

## Planning and Zoning Commission Meeting Minutes

Commissioner Rozell clarified that the motion is to approve the request with a mixed use overlay, changing hotels and bars as not permitted uses. He questioned if the applicant is okay with this motion. Johnson agreed.

Commissioner Larry Beck motioned, Commissioner Tim Smith seconded to approve the request with a mixed use overlay, eliminating hotels and bars as permitted uses. Motion approved 7-0. Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", Commissioner Tim Smith "aye", and Commissioner Alfredo Sanchez "aye".

D. Hold a public hearing and consider a request by Jim/Heritage, LP regarding approval of a Detail Plan for Planned Development 12 (PD-12) District to depict a new or used car sales lot on approximately 7.11 acres out of a 34.40-acre tract. The property is generally located on the west side of I-35E, approximately 3,200 feet southeast of State School Road. (PDA17-0006, CarMax).

Chair Strange opened the Public Hearing. Julie Wyatt, Senior Planner, presented this request. She stated the development is not proposed for the entire 34 acre tract. The development is located within a Planned Development, PD-12. Wyatt stated staff recommends approval of this request.

The following individuals spoke during the Public Hearing:

John Thatcher, applicant, 800 E. 18<sup>th</sup> Street, Denver, Colorado. Thatcher provided the vision for the store and the elevations. The lot will have approximately 225 vehicles onsite, and an online inventory. Thatcher stated they are currently under contract to purchase the full 34.40 acre site. However, the development will only take place on 7.11 acres.

Rick Wick, General Manager of Classic Dodge, Chrysler, Jeep of Denton, 4984 South Interstate 35 E, Denton, Texas. Wick stated they are not opposed to the development. He stated the subject property neighbors their property and they have some concerns regarding the maintenance and upkeep of the property. He stated there is currently a lot of overgrown weeds and grass on the site, he has concerns that it could be a potential fire hazard if it is not maintained.

Wyatt stated a portion of the property discussed is an Environmentally Sensitive Area and Riparian Buffer, which does have restrictions regarding mowing and maintenance due to the habitat nature. Wick thanked staff for the feedback. He stated he supports the request, they just are concerned with the overgrown areas currently on the subject site.

Chair Strange read letters into the record of those opposed to the request. There was no one else to speak. Chair Strange closed the Public Hearing.

Commissioner Tim Smith motioned, Commissioner Steve Sullivan seconded to approve this request. Motion approved 7-0. Commissioner Larry Beck "aye", Commissioner Steve Sullivan "aye", Commissioner Andrew Rozell "aye", Chair Jim Strange "aye", Commissioner Margie Ellis "aye", Commissioner Tim Smith "aye", and Commissioner Alfredo Sanchez "aye".