

Planning and Zoning Commission
Meeting Minutes

Julie Wyatt, Senior Planner, presented Consent Agenda item 3B. There were no questions.

Ron Mengueta, Long Range Planning Administrator, stated Public Hearing item 4B would be heard first so Chair Strange could return to the Work Session.

Julie Wyatt, Senior Planner, presented Public Hearing item 4B. Wyatt stated the request is to rezone 73 acres from Employment Center Industrial (EC-I) to Community Mixed Use General (CM-G). Wyatt continued to state the property is located on the northeast corner of North Loop 288 and East McKinney Street. Commissioner Beck questioned if Serve Denton currently occupies one of the buildings. Wyatt stated she is unaware if Serve Denton does occupy the building, but the applicant will be present during the Regular Meeting to clarify.

Wyatt stated Mayhill Road will eventually link Denton to the Dallas Fort Worth (DFW) airport. Wyatt specified that CM-G is a logical extension of the zoning pattern.

Wyatt stated staff recommends approval as it is compatible with the surrounding property and is consistent with the goals and objectives of the Denton Plan 2030.

Commissioner Smith asked if the current right-of-way would allow for the amount of expected for this property. Wyatt stated when the property is platted then public improvements to McKinney Street would begin.

Commissioner Smith questioned if the current residents will be effected by this development. Wyatt stated those properties are part of this request, but the applicant will be here tonight to answer any questions regarding the future development.

Vice-Chair Rozell questioned if the applicant doesn't own all of the properties, are they able to request a rezone for that property. Wyatt stated the applicant would have to have approval from all property owners.

There was no further discussion.

Chair Strange returned to the Work Session.

Julie Wyatt, Senior Planner, presented Public Hearing item 5A. Wyatt stated this request is to rezone 3.2 acres from Neighborhood Residential 6 (NR-6) to Neighborhood Residential Mixed Use 12 (NRMU-12). The property is located on the east side of Jannie Street and north of East McKinney Street.

Wyatt stated this 7 acre tract was rezoned in 2014 from Neighborhood Residential 4 (NR-4) into a mix of zoning districts of NR-6, NRMU-12 and Neighborhood Residential Mixed Use (NRMU).

Wyatt stated the applicant proposed a Mixed Use Residential overlay to address compatibility through design considerations however incompatibilities associated with office and retail still remain.

1 B. Hold a public hearing and consider making a recommendation to City Council regarding a
2 request by JV Strange and 7-11, Inc. to rezone approximately 73 acres from an Employment Center
3 Industrial (EC-I) District to a Commercial Mixed Use (CM-G) District. The property is generally
4 located on the northeast corner of North Loop 288 and East McKinney Street. This item was
5 continued at the September 13, 2017 Planning and Zoning Commission meeting. (Z17-0015,
6 McKinney Mayhill, Julie Wyatt).
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8 Public Hearing item 4B was heard before Public Hearing item 4A.
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10 Chair Strange recused himself from Public Hearing 4B.
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12 Vice-Chair Rozell opened the Public Hearing.
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14 Julie Wyatt, Senior Planner, presented Public Hearing item 4B. Wyatt stated the request is to
15 rezone 73 acres from Employment Center Industrial (EC-I) to Community Mixed Use General
16 (CM-G). Wyatt stated the property is located on the northeast corner of North Loop 288 and East
17 McKinney Street. Wyatt stated before any development is done an Environmentally Sensitive
18 Area (ESA) assessment will be done to determine if the treed area is considered an Upland Habitat.
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20 Wyatt stated Mayhill Road will eventually link Denton to the Dallas Fort Worth airport. Wyatt
21 specified that CM-G is a logical extension of the zoning pattern.
22

23 Wyatt clarified staff recommends approval as it is compatible with the surrounding property and
24 is consistent with the goals and objectives of the Denton Plan 2030.
25

26 Commissioner Beck questioned if McKinney Street will be widened with the completion of this
27 development. Wyatt stated at the time of development the developer would be required to update
28 public improvements and dedicate right-of-way.
29

30 Jim Jenks, Interim DRC Engineer Manager, stated those improvements are determined during the
31 platting process.
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33 Commissioner Ellis questioned if there were private home owners located on the property. Wyatt
34 stated she spoke with the applicant before this meeting and he stated the houses were vacant.
35

36 The following individuals spoke during the Public Hearing:

37 Pat Smith, 1417 Cambridge Lane, Denton TX, 76209. Supports this request.

38 Greg Johnson, 319 West Oak Street, Denton TX, 76201. Supports this request.

39 JV Strange, 531 North Locust Street, Denton TX, 76201. Supports this request.
40

41 Ron Menguita, Long Range Planning Administrator, questioned Pat Smith, representing for Serve
42 Denton, if Serve Denton is in agreeance with the zoning change moving forward. Pat Smith stated
43 yes, Serve Denton does agree with the zoning change.
44

45 Menguita stated the representative of Serve Denton will be required to sign to application for the
46 City of Denton's records to show the property is in agreement with the zoning change.

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2 JV Strange, the applicant, clarified for the Commission the houses on Mayhill Road are vacant.

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4 Vice-Chair Rozell closed the Public Hearing.

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6 There was no further discussion.

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8 Commissioner Margie Ellis motioned, Commissioner Tim Smith seconded to approve Public
9 Hearing item 4B. Motioned approved (6-0). Commissioner Alfred Sanchez "aye", Commissioner
10 Larry Beck "aye", Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye",
11 Commissioner Margie Ellis "aye", and Commissioner Tim Smith "aye". Chair Jim Strange
12 "recused"

13
14 C. [Hold a public hearing and consider making a recommendation to City Council regarding an](#)
15 [amendment to the Denton Development Code, Subchapter 35.16, Sections 35.16.6 and 35.16.20,](#)
16 [by clarifying agreements required for plat approvals and building permits. This item was continued](#)
17 [at the September 13, 2017 Planning and Zoning Commission meeting. \(DCA17-0010,](#)
18 [Development Agreements, Jim Jenks\)](#)

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20 Chair Strange called a recess at 8:50 p.m.

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22 Chair Strange reconvened the Regular Meeting at 9:00 p.m.

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24 Jim Jenks, Interim DRC Engineer Manager, presented Public Hearing item 5C. Jenks stated the
25 City is working to facilitate an expedited plat filing for the Developers benefit while ensuring the
26 City's interests are protected.

27
28 Jenks stated the Sureties clarified the performance bonds are usually issued to the contractors and
29 not the developers. For a Surety to issue to a developer they require the developer to personally
30 sign and have also demonstrated a good fiscal track record.

31
32 Jenks stated the feedback staff received from other cities was they will not file a plat until the
33 developer has constructed all related public improvements. Some cities also do not require
34 development contracts.

35
36 Jenks requested the Commission to provide concerns and feedback.

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38 Chair Strange questioned why this not allowed in Single Family Residential Development. Jenks
39 stated staff will continue the research regarding Single Family Residential Development.

40
41 Jenks stated staffs next steps are working with the Legal Department to revise the development
42 contract forms and to decide upon allowable forms of guarantee.

43
44 Chair Strange stated he appreciates City staff for looking at a plan that benefits all developments.
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