

Minutes
Planning and Zoning Commission
January 25, 2017

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, January 25, 2017 at 4:00 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: Vice-Chair Devin Taylor, Chair Jim Strange, Commissioners: Steve Sullivan, Andrew Rozell, Margie Ellis, and Gerard Hudspeth.

STAFF: Munal Mauladad, Shandrian Jarvis, Ron Mengueta, Roman McAllen, Julie Wyatt, Hayley Zagurski, Haywood Morgan, Mike Bell, Earl Escobar, Deborah Viera and Cathy Welborn.

ABSENT: Commissioner Larry Beck.

WORK SESSION

Chair Strange opened the Work Session at 4:11 pm.

1. Clarification of agenda items listed on the agenda for this meeting, and discussion of issues not briefed in the written backup materials.

Shandrian Jarvis, Development Review Committee Administrator, questioned if the Commissioners had any questions regarding the minutes from January 11, 2017 meeting. The Commissioner's had no changes for the meeting minutes.

Jarvis stated on the Consent Agenda there are two plats, both are for the Razyor Ranch Phase 3.

Mike Bell, Senior Planner, stated for the final plat he handed out an updated version, which included the labeling of the lots, the change was they went from Block 1 to Block A and a corner clip at Panhandle Street and I-35. The Commissioners had no questions regarding this item.

Jarvis stated the Item for Individual Consideration 4A would have to be postponed until it can be reposted as an agenda item to create the subcommittee.

Bell presented Item for Individual Consideration 4B. The Commissioners had no questions regarding this item.

Roman McAllen, Historical Preservation Officer, presented Public Hearing item 5A.

Commissioner Rozell questioned how you define Tudor style. McAllen stated it is the steep pitch roof, and you look at the gable in the facade. Commissioner Rozell also questioned what he should be looking for if he was to deny a Historical Landmark Designation.

1 Munal Mauladad, Director of Development Services, stated the Denton Development Code (DDC)
2 specifies a dual Public Hearing process. The Historical Landmark Commission provides their
3 recommendation to the Planning and Zoning Commission to then this Commission would forward
4 their recommendation to City Council.

5
6 Mauladad stated it does sound like an extra step but it allows the Planning and Zoning Commission
7 more insight and they are the recommending body to City Council. Since the Historical Districts
8 are in the Denton Development Code (DDC) and the Special Purpose Districts any changes or
9 amendments have to go through the Public Hearing process.

10
11 Jarvis stated Public Hearing item 5C would go before Public Hearing item 5B

12
13 Hayley Zagurski, Assistant Planner, presented Public Hearing item 5C.

14
15 Commissioner Ellis questioned how a developer would put together their point system. Zagurski
16 stated during their site plan they would submit what they are proposing to meet the point
17 requirements.

18
19 Commissioner Ellis requested clarification on the last statement on page 4 of the Compatibility
20 Buffers. Zagurski stated if the width couldn't be met than an alternative could still be proposed.
21 Jennifer DeCurtis, Deputy City Attorney, requested the exact location of the statement
22 Commissioner Ellis questioned.

23
24 Commissioner Ellis stated it is in the proposed copy E.4. Zagurski read the statement 35.13.8.E4
25 out loud for the record: For developments with required buffers, an alternative buffer may be
26 provided with the authorization by the Director of Development Services or designee if the
27 proposed width and combination of elements meets the intent of mitigating or minimizing potential
28 nuisances, as described in the purpose statement in this Section.

29
30 Commissioner Rozell questioned if there are any other cities with point systems. Zagurski stated
31 that Austin and Fort Worth both have a similar system.

32
33 Commissioner Sullivan stated if a less intensive business category wants to come in and develop
34 property with the category that is already there, then that would require the existing property owner
35 would provide the buffer. Zagurski stated if an industrial use was coming in and the adjoining
36 property is vacant and zoned commercial than the industrial use would provide the buffer. Jarvis
37 stated if you have vacant pieces of property and you want to develop one industrial and one
38 commercial, and the industrial is going in first they would put the buffer in to buffer for the
39 commercial development.

40
41 Vice-Chair Taylor questioned how many cases use the waiver clause. Zagurski stated there is no
42 way to track the cases with the waiver clause included, but after speaking with the other planners
43 this is a frequent issue that arises.

44
45 Julie Wyatt, Senior Planner, presented Public Hearing item 5B. Wyatt stated if the developer wants
46 front parking than they would have to provide a screen for the front parking.

1
2 Commissioner Sullivan questioned how much bike parking is on the square. Wyatt stated that she
3 is unaware but the Bike Coordinator should be at the Regular Meeting. Chair Strange questioned
4 if there is a point system for incorporating bicycles like you do for landscaping. Wyatt stated there
5 is not a credit, but if you provide bike parking in excess of what is required you can reduce your
6 vehicle parking by five percent.
7

8 Chair Strange questioned if staff has met with the development community on this amendment.
9 Wyatt stated they have not met with the development community regarding this item, staff felt as
10 if these were administrative fixes.
11

12 Commissioner Rozell stated if we know where we want bikes to be than add them, but leverage
13 businesses that need them.
14

15 Commissioner Ellis stated this should wait until the Subcommittee and the rewrite of the DDC are
16 moving forward. Commissioner Ellis also stated she didn't understand why we are taking the time
17 to rewrite this when there are things left open on the table to discuss, with entities in the business
18 that it directly effects. Wyatt stated staff felt that way as well but that some of these issues,
19 particularly the front parking screening and parking maximums, were things that needed to go
20 forward more quickly.
21

22 Commissioner Ellis questioned Chapter 14.4.A.1, what would happen if someone wanted a three
23 (3) car garage. Wyatt stated staff is wanting to minimize the amount of parking associated with
24 that residential use.
25

26 Commissioner Sullivan questioned if the front parking screening would be closer to the curb.
27 Wyatt stated on Texas Department of Transportation (TxDot) roads it would not be closer to the
28 curb, because it will have a 20 foot Private Utility Easement. Staff plans to minimize the landscape
29 area due to its size, to allow the ability to decrease that space to accommodate their development.
30

31 Commissioner Sullivan questioned if the road is not TxDot than how far back does the screening
32 have to be. Wyatt stated that it would just have to be out of the right-of-way.
33

34 Vice-Chair Taylor questioned how many cities in the Dallas Fort Worth are currently using
35 integrated Stormwater Management (iSWM) standards. Deborah Viera, Environmental
36 Compliance Coordinator, stated there are 15 cities that currently use iSWM.
37

38 Jarvis stated iSWM doesn't always increase the cost to do a development if you are able to
39 integrate the lower impact design techniques, it could help to treat the water, meet engineering
40 needs and be cost effective. Jarvis believes staff should work on educating the development
41 community on how to integrate it into their projects to make the implantation process easier.
42

43 Chair Strange stated he is open to these amendments, he just wants it to show how much it's going
44 to cost the developer.
45

1 Commissioner Hudspeth questioned if the City of Denton is contracted with iSWM for a certain
2 amount of time.

3
4 DeCurtis stated there is no contract with iSWM.

5
6 Jarvis stated that items 5D and 5E have been withdrawn. She stated item 5E the purposed
7 amendment regarding building materials was noticed incorrectly so it will be postponed
8 indefinitely.

9 Chair Strange closed the Work Session at 5:45 p.m.

10 11 REGULAR MEETING

12
13 The Planning and Zoning Commission convened in a Regular Meeting on **Wednesday, January**
14 **25, 2017 at 6:30 p.m.** in the City Council Chambers at City Hall, 215 E. McKinney at which time
15 the following items were considered:

16
17 Chair strange opened the Regular Meeting at 6:34 p.m.

18 19 1. PLEDGE OF ALLEGIANCE

20
21 A. U.S. Flag B. Texas Flag

22 23 2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES 24 FOR:

25
26 A. PZ17-023 Consider approval of the Planning and Zoning Commission meeting minutes.

27
28 Commissioner Margie Ellis motioned, Commissioner Steve Sullivan seconded to approve the
29 January 11, 2017 meeting minutes. Motioned approved (5-0-1). Vice-Chair Devin Taylor "aye",
30 Commissioner Steve Sullivan "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye",
31 and Commissioner Gerard Hudspeth "aye" Commissioner Andrew Rozell abstained from the vote.

32 33 3. CONSENT AGENDA

34
35 A. PP16-0017 Consider a request by DB Denton II LLC and Allegiance Hillview LP for approval
36 of a Preliminary Plat of the Rayzor Ranch Town Center Phase 3. The 24.95 acre site is generally
37 located between I-35 North and Heritage Trail Boulevard, approximately 500 feet north of
38 Scripture Street. (PP16-0017, Rayzor Ranch Town Center Phase 3, Mike Bell)

39
40 B. FP16-0040 Consider a request by DB Denton II LLC and Allegiance Hillview LP for approval
41 of a Final Plat of Lots 13-16, Block 1, Phase 3 of the Rayzor Ranch Town Center. The 7.70 acre
42 site is generally located on the northbound service road of I-35 North, approximately 500 feet north
43 of Scripture Street. (FP16-0040, Rayzor Ranch Town Center Lots 13-16, Mike Bell)

44
45 Vice-Chair Devin Taylor motioned, Commissioner Andrew Rozell seconded to approve the
46 Consent Agenda. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Steve

1 Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Margie Ellis "aye",
2 and Gerard Hudspeth "aye".

3
4 4. ITEMS FOR INDIVIDUAL CONSIDERATION

5
6 A. PZ17-024 Consider nominations and appoint members of the Planning and Zoning Commission
7 to serve on the Planning and Zoning Commission Subcommittee for the Denton Development
8 Code re-write.

9
10 Chair Strange stated item 4A was not noticed correctly, therefore, this item would not be heard
11 during this meeting and would need to be renoticed.

12
13 B. SP16-0003 Consider a request by DB Denton II, LLC for approval of a Site Plan for an
14 approximately 143,000 square foot retail store to be located within the Rayzor Ranch RR-1
15 District. The 15.68 acre site is generally located on the east side of I-35 North, approximately 500
16 feet south of West University Drive (US 380). (SP16-0003, Rayzor Ranch Town Center Pad H,
17 Mike Bell)

18
19 Mike Bell, Senior Planner, presented Item for Individual Consideration 4B.

20
21 The following individuals spoke on this Item for Individual consideration:

22 Dustin Gibbs, 300 Washington Street, Monroe, Louisiana. Supports this item.

23
24 Vice-Chair Taylor questioned staff regarding the amount of flat wall that can face a parking lot or
25 publicly viewed area's within Rayzor Ranch. Bell stated there is a requirement, however, there is
26 a provision that would allow the applicant to use trees in place of that the requirement. Bell stated
27 the applicant met the requirements because of the amount of trees located in the front of the
28 building.

29
30 Vice-Chair Devin Taylor motioned, Commissioner Margie Ellis seconded to approve Item for
31 Individual Consideration 4B. Motion approved (6-0). Vice-Chair Devin Taylor "aye",
32 Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange
33 "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".

34
35 5. PUBLIC HEARINGS

36
37 A. HL16-0006 Hold a public hearing and consider making a recommendation to the City Council
38 regarding an application for Historic Landmark Designation for the property located at 2106 North
39 Bell Avenue, located on the southeast corner of North Bell Avenue and Sherman Drive. (HL16-
40 0006, 2106 North Bell Avenue, Roman McAllen)

41
42 Chair Strange opened the Public Hearing.

43
44 Roman McAllen, Historic Preservation Officer, presented Public Hearing item 5A. The
45 Commissioners had no questions regarding this item.

1 The following individuals spoke on this item:

2 Gary Hayden, 2106 N Bell Ave, Denton Texas. Supports this request.

3
4 Chair Strange closed the Public Hearing.

5
6 Commissioner Andrew Rozell motioned, Commissioner Margie Ellis seconded to approve Public
7 Hearing item 5A. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner Steve
8 Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner
9 Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".

10
11 [B. DCA17-0003 Hold a public hearing and consider a proposed revision of the Denton](#)
12 [Development Code; specifically to amend Subchapters 13 and 14 pertaining to the parking](#)
13 [requirements. \(DCA17-0003, Parking, Julie Wyatt\)](#)

14 Based on the direction from the Commissioner during the Work Session it was discussed to
15 postpone this item indefinitely. Chair Strange requested if there was any feedback from the
16 Commissioners.

17 Vice-Chair Taylor stated for the audience this item was a clean-up of the parking standards, but
18 also included changes to parking islands and parking coverage. Vice-Chair stated he believes this
19 proposal is headed in the right direction and is going to make parking lots nicer.

20
21 Commissioner Rozell stated when this item comes back he would like to see the real cost and
22 thoughts about aligning bike stand incentives with the bike plan.

23
24 Commissioner Hudspeth stated he does like the provision regarding the bike racks, he would like
25 to see some different options regarding the graphs for clarity purposes and to meet with the
26 building community to get their opinions on this item.

27
28 Commissioner Ellis requested to have a work shop during a Work Session to take the
29 Commissioners opinions and concerns before putting this item back on the agenda.

30
31 Commissioner Andrew Rozell motioned, Commissioner Margie Ellis seconded to postpone Public
32 Hearing item 5B indefinitely. Motion approve (6-0). Vice-Chair Devin Taylor "aye",
33 Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange
34 "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".

35
36 [C. DCA17-0001 Hold a public hearing and consider a proposed revision of the Denton](#)
37 [Development Code; specifically to amend Subchapter 13 pertaining to the compatibility buffer](#)
38 [requirements. \(DCA17-0001, DDC Compatibility Buffers, Hayley Zagurski\)](#)

39
40 Based on the direction from the Commissioner during the Work Session it was discussed to
41 postpone this item indefinitely. Chair Strange requested if there was any feedback from the
42 Commissioners.

43
44 Vice-Chair Taylor stated he had his concerns regarding this item, such as the amount of points
45 needed per type, and he would like it to go back the older style matrix.

1 Commissioner Rozell stated he would like to see a merge with the current grid system for buffers
2 and the new point system. Commissioner Rozell stated he thinks the new point system is a step
3 forward but there are some loopholes currently there.

4
5 Vice-Chair Devin Taylor motioned, Commissioner Andrew Rozell seconded to postpone Public
6 Hearing item 5C indefinitely. Motion approved (6-0). Vice-Chair Devin Taylor "aye",
7 Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange
8 "aye", Commissioner Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".
9

10 [D. Z16-0018 Hold a public hearing and consider a request by H3H, LLC to rezone approximately](#)
11 [5.3 acres from Regional Center Residential 1 \(RCR-1\) District to Employment Center Commercial](#)
12 [\(EC-C\) District. The property is generally located west of the I-35 Southbound Service Road and](#)
13 [approximately 115 feet north of Barthold Road. \(Z16-0018, Blue Beacon, Julie Wyatt\) THIS](#)
14 [ITEM HAS BEEN POSTPONED TO THE FEBRUARY 8, 2017, PLANNING AND ZONING](#)
15 [COMMISSION MEETING.](#)
16

17 Chair Strange opened the Public Hearing.

18
19 Commissioner Andrew Rozell motioned, Commissioner Gerard Hudspeth seconded to approve
20 Public Hearing item 5D to be postponed until the February 8, 2017 meeting. Motion approved (6-
21 0). Vice-Chair Devin Taylor "aye", Commissioner Steve Sullivan "aye", Commissioner Andrew
22 Rozell "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", and Commissioner
23 Gerard Hudspeth "aye".
24

25 Chair Strange stated he received clarification from the Legal Department in which this item has
26 been opened and the public hearing would be continued during the February 8, 2017 meeting.
27 [E. DCA17-0002 Consider a proposed revision of the Denton Development Code to amend](#)
28 [Subsection 35.13.13 pertaining to Site Development Requirements. \(DCA17-0002, Site](#)
29 [Development Requirements Amendment, Muzaib Riaz\). THIS ITEM HAS BEEN POSTPONED](#)
30 [INDEFINITELY.](#)
31

32 Chair Strange stated Public Hearing item 5E has been postponed indefinitely and there will no
33 action taken on this item.
34

35 [6. PLANNING & ZONING COMMISSION PROJECT MATRIX](#)

36 [A. PZ17-026 Planning and Zoning Commission project matrix.](#)

37
38
39 Commissioner Rozell requested information regarding the process for waving the application fees
40 for a Historical Landmark designation.
41

42 Commissioner Ellis stated she would like to have a discussion of what is allowed and not allowed
43 as far as discussion within in Work Session versus the Regular Meeting.
44

45 Chair Strange thanked staff for getting the handout for Ryan Road but requested the information
46 on Mayhill Road. Shandrian Jarvis, Development Review Committee Administrator, stated the

