

Minutes
Planning and Zoning Commission
April 25, 2018

After determining that a quorum was present, the Planning and Zoning Commission of the City of Denton, Texas convened in a Work Session on **Wednesday, April 25, 2018 at 5:00 p.m.** in the City Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which time the following items were considered:

PRESENT: Chair Jim Strange, Commissioners: Alfredo Sanchez, Larry Beck, Steve Sullivan, and Margie Ellis.

ABSENT: Commissioners Tim Smith and Andrew Rozell.

STAFF: Athenia Green, Cindy Jackson, Hayley Zagurski, Scott McDonald, Ron Mengueta, Richard Cannone, Sean Jacobson and Victor Flores.

WORK SESSION

Chair Strange called the Work Session to order at 5:00 p.m.

1. Clarification of agenda items listed on the agenda for this meeting. This is an opportunity for Commissioners to ask questions of staff on the Consent and Regular Agenda items, which may include a full briefing on an item in the order it appears on the regular session agenda. Any such briefing will be repeated in regular session.

Commissioner Ellis questioned Consent Agenda Item 2C. She questioned what the agreement is regarding the expansion of the detention pond. Hayley Zagurski, Senior Planner, stated it is a historical agreement between Wal-Mart and the property owner to allow drainage to the pond.

Commissioner Sanchez and staff discussed Environmentally Sensitive Areas and requested information as to how staff ensures they are being maintained. Richard Cannone, Interim Planning Director, stated this discussion could take place during the Project Matrix; he will request that Deborah Viera in Environmental Services provide a memorandum or a Work Session presentation.

Chair Strange recused himself from Consent Agenda Item 2A. Victor Flores, Deputy City Attorney, stated since both the Chair and Vice-Chair are not present a Pro Tem will need to be nominated. Commissioner Beck nominated Commissioner Ellis. Commissioner Sullivan seconded. Commissioner Ellis accepted the nominated. There were no other nominations.

Commissioner Larry Beck motioned, Commissioner Steve Sullivan seconded to nominate Margie Ellis to serve as Pro Tem. Motion approved (4-0). Commissioner Larry Beck, "aye", Commissioner Steve Sullivan, "aye", Commissioner Alfredo Sanchez, "aye", and Commissioner Margie Ellis, "aye".

1 Commissioner Beck referred to Consent Agenda Item 2A, he questioned what is being done
2 differently on this site than what this Commission has already reviewed. Zagurski stated this
3 Commission has previously reviewed a Preliminary Plat and Site Plan for this site.

4
5 Commissioner Sullivan questioned if this site is the Texas Oncology site. Zagurski stated no, this
6 project is next to Select Medical.

7
8 There was no further discussion, Pro Tem Ellis called Chair Strange back to the meeting. Strange
9 took back over as Chair.

10
11 Hayley Zagurski, Senior Planner, presented Item for Individual Consideration 3A. Staff
12 recommends approval of the request. Commissioner Beck and staff discussed buffering and
13 drainage requirements.

14
15 Commissioner Ellis questioned if there is a fence proposed between the existing property owners
16 and the development. Zagurski stated she believes there is an existing fence. The buffer
17 requirements do not require a fence to be installed.

18
19 Hayley Zagurski, Senior Planner, presented Public Hearing Item 4A. Staff recommends approval
20 of the request.

21
22 Cindy Jackson, Senior Planner, presented Public Hearing Item 4B. Staff recommends approval of
23 the request.

24 25 2. [Work Session Reports](#)

26 27 A. [Receive an update from staff regarding the Development Code Review Committee.](#)

28
29 Ron Menguita, Principal Planner, provided a brief update. He stated the Committee will meet again
30 on Thursday, April 26, 2018 to discuss Subchapter 1.

31 32 [REGULAR MEETING](#)

33
34 Chair Strange called the Regular Meeting to order at 6:33 p.m.

35
36 The Planning and Zoning Commission convened in a Regular Meeting on **Wednesday, April 25,**
37 **2018 at 6:30 p.m.** in the City Council Chambers at City Hall, 215 E. McKinney at which time the
38 following items were considered:

39 40 1. [PLEDGE OF ALLEGIANCE:](#)

41
42 A. U.S. Flag

43 B. Texas Flag

44

1 2. CONSENT AGENDA:

- 2
3 A. Consider a request by Prime Denton Properties LLC for approval of a final plat of
4 Lot 1, Block 4 of Rayzor Ranch South. The approximately 4.05-acre site is
5 generally located at the northeast corner of Scripture Street and Interstate Highway
6 35 in the City of Denton, Denton County, Texas. (FP17-0032, Medical Office
7 inside Rayzor Ranch, Hayley Zagurski).

8
9 Chair Strange recused himself from Consent Agenda Item 2A. Commissioner Ellis served as Pro
10 Tem for the meeting.

11
12 Commissioner Larry Beck motioned, Commissioner Steve Sullivan seconded to approve Consent
13 Agenda Item 2A. **Motion approved (4-0-1).** Commissioner Alfredo Sanchez "aye",
14 Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", and Commissioner Margie
15 Ellis "aye". Chair Jim Strange recused.

- 16
17 B. Consider a request by Bel Air Development, Ltd. for approval of a Final Plat of the
18 Palladium Denton Addition, Lot 1, Block A. The approximately 7.34 acre site is
19 generally located at the northeast corner of Sherman Drive and Poinsettia
20 Boulevard, in the City of Denton, Denton County, Texas. (FP18-0002, Palladium
21 Denton Addition, Shandrian Jarvis Ugwoke).

- 22
23 C. Consider a request by Bomac Denton Investments, LLC for approval of a
24 preliminary plat of Brinker Road Addition Block 1, Lot 2. The approximately
25 12.37-acre site is generally located on the east side of Brinker Road, approximately
26 990 feet south of South Loop 288 in the City of Denton, Denton County, Texas.
27 (PP18-0004, Brinker Road Plat, Hayley Zagurski).

28
29 Chair Strange returned to the meeting and to serve as Chair. Consent Agenda Items 2B and 2C
30 were voted on together.

31
32 Commissioner Margie Ellis motioned, Commissioner Larry Beck seconded to approve Consent
33 Agenda Items 2B and 2C. **Motion approved (5-0).** Commissioner Alfredo Sanchez "aye",
34 Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye",
35 and Commissioner Margie Ellis "aye".

36
37 3. ITEMS FOR INDIVIDUAL CONSIDERATION:

- 38
39 A. Consider a request by Iglesia la Hermosa for approval of an Alternative
40 Development Plan for a proposed church on 9.43 acres located on the north side of
41 Windsor Drive, approximately 870 feet west of N. Bonnie Brae Street in the City
42 of Denton, Denton County, Texas. The property is currently zoned Neighborhood
43 Residential 2 (NR-2) District. The purpose of the Alternative Development Plan is
44 to deviate from Section 35.13.13.4 Nonresidential and Mixed Use Buildings in a
45 Pedestrian Oriented District of the Denton Development Code. (ADP18-0001,
46 Iglesia La Hermosa, Hayley Zagurski).

1
2 Hayley Zagurski, Senior Planner, presented this request. Staff is recommending approval of the
3 request. She stated the applicant is present.

4
5 Commissioner Ellis questioned if the parking requirements would be met in the future if the
6 applicant is already proposing additional seating for the future. Zagurski stated they will meet the
7 parking requirements.

8
9 Craig Bond, Applicant, KJ Environmental, 500 Moseley Road, Cross Roads, Texas, stated he does
10 not have a presentation, however, he is available for questions. Commissioner Beck questioned if
11 they have any concerns regarding the neighboring gas well site. Bond stated they do not foresee
12 any concerns or issues.

13
14 Commissioner Sullivan stated he is glad to see a large site for the church and that it will not all be
15 developed under concrete.

16
17 Commissioner Beck provided his concerns regarding the neighboring gas wells.

18
19 Commissioner Alfredo Sanchez motioned, Commissioner Larry Beck seconded to approve this
20 request. **Motion approved (5-0).** Commissioner Alfredo Sanchez "aye", Commissioner Larry
21 Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", and Commissioner
22 Margie Ellis "aye".

23
24 4. PUBLIC HEARINGS:

- 25
26 A. Hold a public hearing and consider a request by Five Ten Villas, LLC for approval
27 of a Final Replat of Lots 1 and 2, Block A of Five Ten Villas Addition, being a
28 replat of Lots 1R and 2 of Payne Addition and being 2.035 acres of previously
29 unplatted land being 10.555 acres in the Alexander Hill Survey A-623. The
30 approximately 10.55 acre property is located along Fort Worth Drive,
31 approximately 1,000 feet south of W. Collins Street in the City of Denton, Denton
32 County, Texas. (FR17-0007, Five Ten Villas, Shandrian Jarvis Ugwoke).
33

34 Chair Strange opened the Public Hearing. Hayley Zagurski, Senior Planner, presented the request.
35 Staff recommends approval of this request. The applicant is present.

36
37 Matt Coin, Applicant, 325 N. Saint Paul, Suite 2850, Dallas, Texas, stated he does not have
38 a presentation.

39
40 There was no one to speak on the item. Chair Strange closed the Public Hearing.

41
42 Commissioner Margie Ellis motioned, Commissioner Alfredo Sanchez seconded to approve this
43 request. **Motion approved (5-0).** Commissioner Alfredo Sanchez "aye", Commissioner Larry
44 Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", and Commissioner
45 Margie Ellis "aye".

- 1 B. [Hold a public hearing and consider making a recommendation to City Council](#)
2 [regarding a request by Melissa Investments LLC to rezone approximately 0.808](#)
3 [acres from a Regional Center Commercial Neighborhood \(RCC-N\) zoning district](#)
4 [to a Regional Center Commercial Downtown \(RCC-D\) zoning district. The subject](#)
5 [property is generally located on the northeast side of the I-35E, approximately 627](#)
6 [feet southeast of S. Mayhill Road, in the City of Denton, Denton County, Texas.](#)
7 [\(Z17-0034, I-35E Rezoning, Cindy Jackson\)](#)
8

9 Chair Strange opened the Public Hearing. Cindy Jackson, Senior Planner, presented the request.
10 Staff recommends approval of the request. The applicant is present.
11

12 The following individuals spoke during the Public Hearing:

13 David Zigo, Applicant, 7850 Collin McKinney Parkway, McKinney, Texas, stated he
14 would like to see improvements to the site and property, which are much needed.

15 Carlos Sandoval, Business Owner, 114 Stallion Lane, Hickory Creek, Texas, stated he is
16 glad to see the site developed. Commissioner Beck questioned if the car sales would be new or
17 used vehicles. Sandoval stated used cars.

18 Andy French, Property Owner, 4201 Spring Valley #1101, Dallas, Texas, stated the
19 property needed substantial updates, both the applicant and business owner have come in and done
20 a lot of work to the site. He is glad to see work done to the site. The gas tanks were previously
21 removed from the site.
22

23 There was no one else to speak. Chair Strange closed the Public Hearing.
24

25 Commissioner Larry Beck motioned, Commissioner Margie Ellis seconded to approve this
26 request. **Motion approved (5-0).** Commissioner Alfredo Sanchez "aye", Commissioner Larry
27 Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", and Commissioner
28 Margie Ellis "aye".
29

30 5. [PLANNING AND ZONING COMMISSION PROJECT MATRIX:](#)
31

32 A. [Matrix](#)
33

34 Commissioner Ellis requested an update on the sign enforcement process. Richard Cannone,
35 Interim Planning Director, stated he can provide an update.
36

37 Commissioner Sanchez requested information regarding Environmentally Sensitive Area's and
38 maintenance for those areas. Cannone stated he will get with Deborah Viera in Environmental
39 Services to provide a memorandum or a Work Session presentation.
40

41 Commissioner Sanchez requested information regarding roundabouts in the mobility plan.
42 Cannone stated he will get with the Engineering Department to provide some information.
43

44 There was no further discussion. Chair Strange closed the Regular Meeting at 7:06 p.m.