

constructed in compliance with Section 35.13.9, as amended. 6. Landscape buffers shall be provided in accordance with Section 35.13.8, as amended. Permit self-service storage in CM-G District with an SUP and L (35). Modify Employment Center Commercial (EC-C) and Employment Center Industrial (EC-I) Districts to require a Special Use Permit (SUP) and L (35) for self-service storage. Currently the use is permitted without limitation.

Staff recommends approval of the request with a condition, as it is consistent with the goals and objectives of the Denton Plan 2030: 1. Revise the proposed L (35) to include the following: a. all individually leased storage units must be contained within a climate-controlled building.

Chair Strange questioned if all storage units would have to be climate controlled. Wyatt stated yes within CM-G, EC-C and EC-I zoning districts. Jarvis stated CM-G is usually built next to residential lots and staff wants to keep the land use and scale compatible with the residential areas. Chair Strange stated when he has seen climate control storage units they are usually smaller and taller.

Chair Strange questioned if there will be a height limitation. Wyatt stated CM-G will allow for a height of 65 feet. Commissioner Ellis stated this does not seem complimentary to a residential neighborhood. Jarvis stated CM-G already allows 65 feet in height which is around 5 stories.

Commissioner Beck stated an SUP will help by restricting the height for the unit. Commissioner Ellis questioned how staff came up with the requirement all individually leased storage units must be contained within a climate-controlled building. Wyatt stated CM-G districts are typically 40 acres and are intended to be mixed use and to provide lots of different uses.

Commissioner Hudspeth questioned Legal if the Commission could ask the applicant questions during the Work Session. Jennifer DeCurtis, Assistant City Attorney, stated since this is a clarification item it would be better to speak to the applicant during the Regular Meeting.

Commissioner Rozell questioned the requirements regarding the percentage of glass and the bay doors and how staff expects the developer to build a building with 70 percent windows without seeing a bay door. Wyatt stated it can be up to 70 percent windows.

Chair Strange questioned if we remove the L35 stipulation and just keep the SUP requirement if it allows the applicant more flexibility. Wyatt stated the limitations were designed based upon what other Cities have done as well as part of the applicant's request.

DeCurtis redirected the Commission to hold certain comments for the Regular Meeting.

Jarvis stated public hearing item C has been withdrawn by the applicant and Public Hearing item D has been postponed to April 26 2017.

Wyatt presented Public Hearing item E. The request is to rezone approximately 0.4 acres from Downtown Residential 1 (DR-1) to Downtown Residential 2 (DR-2). By changing the zoning to DR-2 it could potentially introduce a new land use pattern and compromise the integrity of the neighborhood.

Commissioner Beck questioned if DR-1 allows duplexes. Wyatt stated yes DR-1 does permit duplexes and DR-2 also permits duplexes. Wyatt continued to state DR-2 also permits small scale commercial. Staff recommends denial due to the isolated zoning district which could impede the development of this area in a cohesive manner.

Vice-Chair Taylor stated there are multiple parcels of DR-2 mixed in with DR-1 in this area. The area has been allowed is to piecemeal zone into more dense categories. Vice- Chair Taylor questioned if there is a cohesive plan to rezone this area. Wyatt stated yes there is a proposed Small Area Plan around University of North Texas (UNT). Jarvis stated the Small Area Plan is currently under way and a Request for Qualifications (RFQ) was issued at the beginning of the week. Jarvis commented on spot zoning and explained we may not have rezoned the parcels appropriately in the past, and staff does not encourage it. or is legally able. Jarvis commented that we may not legally be able to rezone this single parcel in this manner.

DeCurtis stated if it is City initiated then staff and the Commission have to be careful and mindful not to spot zone, unless the purpose is to comply with the future land use map, then it would be allowed.

Chair Strange stated he doesn't see an issue bumping up the zoning to DR-2. Commissioner Ellis stated there is a lot going on in this area and looks like multifamily.

Chair Strange closed the Work Session at 5:25p.m.

## REGULAR MEETING

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

NOTE: The Planning and Zoning Commission reserves the right to adjourn into a Closed Meeting on any item on its Work Session or Regular Session agenda consistent with Chapter 551 of the Texas Government Code, as amended, including without limitation, Sections 551.071-551.086 of the Texas Open Meetings Act.

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

### 1. PLEDGE OF ALLEGIANCE

A. U.S. Flag B. Texas Flag

### 2. CONSENT AGENDA

A. Consider a request by Jeffrey Bassinger for approval of a Final Plat of the Bassinger Addition, Lot 1, Block A. The 4.32 acre site is generally located on the east side of Fort Worth Drive, approximately 1,045 feet north of Brush Creek Road. (FP16-0039, Bassinger Addition, Hayley Zagurski).

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2 Chair Strange opened the Public hearing.

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4 Julie Wyatt, Senior Planner, stated the applicant has requested to postpone Public Hearing item D  
5 until the April 26, 2017 Planning and Zoning meeting.  
6

7 Chair Jim Strange motioned. Vice-Chair Devin Taylor seconded to postpone Public Hearing item  
8 D until April 26, 2017. Motion approved (6-0). Vice-Chair Devin Taylor "aye", Commissioner  
9 Larry Beck "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner  
10 Margie Ellis "aye", and Commissioner Gerard Hudspeth "aye".  
11

12 E. Hold a public hearing and consider a request by Aspire Investments, LLC. to rezone  
13 approximately 0.4 acre from a Downtown Residential 1 (DR-1) District to a Downtown  
14 Residential 2 (DR-2) District. The property is generally located on the west side of Neff Street,  
15 175 feet north of Greenlee Street. This item was continued at the March 22, 2017 Planning and  
16 Zoning Commission meeting. (Z16-0030, The Cube Properties, Julie Wyatt).  
17

18 Chair Strange opened the Public Hearing.  
19

20 Julie Wyatt, Senior Planner, presented Public Hearing Item E. Wyatt stated the request is to rezone  
21 approximately 0.4 acres from Downtown Residential 1 (DR-1) to Downtown Residential 2 (DR-  
22 2). Wyatt stated staff recommends denial, as a change in the zoning would create an isolated zoning  
23 district which could impede the development of this area in a cohesive manner.  
24

25 Chair Strange questioned Wyatt why staff is not in support when there is already a higher zoning  
26 designation within a half a lot away. Wyatt stated staff did look at the zoning pattern on the edges  
27 of the neighborhood, however because of the cohesive zoning pattern on this street and within the  
28 block this would isolate the zoning district. Chair Strange stated he could understand the decision  
29 if the development was on the block to the east. Wyatt stated since this block is on Neff Street and  
30 Neff Street is zoned DR-1 staff believes it's important to maintain.  
31

32 The following individuals wished to speak:

33 Mikey Patterson, 8805 Random Road, Fort Worth, Texas 76179. Supports this request.

34 David Sutcliffe, 1219 Ave A, Denton Texas, 76201. Opposed to this request.  
35

36 Mickey Patterson the applicant presented a presentation. Patterson stated the design is shipping  
37 container apartments. Patterson stated he did reach out to surrounding property owners but were  
38 either unable to contact them or there was little response.  
39

40 Commissioner Rozell questioned if they would replat both lots after the rezone. Patterson stated  
41 yes that is the goal. Chair Strange questioned why the applicant wants to rezone. Patterson stated  
42 in DR-1 you can only develop duplexes not multifamily.  
43

44 Commissioner Beck stated he believes Patterson would want to fit in with the neighborhood and  
45 shipping containers are not ideal and are not going to transition well. Patterson stated he disagrees

1 with Commissioner Beck and even with a straight masonry build the property should still be  
2 rezoned to DR-2.

3  
4 Chair Strange closed the Public Hearing.

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6 Commissioner Hudspeth stated this development seems to be before its time. Patterson stated they  
7 want to develop something trendy and modular.

8  
9 Jennifer DeCurtis, Assistant City Attorney, stated the Commission will not be allowed to apply an  
10 overlay because there is not a commercial component buffering the property.

11  
12 Commissioner Rozell stated Neff Street's character is changing and becoming a more dense area  
13 with the current development. Chair Strange stated this area is transitioning to become a  
14 multifamily area.

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16 Chair Strange requested the opinion of Munal Mauladad, Director of Development Service  
17 regarding this item. Mauladad stated staff does not believe it's feasible to rezone this property at  
18 this time. Chair Strange stated he is having a hard time agreeing with staff with all the multifamily  
19 in this area.

20  
21 Chair Strange requested the direction the Small Area Plan. Shandrian Jarvis, Development Review  
22 Committee Administrator, stated its still at the beginning phase and staff will receive public input,  
23 but at this point this area is in the study area boundaries.

24  
25 Commissioner Rozell questioned if the Small Area Plan would contradict the vote from the April  
26 12, 2017 Planning and Zoning Commission meeting. Mauladad stated it would and with the  
27 implementation of Small Area Plan it could result in another zoning change. Commissioner Rozell  
28 questioned the timeline for the Small Area Plan. Mauladad stated it is approximately an eighteen  
29 month program.

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31 Commissioner Larry Beck motioned. Commissioner Gerard Hudspeth seconded to deny Public  
32 Hearing item E. Motion denied (2-4). Commissioner Larry Beck "aye", and Commissioner Gerard  
33 Hudspeth "aye". Vice-Chair Devin Taylor "nay", Commissioner Andrew Rozell "nay", Chair Jim  
34 Strange "nay", and Commissioner Margie Ellis "nay".

35  
36 Vice-Chair Devin Taylor motioned. Commissioner Margie Ellis seconded to approve Public  
37 Hearing item E. Motion approved (4-2). Vice-Chair Devin Taylor "aye", Commissioner Andrew  
38 Rozell "aye", Chair Jim Strange "aye", and Commissioner Margie Ellis "aye". Commissioner Larry  
39 Beck "nay", and Commissioner Gerard Hudspeth "nay".

#### 40 41 4. PLANNING & ZONING COMMISSION PROJECT MATRIX

##### 42 A. Planning and Zoning Commission project matrix.

43  
44 Chair Strange requested to explore in a Work Session the possibility of adding the financial aspects  
45 of the cases that come before the Planning and Zoning Commission.