

**MINUTES OF THE TOWN OF ARGYLE
PLANNING AND ZONING COMMISSION REGULAR MEETING
WEDNESDAY, JANUARY 5, 2022**

A regular meeting of the Argyle Planning and Zoning Commission was held on Wednesday, January 5, 2022, at 6:00 p.m. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was hereby posted on December 30, 2021 at 5:00 PM, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

PLANNING AND ZONING COMMISSION MEMBERS PRESENT:

Casey Stewart, Chairman
Paul Kula, Vice-Chairman
Gordon Baethge
Matt Nelson
Marilyn Lewis
Jeff Castellanos

PLANNING AND ZONING COMMISSION MEMBERS ABSENT:

Leona McDade

STAFF PRESENT:

Rich Olson, Town Administrator
Brenda McDonald, Town Attorney
Harrison Wicks, Planner II

REGULAR MEETING AGENDA

A. CALL TO ORDER – Chairman

The regular meeting was called to order at 6:00 p.m. by Chairman Casey Stewart noting a quorum was present.

B. PLEDGE OF ALLEGIANCE – American Flag

C. PLEDGE OF ALLEGIANCE – Texas Flag - “Honor the Texas Flag; I pledge allegiance to thee Texas, one state, under God, one and indivisible”.

D. OPEN FORUM:

Pursuant to Section 551.007 of the Texas Government Code, any member of the public has the opportunity to address the Planning and Zoning Commission concerning any matter of public business or any posted agenda item; however, the Act prohibits the Planning and Zoning Commission from deliberating any issues not on the public agenda and such non-agenda issues may be referred to Town staff for research and any future action; all persons addressing are limited to five (5) minutes and subject to council adopted rules and limitations permitted by law.

Chairman Stewart opened the meeting to public comment. No public comment was received.

E. MINUTES

- 1. Consider approval of the minutes of the Planning and Zoning Commission Special Meeting of December 15, 2021.**

Commissioner Nelson made a motion to approve the minutes of the Planning and Zoning Commission Special Meeting of December 15, 2021 as presented. Commissioner Baethge seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

F. NEW BUSINESS

- 1. Consider and make a recommendation for a special exception (SP-22-001) to the Town Development Standards, Section 14.4.14 - Wall Signs, for St Argyle Cajun Kitchen, located at 421 US HWY 377, Town of Argyle, Denton County, Texas.**

Mr. Wicks provided a presentation on this item. Mr. Tommy Tanner with Mello Signs, 990 Haltom Road, Suite 110, Fort Worth, TX 76117, was available to answer questions on behalf of the property owner. The Commission discussed this item and there were concerns related to the size of the sign, the type of bulbs to be used, and if the lights will remain on all night. Mr. Tanner requested that this item be tabled to the next P & Z Commission meeting for Mello Signs to provide a new sign illustration based on the Commission's discussion.

Commissioner Castellanos motioned to table SP-22-001 to the February 2, 2022 P & Z Commission meeting. Commissioner Nelson seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

- 2. PUBLIC HEARING: Ordinance amendment (TDS-21-010) to Chapter 3 Building Regulations and Chapter 5 Fire Prevention and Protection of the Code of Ordinances of the Town of Argyle.**

Mr. Wicks provided a presentation on this item, regarding the adoption of the 2018 International Swimming Pool and Spa Code, with NCTCOG local amendments, as well as minor revisions to the 2018 ICC Code versions that were previously adopted by Town Council on October 18, 2021. A public hearing was advertised according to the Texas Local Government Code, however, the hearing was not formally opened and closed during this meeting. Town Attorney McDonald confirmed it was not necessary to formally open and close the public hearing for this item. No individuals signed up to speak.

Chairman Stewart motioned to recommend approval of ordinance amendment (TDS-21-010) to Chapter 3 Building Regulations and Chapter 5 Fire Prevention and Protection of the Code of Ordinances of the Town of Argyle as presented. Commissioner Baethge seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

- 3. PUBLIC HEARING: Ordinance amendment (TDS-21-004) to Article V, Tree Preservation, of the Town of Argyle Town Development Standards regarding various amendments to the tree preservation requirements and other related tree ordinance provisions in the Town Development Standards.**

Town Attorney McDonald provided a presentation on this item. Chairman Stewart opened the Public Hearing at 7:38 PM. No individuals signed up to speak and the Public Hearing was closed at 7:39 PM.

Commissioner Castellanos motioned to recommend approval of ordinance amendment (TDS-21-004) to Article V, Tree Preservation with the following revisions:

A. That Section 5. Amendment to Section 14.5.4 is amended to consolidate E. Exceptions, numbers 1 and 7 into one exception to read as follows:

"Residential Properties. A residence used as an owner-occupied homestead shall be exempt from the tree protection and replacement requirements of this Article as it pertains to that residential property, as long as the tree is located within a radius of 300 feet from the principal structure on the property. This exemption does not apply to undeveloped single-family property or to existing residential properties zoned for nonresidential uses or designated for nonresidential uses on the Land Use Plan."

B. That the proposed Exception number 7 to "Agricultural Purposes" be removed.

Commissioner Kula seconded the motion. The motion carried by a vote of five (5) in favor to one (1) opposed. Commissioner Baethge dissenting.

4. **Consider and take appropriate action on a final plat (FP-21-020) for Planned Development District #3 (PD-003) Argyle Landing, being approximately 222.24 acres situated in the Francis W. Thornton Survey, Abstract No. 1244, Town of Argyle, Denton County, Texas; and being located on the east side of IH 35 W, south of FM 407, and west of Gateway Blvd.**

Mr. Wicks provided a presentation on this item. On December 28, 2021, applicant McAdams, 201 Country View Drive, Roanoke, TX 76262, on behalf of the property owner, MM VMF I LLC, submitted a 30-day extension request for consideration to allow more time for the applicant to address the Town Development Review Committee's comments.

Commissioner Baethge motioned to accept the 30-day extension request for FP-21-020. Commissioner Castellanos seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed. This item will be considered during the P & Z Commission meeting on February 2, 2022.

G. FUTURE AGENDA AND ITEMS OF INTEREST

1. Briefing on recent Town Council action on Community Development agenda items.
2. Project updates.
DRC Projects List - Updated 12.28.2021

Town staff provided the commission with recent development project updates and gave an overview of upcoming projects.

H. ADJOURNMENT

With no further business to attend, the meeting was adjourned at 7:54 PM.

APPROVED THIS THE 2nd DAY OF FEBRUARY 2022.

WITNESS:


Casey Stewart, Chairman


Harrison Wicks, Interim Director of Community
Development

