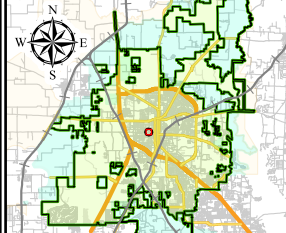
Final Plat Review Applicability Criteria (DDC Section 2.6.7.D)	Applicability		
	Met	Not Met	N/A
<p>13. Is consistent with the intent of the underlying zoning district.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> The proposal is consistent with the intent of R3 District zoning. </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>14. Complies with applicable dimensional and development standards in this DDC.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Apart from the approved variance for minimum lot width, the lots resulting from the Replat conform to the applicable standards. </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>15. Does not affect a recorded easement without approval from the easement holder.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> The Replat complies with all applicable technical standards and specifications as detailed herein. </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. Will not result in adverse impacts to surrounding property.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable. </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>17. Will not limit the city's ability to provide adequate and sufficient facilities or services; and</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> The proposal will not limit the city's ability to provide adequate facilities and services. </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final Plat Review Applicability Criteria (DDC Section 2.6.7.D)	Applicability		
	Met	Not Met	N/A
<p>18. Complies with all other ordinances and plans and regulations adopted by the city, including the Comprehensive Plan and other long-range or special purpose area planning documents.</p> <p>Findings:</p> <div data-bbox="203 331 1039 478" style="border: 1px solid black; padding: 5px;"> <p>The development meets all applicable regulations.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

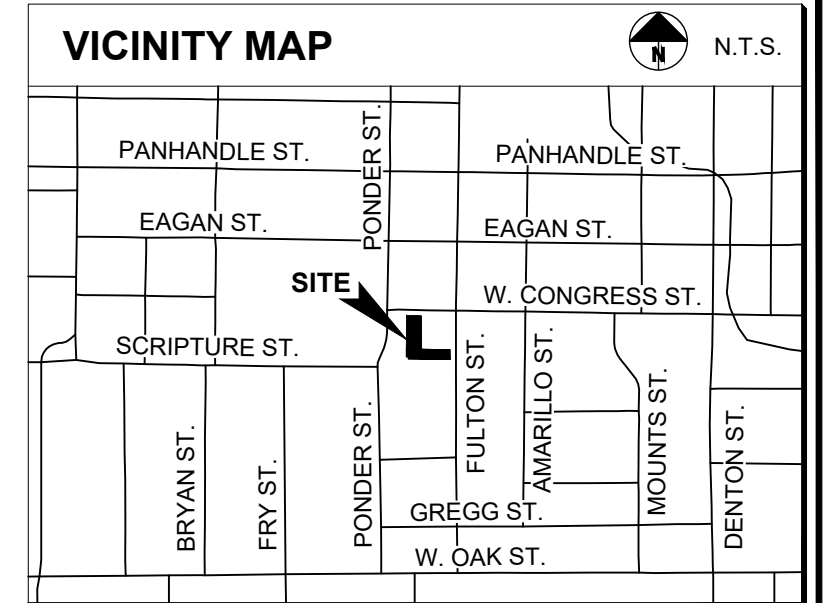
AFP24-0011 Site Location



- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40



*This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Although every effort was made to ensure the accuracy of this data, no such guarantee is given or implied. Utilization of this map indicates the understanding that there is no guarantee to the accuracy of this data.



LEGEND

—	BOUNDARY LINE
- - -	EASEMENT LINE
- · - · -	ADJACENT LINE
- · - · -	PROPOSED LOT LINE
●	MONUMENT FOUND AS NOTED
○	1/2" IRON ROD W/ "TRINITY 6854" CAP SET
○	CIRS 1/2" IRON ROD W/ "TRINITY 6854" CAP SET
IRF	IRON ROD FOUND
CRF	IRON ROD W/ A CAP FOUND
P.O.B.	POINT OF BEGINNING
P.R.D.C.T.	PLAT RECORDS, DENTON COUNTY, TEXAS
O.R.D.C.T.	OFFICIAL RECORDS, DENTON COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DENTON COUNTY, TEXAS

GENERAL NOTES :

- The bearings and coordinates shown hereon are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).
- All corners are 1/2" iron rods set with a plastic cap stamped "RPLS 6854" unless otherwise noted.
- The purpose of this replat is to revise Lots 3, 4, 5, & a portion of Lot 6, Block 4 into 3 lots.
- The City of Denton has adopted the National Electrical Safety Code (The "Code"). The Code generally prohibits structures within 17.5 feet on either side of the centerline of overhead distribution lines and within 37.5 feet on either side of the centerline of overhead transmission lines. In some instances, The Code requires greater clearances. Building permits will not be issued for structures within these clearance areas. Contact the building official with specific questions.
- NOTICE: selling a portion of this addition by metes and bounds is a violation of City ordinance and State Law and is subject to fines and withholding of utilities and building permits.
- Water and Sewer service will be provided through the City of Denton water/sewer.
- Private improvements cannot encroach onto existing public easements.
- A Tree Survey and Preservation Plan will be required to proceed with Building Permits on the subject site. Minimum Tree Preservation requirements of the Denton Development Code Section 7.7.4 must be met prior to the release of any permits.

FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0360G for Denton County, Texas and incorporated areas, dated April 18, 2011 this property is located within:
 Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"
 If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

REPLAT
HIGHSCHOOL ADDITION,
LOTS 3R, 4R, AND 5R, BLOCK 4
0.945 ACRES
 3 RESIDENTIAL LOTS
 BEING A REPLAT OF LOT 3-5, AND A PORTION OF LOT 6,
 BLOCK 4 OF HIGH SCHOOL ADDITION
 VOLUME 151, PAGE 2, D.R.D.C.T.
 R. BEAUMONT SURVEY, ABSTRACT NO. 31,
 CITY OF DENTON, DENTON COUNTY, TEXAS
 CITY OF DENTON PROJECT NO. AFP24-0011

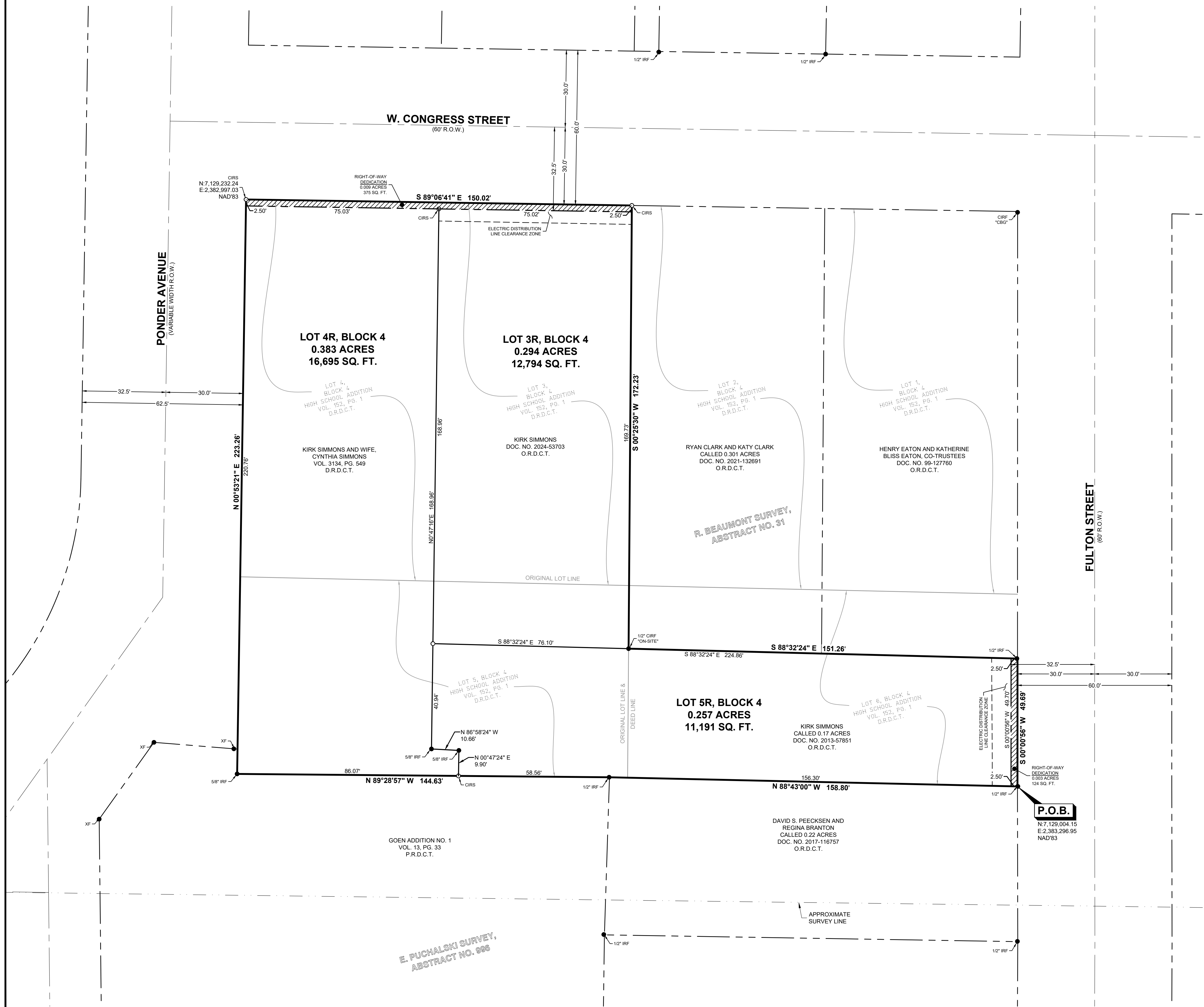


4401 N. Interstate 35, #202 Denton, Texas 76201 FIRM # 10194687 Tel. No. (940) 293-3180

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 20'	MLB	TLS	02/04/2025	2024-083	1 OF 2

OWNER:
 Kirk Simmons
 1117 W. Congress St.
 Denton, Texas 76201
 Ph. 940-390-1818
 Email: gksimmons57@gmail.com
 Contact: Kirk Simmons

SURVEYOR:
 Trinity Land Surveying, LLC
 4401 N. Interstate 35, Unit 202
 Denton, TX 76207
 Ph: (940) 293-3180
 Email: mblack@trinity-surveying.com
 Contact: Michael Black, RPLS



OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS Kirk Simmons, is the owner of the land shown on this plat within the area described by metes and bounds as follows:

BEING a tract of land situated in the R. Beaumont Survey, Abstract No. 31, in the City of Denton, Denton County, Texas and being all of Lots 3 through 5, and a portion of Lot 6, Block 4 of High School Addition, an addition to the City of Denton, according to the Plat thereof recorded in Volume 152, Page 1 of the Deed Records of said county, and being all of a tract of land described in a General Warranty Deed to Kirk Simmons, as recorded in Document No. 2024-53703 of the Official Records of said county, all of a called 0.17 acre tract of land described in a General Warranty Deed to Kirk Simmons, as recorded in Document No. 2013-57851 of said Official Records, and all of a tract of land described in a Warranty Deed to G. Kirk Simmons and wife, Cynthia Simmons, as recorded in Volume 3134, Page 549 of the Deed Records of said county, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found on the westerly right-of-way line of Fulton Street, a 60 feet-wide right-of-way, for the occupied southeast corner of said Lot 6, the southeast corner of said 0.17 acre tract, and the northeast corner of a called 0.22 acre tract described in a Warranty Deed to David S. Peecksen and Regina Branton, as recorded in Document No. 2017-116757 of said Official Records;

THENCE North 88°43'00" West, leaving said westerly right-of-way line and partly with the occupied south line of said Lot 6, and continuing with the occupied south line of said Lot 5 for a total distance of 158.80 feet to a 1/2 inch iron rod found for the northwest corner of said 0.22 acre tract, the northeast corner of Goen Addition No. 1, an addition to the City of Denton, according to the Plat thereof recorded in Cabinet J, Page 334 (formerly Volume 13, Page 33) of the Plat Records of said county, and for an angle point in the occupied south line of said Lot 5;

THENCE North 89°28'57" West, continuing with the occupied south line of said Lot 5 and with the north line of said Goen Addition No. 1, a distance of 144.63 feet to a 5/8 inch iron rod found for the occupied southwest corner of said Lot 5 and an inner "L" corner of said Goen Addition No. 1;

THENCE North 00°53'21" East, partially with an east line of said Goen Addition and partially with the easterly right-of-way line of Ponder Avenue, a variable width right-of-way, a distance of 223.26 feet to a 1/2 inch iron rod with a yellow cap, stamped "Trinity 6854", set at the intersection of the easterly right-of-way line of said Ponder Avenue with the southerly right-of-way line of W. Congress Street, a 60 feet-wide right-of-way, for the northwest corner of the aforementioned Lot 4;

THENCE South 89°06'41" East, with the southerly line of said W. Congress Street, a distance of 150.02 feet to a 1/2 inch iron rod with a yellow cap, stamped "Trinity 6854", set for the northeast corner of the aforementioned Lot 3, same being the northeast corner of the aforementioned Document No. 2024-53703 and the northwest corner of a called 0.301 acre tract described in a General Warranty Deed to Ryan Clark and Katy Clark, as recorded in Document No. 2021-132691 of said Official Records;

THENCE South 00°25'30" West, with the common line of said Document No. 2024-53703 and said Clark tract, and partially with the easterly line of said Lot 3, a distance of 172.23 feet to a 1/2 inch iron rod with a cap, stamped "ON-SITE", found for the southwest corner of said Clark tract and the northwest corner of the aforementioned 0.17 acre tract;

THENCE South 88°32'24" East, with the north line of said 0.17 acre tract, partially with the south line of said Clark tract, and partially with the south line of a tract of land described in a Deed to Henry Eaton and Katherine Bliss Eaton, as recorded in Document No. 99-R0127760 of the Deed Records of said county, a distance of 151.26 feet to a 1/2 inch iron rod found on the westerly right-of-way line the aforementioned Fulton Street;

THENCE South 00°00'56" West, with said westerly right-of-way line, a distance of 49.69 feet to the **POINT OF BEGINNING** and containing 41,180 square Feet or 0.945 acres of land, more or less.

OWNER'S DEDICATION

STATE OF TEXAS §
COUNTY OF DENTON §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Kirk Simmons, do/does hereby adopt this replat designating the hereinabove described property as **LOTS 3R, 4R, AND 5R, BLOCK 4, HIGH SCHOOL ADDITION**, being a replat of Lots 3-5, and a portion of Lot 6 of High School Addition, an addition to the City of Denton, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, or other improvements shall be constructed or placed upon, over, or across the easements as shown. The City of Denton shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Denton shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

BY: _____
Kirk Simmons Date
Owner

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared Kirk Simmons, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledge to me that he/she/they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20__.

Notary Public, State of Texas
My Commission Expires _____

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Michael L. Black, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this subdivision is true and correct; was prepared from an actual and accurate survey of the land, according to the standards of practice of the Texas Board of Professional Land Surveyors; and that all previously existing property monuments are sufficiently described on this document as found and all set monuments meets or exceeds the requirements of section 138.87, The State of Texas, Texas Engineering and Land Surveying Practice Acts and Rules concerning Practice and Licensure.

Michael L. Black
Registered Professional Land Surveyor No. 6854

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared Michael Black, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledge to me that he/she/they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20__.

Notary Public, State of Texas
My Commission Expires _____

REPLAT
HIGHSCHOOL ADDITION,
LOTS 3R, 4R, AND 5R, BLOCK 4
0.945 ACRES
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VOLUME 151, PAGE 2, D.R.D.C.T.
R. BEAUMONT SURVEY, ABSTRACT NO. 31,
CITY OF DENTON, DENTON COUNTY, TEXAS

CITY OF DENTON PROJECT NO. AFP24-0011



4401 N. Interstate 35, #202 Denton, Texas 76201 FIRM # 10194687 Tel. No. (940) 293-3180

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
-	MLB	TLS	02/04/2025	2024-083	2 OF 2

OWNER:
Kirk Simmons
1117 W. Congress St.
Denton, Texas 76201
Ph. 940-390-1818
Email: gksimmons57@gmail.com
Contact: Kirk Simmons

SURVEYOR:
Trinity Land Surveying, LLC
4401 N. Interstate 35, Unit 202
Denton, TX 76207
Ph: (940) 293-3180
Email: mblack@trinity-surveying.com
Contact: Michael Black, RPLS

Planning and Zoning Commission Approval – Final Replat

This is to certify that the Planning and Zoning Commission of the City of Denton, Texas has approved this plat and subdivision of _____ in conformance with the laws of the State of Texas and the ordinances of the City of Denton as shown hereon and authorizes the recording of this plat this _____ day of _____, 20__.

Chair, Planning & Zoning Commission

City Secretary



City of Denton

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

Legislation Text

File #: PZ25-015, **Version:** 1

AGENDA CAPTION

Hold a discussion regarding the Planning and Zoning Project Matrix.

2025
Planning and Zoning Commission Requests for Information
Meeting Dates

Request		Request Date	Status
Discussion related to removing minimum parking requirements from the DDC.	Villarreal	9/14/2022	This item is on hold given the pending city-wide parking study; City Council to provide subsequent direction at a future date.
LSR explaining the practices and legal limitations based on recent state law changes regarding right-of-way dedication for roadways and perimeter street improvements.	Pruett	5/15/2024	Staff will provide an update at a future date.
Discussion regarding applicability of gas well regulations within the City's ETJ.	Pruett	9/11/2024	Work session discussion at a future date.
Discussion on communal living and how small home communities could be achieved.	Pruett	10/9/2024	Work session discussion at a future date.
Mobility Plan discussion regarding neighborhoods along east McKinney Street and trail connectivity to neighboring parks.	Pruett	10/9/2024	Work session discussion at a future date.
Presentation related to projects Planning Team is working on associated with implementing the Denton 2040 Comprehensive Plan, Southeast Denton Area Plan, Design Downtown Denton Plan, and City Council Strategic initiatives.	Firgens	1/23/2025	Work session discussion February/March 2025.
P&Z Boot camp presentations	Firgens	1/23/2025	Various work session meetings throughout 2025.
Discussion regarding applicable statutory procedures and administrative implications when quorum is not achieved.	Pruett	1/29/2025	Work session discussion scheduled for February 12, 2025.

Ongoing Items		Request Date	Status
Request for additional detail regarding the results of TIAs on future projects.	Smith	10/12/2022	Information regarding TIAs will be provided in the analysis of future projects.
Request to include the number of extension requests associated with a plat application within the agenda information summary (AIS).	Villarreal	12/13/2023	Information regarding the number of extension requests associated with a plat application will be provided for future projects.
Request to include link to videos of past Public Meetings related to a project when the Commission has previously had a public hearing on the item.	Ellis	8/14/2024	Links to video recordings of prior public hearings will be provided within the AIS for projects on which the Commission has previously held a public hearing (i.e. amendments to SUPs or PDs).
Requested as the smaller drainage studies are being completed for the Storm Water Master Plan to inform the commission of the long-term plans for areas to allow them to be more confident about development applications that come in where we see drainage issues existing as opposed to creating drainage with new development.	Pruett	11/13/2024	Provide periodic updates regarding completed area drainage studies that inform the Storm Water Master Plan.
Annual Updates		Request Date	Status
Provide annual updates related to progress on implementing the Denton 2040 Comprehensive Plan Action Items	Smith	3/9/2022	Ongoing 2024 update provided on August 28, 2024. 2023 update provided on June 14, 2023.

02/06/2025

Page 2