

MINUTES  
PLANNING AND ZONING COMMISSION  
March 15, 2023

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, March 15, 2023, at 5:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Ronnie Anderson, Jason Cole, Jordan Villarreal, Eric Pruett, and Donald McDade

ABSENT: None

**WORK SESSION**

**1. Citizen Comments on Consent Agenda Items**

None

**2. Clarification of agenda items listed on the agenda for this meeting.**

The following items were presented, and a discussion followed:

4.B (ZCP22-0064), 4.F (PP22-0031b), 5.B (PD21-0007)

The following items were presented, and no discussion was had:

4.A (FP23-0005), 4.C (PP22-0021b), 4.E (PP23-0006)

The following item was postponed:

5.A (Z23-0004)

The following item was withdrawn:

4D. (PP23-0001)

**3. Work Session Reports**

PZ23-062 Receive a report and hold a discussion regarding regulations and procedures related to public hearing notification.

Staff presented the report to the Commission and a discussion followed.

The Work Session was adjourned at 6:01p.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, March 15, 2023, at 6:33 p.m. in the Council Chambers at City Hall, 215 E. McKinney, Denton, Texas.

PRESENT: Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Jordan Villarreal, Ronnie Anderson, Eric Pruett, and Donald McDade

ABSENT: None

### **1. PLEDGE OF ALLEGIANCE**

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

### **2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES**

PZ23-029 Consider the approval of the March 1, 2023, Planning and Zoning meeting minutes.

Vice-Chair Smith moved to approve the March 1, 2023, Planning and Zoning meeting minutes. Motion seconded by Commissioner Cole. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade  
NAYS (0): None

### **3. CONSENT AGENDA**

- A. FP23-0003a Consider a request by Kaz Surveying, on behalf of Monk Watson Investments, LLC, for a Final Plat of Watson Addition, Lots 1-12, Block A. The approximately 15.98-acre site is generally located north of Hunter Hill Court, approximately 1,500 feet north of the intersection of Hunter Hill Court and East Hickory Hill Road in the Extraterritorial Jurisdiction of the City of Denton, Denton County, Texas. (FP23-0003a, Watson Addition, Ashley Ekstedt).

Vice-Chair Smith moved to approve the Consent Agenda. Motion seconded by Commissioner Anderson. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade  
NAYS (0): None

#### **4. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. FP23-0005 Consider a request by Beall Denton Partners LP, for a Final Plat of Northpointe, Phases 7 & 8. The 18.109-acre site is generally located South of Loop 288 and North of Beall Street in the Northpointe Subdivision in the City of Denton, Denton County, Texas. (FP23-0005, Northpointe Phases 7 & 8, Erin Stanley).

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to a date certain of April 12, 2023. Motion seconded by Commissioner Pruett. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade

NAYS (0): None

- B. ZCP22-0064 Consider a request by RR Town Center Associates, LLC for approval of a revised Site Plan for a retail center within the Rayzor Ranch Overlay District, South RR-2 and RR-1 subareas, located on Lot 10R-3, Block A of Rayzor Ranch Town Center. The approximately 28.75-acre subject site is generally located at the southeast corner of IH-35 and West University Drive (US-380) in the City of Denton, Denton County, Texas. (ZCP22-0064, Rayzor Ranch Town Center, Mia Hines).

City staff presented the item. No discussion followed.

Citizen comments will be listed on Exhibit A.

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

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade

NAYS (0): None

- C. PP22-0021b Consider a request by McKinney Mayhill Partners LLC for approval of a Preliminary Plat for Forest Crossing Phase 2 Addition. The approximately 22.050-acre site is generally located on the west side of Mayhill Road, approximately 1,067 feet north of East McKinney Street in the City of Denton, Denton County, Texas. (PP22-0021b, Forest Crossing Phase 2 Addition, Julie Wyatt)

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to deny the item. Motion seconded by Commissioner McDade. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade  
NAYS (0): None

- D. PP23-0001a Consider a request by Denton Independent School District for a Preliminary Plat of the Riney Road Elementary School Addition. The 15.135-acre site is generally located on the south side of Riney Road, approximately 560 feet east of Bonnie Brae Street, in the City of Denton, Denton County, Texas. (PP23-0001a, Riney Elementary, Julie Wyatt)

This item was withdrawn, and no action was taken.

- E. PP23-0006 Consider a request by Quick N Clean TX-04, LLC for a Preliminary 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. (PP23-0006, Quick N Clean Addition, Julie Wyatt)

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to a date certain of April 12, 2023. Motion seconded by Commissioner Cole. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade  
NAYS (0): None

- F. PP22-0031b Consider a request by the Foresite Group, LLC for approval of a Preliminary Plat for Stella Hills. The approximately 84.8917-acre site is generally located on the south side of E McKinney Street, at the intersection of E McKinney Street and Laney Circle in the City of Denton, Denton County, Texas. (PP22-0031b, Stella Hills, Angie Manglaris).

City staff presented the item. A discussion followed.

Commissioner Anderson moved to approve the extension of the item to a date certain of April 12, 2023. Motion seconded by Commissioner Villarreal. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade  
NAYS (0): None

## **5. PUBLIC HEARINGS**

- A. Z23-0004 Hold a public hearing and consider making a recommendation to City Council regarding a City-initiated a zoning change from Residential 3 (R3) to a Residential 6 (R6) District. The approximately 6.52-acre site is generally located on the north side of Hercules Lane, approximately 270 feet west of the intersection of Hercules Lane and Stuart Road, in the City of Denton, Denton County, Texas. STAFF IS REQUESTING TO POSTPONE THIS ITEM TO A DATE CERTAIN OF APRIL 12, 2023. (Z23-0004, Camelot Street, Julie Wyatt)

Chair Ellis opened the public hearing.

Staff provided an overview of the request. No discussion followed.

Vice-Chair Smith moved to postpone the item to a date certain of April 12, 2023. Motion seconded by Commissioner Cole. Motion carried (7-0).

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Villarreal, Anderson, Cole, Pruett, and McDade

NAYS (0): None

- B. PD21-0007 Hold a public hearing and consider making a recommendation to City Council regarding a request by applicant, Aimee Bissett, 97 Land Company, LLC., to rezone approximately 20.92 acres from Suburban Corridor (SC) District to Planned Development Mixed-Use Neighborhood (PD-MN) District. The site is generally located at the northeast corner of Loop 288 and FM 428, in the City of Denton, Denton County, Texas. (PD21-0007, Sherman Drive Mixed Use, Angie Manglaris).

Chair Ellis opened the public hearing.

City staff presented the item. A discussion followed.

Citizen comments will be listed on Exhibit A.

Discussion between the commission and staff continued.

Vice-Chair Smith moved to postpone to a date certain of March 29, 2023. Motion seconded by Commissioner Cole. Motion carried.

AYES (6): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, and McDade

NAYS (1): Commissioners: Villarreal

## **6. PLANNING & ZONING COMMISSION PROJECT MATRIX**

PZ23-022: Staff provided updates regarding matrix City Council and future meetings, and there was a discussion on the matrix.

## **7. CONCLUDING ITEMS**

With no further business, the meeting was adjourned at 7:38 p.m.

X\_\_\_\_\_

Margie Ellis, Planning and Zoning Commission Chair

\_\_\_\_\_ Date

X\_\_\_\_\_

Cathy Welborn, Administrative Assistant III

\_\_\_\_\_ Date

**March 15, 2023 Planning and Zoning Meeting - EXHIBIT A**

**Speaker Commentaries/ Registration - Online, E-mail, In-Person, and Phone**

Name	Address	Agenda Item	Position	Method	Comments
Amiee Bissett (Applicant)	109 N Elm, Denton, Texas 76201	PD21-0007	Support	In person	Requested the item to be postponed until March 29, 2023. Provided clarification to the Commissions questions and concerns.
Amiee Bissett (Applicant)	109 N Elm, Denton, Texas 76201	ZCP22-0064	Support	In person	Stated she was there if the Commission had any questions.
Ann Woodbridge	3596 Hartlee Field Road, Denton 76208	PD21-0007	Opposed	In person	Did not speak
Anthony Spinelli	5408 Pagewood Drive, Denton 76208	PD21-0007	Opposed	In person	Did not speak
Brett Steward	Not Provided	PD21-0007	Opposed	Online	The proposed density is much too high for that location to change the zoning to PD-MN. Traffic at that intersection during rush hours is already very high. I understand there are 2 driveways proposed in that very short section between Loop 288 and Hartlee Field Road on Sherman Drive. That will make this section very dangerous for motorists, pedestrians and bicyclists.
Bridget Marshall	3539 Pine Trail, Denton 76208	PD21-0007	Opposed	In person	She strongly believes that an apartment complex development at this location with such abusus intersection will create a serious traffic safety hazard and endanger lives. This PD should be denied due to the many traffic safety issues.
Bud Vokoun	3909 Grant Pkwy Denton, TX 76208	PD21-0007	Opposed	Online	This only benefits the pocket of the developer.
Caleb McGuire	3574 Pine Trl	PD21-0007	Opposed	Online	Recommend denial of zoning change. Current zoning of SC has been and remains appropriate for the intersection.
Carolyn Barnes	5504 Woodland Hills Denton TX 76208	PD21-0007	Opposed	Online	This item should be denied or at least delayed pending a new traffic study that reflects the current traffic conditions in this area. This study is from 2021, when 1) traffic was lower due to Covid, 2) there were no traffic lights at the Loop 288/Sherman Drive intersection and 3) the two DISD learning centers were not fully operational. It also doesn't include Stark Farms, Stuart Ridge or Agave Ranch traffic. A new study - weekday rush hour, school release times - is needed.
Carolyn Smith	4224 Hartlee Field Rd, Denton 76208	PD21-0007	Opposed	Online	Proposed rezoning will result in significant, unacceptable, and dangerous increase in traffic. The TIA was based on inaccurate traffic counts taken during COVID and without regard to build out of other nearby developments already in process.
Ellen Wall	2696 Hartlee Court, Denton TX 76208	PD21-0007	Opposed	Online	This request to rezone should be denied for many reasons. The current zoning is appropriate for this area. A high-density PD-MN would only add to the traffic congestion that already exists. The previous traffic study was completed while many people were still working from home. A delay with a new study should be conducted. There are also issues with the proposed driveways. One being in a very hazardous area, on a blind hill. One being proposed under the current TxDOT regulations.
Harnihal Brar	3010 E Sherman	PD21-0007	Opposed	In person	Owner of 7-Eleven, stated there are a lot of cyclist. Even children from the near by apartments. But this development will be a traffic hazard.

Ian Moore	2004 Chandler Dr	PD21-0007	Opposed	Online	As this section of road becomes more heavily developed it lacks the infrastructure to handle bicycle and pedestrian traffic. When looking at these plans it looks as if there is a narrowing of a shoulder that already has been narrowed in several locations creating unsafe use for cyclists and pedestrians. Please do not allow the continued development without allowing additional bicycle and pedestrian infrastructure to be added.
Isobel Spinelli	5408 Pagewood Drive, Denton 76208	PD21-0007	Opposed	In person	Did not speak
Jacquelyn Thames	3912 Deer Forest Dr	PD21-0007	Opposed	Online	The zoning at this location should remain Suburban Corridor. A PD is not appropriate for this high traffic intersection. High density, multi-family units will create dangerous traffic hazards at the location of 2 heavy traffic, high speed roads (Loop 288 and Sherman Drive/FM 428). The City and P&Z should not be using PD zoning changes to circumvent the long-term zoning plans produced and codified by its citizens. Suburban Corridor is appropriate for this intersection.
Mary Arndt	3375 Hartlee Field Road, Denton 76208	PD21-0007	Opposed	In person	Did not speak
Ned Woodbridge	3596 Hartlee Field Road, Denton 76208	PD21-0007	Opposed	In person	The bicyclist community is a very big consideration think about and providing for bike travel so that it doesn't conflict with turning off and turning on of cars. The whole bike and pedestrian interface needs to be thought about carefully and should be considered.
Reid Ferring	4572 Coyote Point, Denton 76208	PD21-0007	Opposed	In person	Stated if you live in this are you just don't believe that you can add 3600 car trips a day to the intersection at Loop 288 and Sherman Drive. Stated the development going is effecting the residents that live in the back of the developments and they will be miserable down the road.
Stephen Arndt	3375 Hartlee Field Road, Denton 76208	PD21-0007	Opposed	In person	Did not speak
Trey Rozelle	2408 Twin Post Road, Denton 76208	PD21-0007	Opposed	In person	Biggest concern is with the traffic plan and bicycles. A lot of bicycles head north on Sherman Drive to get out of town and go ride in the country. With the purposed traffic pattern is not going to work for cyclist.
Trey Rozelle	2408 Twin Post Rd	PD21-0007	Opposed	Online	Countless cyclists ride the shoulder of 428. The proposed traffic pattern promotes the use of the shoulder as a turn lane, drivers use the shoulder to accelerate/decelerate and compete with bicycles. The expectation or assertion that cyclists will turn into the apartments or compete with traffic on Sherman Rd. is unacceptable. The ideal bicycle infrastructure here is a buffered or protected bike lane that is not impacted by drivers, giving cyclists a place to be. Please reconsider.