



# City of Denton

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

## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**DCM:** David Gaines

**DATE:** August 10, 2022

### **SUBJECT**

Consider a request by Mandy Marmon, on behalf of Millennium Crest, LP, for approval of a Preliminary Plat of Millennium Crest, Lot 1, Block A. The 7.607-acre site is generally located approximately 300 feet east of Lillian Miller Parkway and approximately 250 feet west of IH-35E in the City of Denton, Denton County, Texas. (PP22-0008b, Millennium Crest, Mia Hines)

### **BACKGROUND**

The purpose of this Final Replat is to combine two lots (Londonderry Addition, Lot 1, Block 1 and ASC/MOB Addition, Lot 2R, Block 1) into one lot for the development of a multifamily use. New easements and right-of-way are proposed for dedication, and an established easement is proposed to be abandoned by this plat. The property is zoned Mixed-Use Neighborhood (MN). The property will be developed in one phase.

On May 11, 2022, an appeal of an administrative decision was submitted regarding the approval of the Zoning Compliance Plan (ZCP) for Millennium Crest. According to Section 2.8.3 of the Denton Development Code (DDC) and Section 211.010 of the Texas Local Government Code (TLGC)), an appeal stays all proceedings from further action unless it's determined a stay would create adverse impacts on the City or neighborhood. However, this conflicts with Section 212.009 of the TLGC, which establishes the "shot-clock" that requires the automatic approval of plats that are not approved or denied by the municipal authority within 30 days of being filed with the City or within 60 days if a one-time extension is requested. Because the plat was already under review when the appeal was submitted, the Planning and Zoning Commission denied this plat so that lack of action did not result in the automatic approval of this plat. On June 29, 2022, the Zoning Board of Adjustments affirmed the administrative approval of the ZCP for Millennium Crest. Subsequently, the applicant has revised and resubmitted this preliminary plat for the Commission's consideration.

Date Application Filed:	March 29, 2022
Planning & Zoning Commission Meeting:	April 27, 2022
Days in Review:	29 Days
30-Day Extension Approved:	April 27, 2022
Planning & Zoning Commission Meeting:	May 25, 2022
Days in Review:	28 Days
Date Application Resubmitted:	July 12, 2022
Planning & Zoning Commission Meeting:	August 10, 2022
Days in Review:	30 Days

This application is being considered under TX LGC 212.009.

**OPTIONS**

1. Approve as submitted
2. Deny with reasons

**RECOMMENDATION**

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

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

<b>Date</b>	<b>Council, Board, Commission</b>	<b>Request</b>	<b>Action</b>
April 2019	City Council	2019 Zoning Transition (Regional Center Commercial 2 (RCR-2) to Mixed-Use Neighborhood (MN))	Approved
August 4, 2021	Planning & Zoning Commission	SUP for increased building height	Postponed
September 22, 2021	Planning & Zoning Commission	SUP for increased building height	Recommended Denial
October 19, 2021	City Council	SUP for increased building height	Denied
April 27, 2022	Planning & Zoning Commission	Preliminary Plat – 30-Day Extension	Approved
May 25, 2022	Planning & Zoning Commission	Preliminary Plat	Denied
June 29, 2022	Zoning Board of Adjustments	Appeal of ZCP Approval	Approval Affirmed

**PUBLIC OUTREACH**

No public outreach is required for preliminary plats.

**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. Preliminary Plat

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

Prepared by:  
Mia Hines  
Associate Planner