

MINUTES
PLANNING AND ZONING
October 11, 2017

After determining a quorum was present, the Planning and Zoning Commission of the City of Denton, Texas convened in a Work Session on Wednesday, October 11, 2017 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 were considered:

PRESENT: Commissioner Alfred Sanchez, Commissioner Larry Beck, Commissioner Steve Sullivan, Chair Jim Strange, Commissioner Margie Ellis, and Commissioner Tim Smith.

ABSENT: Vice-Chair Andrew Rozell.

STAFF: Richard Cannone, Ron Menguita, Hayley Zagurski, Jim Jenks, Jennifer DeCurtis, Victor Flores, and Cathy Welborn.

WORK SESSION

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.

Chair Strange opened the Work Session at 5:04 p.m.

Richard Cannone, Interim Planning Director, introduced himself to the Planning and Zoning Commission.

Chair Strange asked if the Commission had any questions regarding the Consent Agenda. Commissioner Ellis requested clarification regarding note seven on Consent Agenda item 2A. Jim Jenks, Interim Development Review Engineering Manager, stated note seven is on the Preliminary Plat checklist for the applicant to provide as a note, but it does not apply to this plat and the property can be sewerred conventionally.

There were no further questions regarding the Consent Agenda.

Hayley Zagurski, Senior Planner, presented Item for Individual Consideration item 3A. Consider approval of a site plan for a Cheddar's restaurant located in the Rayzor Ranch South RR-2 District.

Zagurski stated the site plan, landscape plan, and building elevations for the South RR-2 district are required to be considered by the Planning and Zoning Commission.

1 Chair Strange questioned if staff is requiring the large white oak trees. Zagurski stated yes the
2 applicant is required to have one large tree for every 45 feet of frontage. Commissioner Smith
3 questioned if there is a specific list of shrubs, trees or plants that is used in the South RR-2 district
4 to keep it uniform. Zagurski stated yes there are certain allowed shrubs, trees, and plants within
5 the district.

6
7 Commissioner Sullivan questioned if there are going to be improvements made to help with the
8 traffic issues in the Rayzor Ranch area. Zagurski stated there is a right-in-right-out drive way on
9 the north side of the property. Jim Jenks, Interim Development Review Engineering Manager,
10 stated the Texas Department of Transportation (TxDOT) right-of-way has already been acquired,
11 there is also a future project regarding the service road and the right-of-way has been dedicated for
12 that as well.

13
14 Staff recommends approval of the site plan request as it is compliant with all applicable regulations
15 of the Rayzor Ranch Overlay District. Commissioner Ellis questioned the walk ability to the site.
16 Zagurski stated there will be sidewalks built into the site as well as throughout the development.

17
18 Hayley Zagurski, Senior Planner presented Public Hearing item 4A. Zagurski stated the request is
19 bring the Rural Residential District 5X (RD-5X) zoning to the Industrial Center General (IC-G),
20 to facilitate the expansion of the exiting use and to correspond with the surrounding zoning.

21
22 Commissioner Beck questioned if Metro Street will connect to Dakota Lane. Zagurski stated
23 according to the Engineering Department it will connect.

24
25 Staff recommends approval of the request as it is compatible with the surrounding land uses and
26 consistent with the goal and objectives of the Denton Plan 2030.

27
28 Commissioner Sullivan questioned why the RD-5X was chosen for the zoning. Zagurski stated the
29 RD-5X district is a place holder for recently annexed property until the property owner decides
30 what zoning works for their property.

31
32 Commissioner Sanchez how many students are anticipated to attend the college, as well as the
33 proposed traffic flow. Zagurski stated she is unaware of the number of students and that the
34 expansion is supposed to come in phases.

35
36 Hayley Zagurski, Senior Planner, presented Public Hearing item 4B. Zagurski stated the request
37 is to amend Exhibits B-1, B-4, and E-1 of the Rayzor Ranch Overlay District (RROD) in
38 Subchapter 35.7.15 of the Denton Development Code (DDC) to change approximately 12.17 acres
39 from the South Mixed Use District to the South RR-2 District and to incorporate approximately
40 22.17 acres into Sign Area 2.

41
42 Commissioner Beck questioned why there is a request for a zoning change if both areas allow what
43 the applicant is seeking. Zagurski stated the current South Use Mixed District doesn't have
44 standards developed so a site plan could not be reviewed because there are no standards to go by.

1 Commissioner Sullivan questioned how much residential use was going to be allowed in this area.
2 Zagurski stated the primary location for residential property is going to be in the South Mixed Use
3 area.

4
5 Zagurski stated staff recommends approval of both aspects of the request as it is compatible with
6 surrounding development and consistent with the goals and objectives of the Denton Plan 2030.

7
8 There was no further discussion.

9
10 Chair Strange stated Public Hearing item 4C is being postponed to a date certain of October 25,
11 2017.

12
13 Chair Strange closed the Work Session at 5:48p.m.

14 15 REGULAR MEETING

16
17 The Planning and Zoning Commission convened in a Regular Meeting on Wednesday, October
18 11, 2017 at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney at which time
19 the following items were considered:

20
21 Chair Strange opened the Regular Meeting at 6:30 p.m.

22 23 1. PLEDGE OF ALLEGIANCE

24
25 A. U.S. Flag B. Texas Flag

26 27 2. CONSENT AGENDA

28
29 A. Consider a request by Texas Blue Horseshoe Ltd for approval of a Preliminary Plat of Lots 1,
30 2, and 3, Block A, of the Duluth Trading Co. - Northern Tool Addition. The approximately 18.01
31 acre site is generally located on the west side of the I-35 service road approximately 1,000 feet
32 south of West University Drive. (PP17-0012, Duluth Trading/Northern Tool, Hayley Zagurski).

33
34 B. Consider a request by Denton Commons, LLC for approval of a Preliminary Plat of Lot 1 and
35 Lot 2, Block A, of the Denton Commons Addition. The approximately 4 acre site is generally
36 located west of the I-35E Service Road, approximately 405 feet north of Wind River Lane. (PP16-
37 0015, Denton Commons, Julie Wyatt).

38
39 Commissioner Tim Smith motioned, Commissioner Larry Beck seconded to approve the Consent
40 Agenda. Motion approved (6-0). Commissioner Larry Beck "aye", Commissioner Steve Sullivan
41 "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", Commissioner Tim Smith
42 "aye", and Commissioner Alfred Sanchez "aye".

1 3. ITEMS FOR INDIVIDUAL CONSIDERATION

2
3 A. Consider a request by DB Denton II for approval of a Site Plan for a Cheddar's restaurant to be
4 constructed within the Rayzor Ranch South RR-2 District located on Lot 25, Block A, of the
5 Rayzor Ranch Town Center. The approximately 1.67 acre property is generally on the east side of
6 I-35 approximately 940 feet south of West University Drive (US 380). (SP17-0040, Cheddar's
7 RR, Hayley Zagurski)

8
9 Hayley Zagurski, Senior Planner, presented Item for Individual Consideration 3A. Zagurski stated
10 this is a site plan for a Cheddar's restaurant located in the Rayzor Ranch South RR-2 District.

11
12 Zagurski stated the site plan, landscape plan, and building elevations for the South RR-2 district
13 are required to be considered by the Planning and Zoning Commission.

14
15 Chair Strange questioned if bike racks are required and if the applicant receives credit for them.
16 Zagurski stated no they are not required and she is unaware if any credits are given.

17
18 Staff recommends approval of the site plan request as it is compliant with all applicable regulations
19 of the Rayzor Ranch Overlay District.

20
21 Commissioner Smith questioned if there will be sidewalk access from the convention center to the
22 cheddars. Zagurski stated yes there would be sidewalk connectivity throughout.

23
24 Commissioner Larry Beck motioned, Commissioner Tim Smith seconded to approve Item for
25 Individual Consideration 3A. Motion approved (6-0). Commissioner Alfred Sanchez "aye",
26 Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye",
27 Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".

28
29 4. PUBLIC HEARINGS

30
31 A. Hold a public hearing and consider a request by Spud Luck, TX, LLC for an initial zoning of
32 Industrial Center General (IC-G) District on approximately 14 acres. The property is generally
33 located at the southeast corner of Shelby Lane and Dakota Lane. (Z17-0020, Lineman College,
34 Julie Wyatt).

35
36 Chair Strange opened the Public Hearing.

37
38 Hayley Zagurski, Senior Planner presented Public Hearing item 4A. Zagurski stated the request is
39 to bring the Rural Residential District 5X (RD-5X) zoning to the Industrial Center General (IC-
40 G), to facilitate the expansion of the existing use and to correspond with the surrounding zoning.

41
42 Staff recommends approval of the request as it is compatible with the surrounding land uses and
43 consistent with the goal and objectives of the Denton Plan 2030.

1 Commissioner Sullivan questioned the reasoning for the zoning change. Zagurski stated it is
2 currently a non-conforming use so in order to expand they have to rezone or go before the Board
3 of Adjustment to expand under the current zoning.

4
5 There was no one to speak during the Public Hearing.

6
7 There was no further discussion.

8
9 Chair Strange closed the Public Hearing.

10
11 Commissioner Steve Sullivan motioned, Commissioner Margie Ellis second to approve Public
12 Hearing item 4A. Motion approved (6-0). Commissioner Alfred Sanchez "aye", Commissioner
13 Larry Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", Commissioner
14 Margie Ellis "aye", and Commissioner Tim Smith "aye".

15
16 B. [Hold a public hearing and consider a request by RED Development to amend Exhibits B-1, B-](#)
17 [4, and E-1 of the Rayzor Ranch Overlay District in Subchapter 35.7.15 of the Denton Development](#)
18 [Code to change approximately 12.17 acres from the South Mixed Use District to the South RR-2](#)
19 [District and to incorporate approximate 22.17 acres into Sign Area 2. The Rayzor Ranch Overlay](#)
20 [District consists of approximately 410 acres generally located on both side of West University](#)
21 [Drive \(US 380\) between North Bonnie Brae Street and I-35. \(Z17-0021, Rayzor Ranch, Hayley](#)
22 [Zagurski\).](#)

23
24 Chair Strange opened the Public Hearing.

25
26 Hayley Zagurski, Senior Planner, presented Public Hearing item 4B. Zagurski stated the request
27 is to amend Exhibits B-1, B-4, and E-1 of the Rayzor Ranch Overlay District (RROD) in
28 Subchapter 35.7.15 of the Denton Development Code (DDC) to change approximately 12.17 acres
29 from the South Mixed Use District to the South RR-2 District and to incorporate approximately
30 22.17 acres into Sign Area 2.

31
32 Commissioner Smith questioned staff if multi-family units are developed do they believe the
33 mobility will be the same once Panhandle Street is completed. Zagurski stated she feels it would
34 very similar because the same commercial use could develop under the existing zoning.

35
36 Commissioner Beck requested to speak with the applicant Scott Wagner, with RED Development.
37 Commissioner Beck questioned what the recreation center will entail at Rayzor Ranch. Wagner
38 stated it would be similar to a Main Event or Dave & Busters.

39
40 The following individual requested to speak:

41
42 Jimmy Rodgers, 2217 Countryside Dr., Denton TX, 76208. Supports this request.

43
44 Chair Strange closed the Public Hearing.

45
46 There was no further discussion

1
2 Commissioner Tim Smith motioned, Commissioner Sullivan seconded to approve Public Hearing
3 item 4B. Motion approved (6-0). Commissioner Alfred Sanchez "aye", Commissioner Larry Beck
4 "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", Commissioner Margie Ellis
5 "aye", and Commissioner Tim Smith "aye".
6

7 C. [Hold a public hearing and consider making a recommendation to City Council regarding an](#)
8 [amendment to the Denton Development Code, Subchapter 35.16, Sections 35.16.6 and 35.16.20,](#)
9 [by clarifying agreements required for plat approvals and building permits. This item was continued](#)
10 [at the September 27, 2017 Planning and Zoning Commission meeting. THIS ITEM IS BEING](#)
11 [POSTPONED TO THE OCTOBER 25, 2017 MEETING. \(DCA17-0010, Development](#)
12 [Agreements, Jim Jenks\)](#)
13

14 Commissioner Tim Smith motioned, Commissioner Margie Ellis seconded to postpone this item
15 to a date certain of October 25, 2017. Motion approved (6-0). Commissioner Alfred Sanchez "aye",
16 Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Chair Jim Strange "aye",
17 Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye".
18

19 5. [PLANNING & ZONING COMMISSION PROJECT MATRIX](#) 20

21 A. [Planning and Zoning Commission project matrix.](#) 22

23 Commissioner Ellis requested an update on the future mobility of Bonnie Brae Street and Scripture
24 Street. Cannone stated yes the updates will be sent out with the next Planning and Zoning
25 Commission packet.
26

27 Chair Strange closed the Regular Meeting at 7:10 p.m.
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