

**MINUTES OF THE TOWN OF ARGYLE
PLANNING AND ZONING COMMISSION REGULAR MEETING
WEDNESDAY, MARCH 1, 2023**

A regular meeting of the Argyle Planning and Zoning Commission was held on Wednesday, March 1, 2023, at 5:30 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 February 24, 2023 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
Rebecca Lively-Oehlers
Marilyn Lewis
Jeff Brekke
Jeff Castellanos

PLANNING AND ZONING COMMISSION MEMBERS ABSENT:

Matt Nelson

STAFF PRESENT:

Erika McComis, Town Administrator
Brenda McDonald, Town Attorney
Nabila Nur, Director of Community Development
Harrison Wicks, Principal Planner, Community Development

REGULAR MEETING AGENDA

CALL TO ORDER – Chairman

The regular meeting was called to order at 5:39 p.m. by Chairman Casey Stewart noting a quorum was present.

PLEDGE OF ALLEGIANCE – American Flag

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

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.

CONSENT AGENDA

- 1. Consider approval of the minutes of the Planning and Zoning Commission Regular Meeting of January 4, 2023.**

Commissioner Brekke made a motion to approve the minutes of the Planning and Zoning Commission Regular Meeting of January 4, 2023, as presented. Commissioner Lewis seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

PUBLIC HEARING ITEMS

- 2. Receive public comments, consider, and make recommendation on a Future Land Use Plan amendment (FLUP-22-001) from C1 Rural Corridor to T3 Low-Density Transition for 11.03 acres of land out of the Patrick Rock Survey Abstract No. 1063, being part of Lot 1, Block A James P. Heath Addition, recorded under Document Number 2010-16 and 2018-114132, located on the south line of Sam Davis Road, on the west side of Postmaster Lane, Town of Argyle, Denton County, Texas.**

[Original Request: Future Land Use Plan amendment (FLUP-22-001) from C1 Rural Corridor to T3 Low-Density Transition and PD Commercial Planned Development to T3 Low-Density Transition for portions of a 92.656-acre tract of land out of the Patrick Rock Survey Abstract No. 1063, being part of Lot 1, Block A James P. Heath Addition, recorded under Document Number 2010-16 and 2018-114132, Town of Argyle, Denton County, Texas]

Community Development Director Nabila Nur provided a presentation on the future land use plan amendment. David Martin, representing the applicant, spoke on the project as well. The Commission discussed this item and considered the amendment.

Chairman Stewart opened the public hearing at 6:08 PM. The following individuals spoke:

1. David Martin, 2728 N. Harwood Street, Dallas, TX 75201, spoke in support
2. John Critz, 795 Sam Davis Road, Argyle, TX 76226, spoke in opposition
3. David Snell, 800 Sam Davis Road, Argyle, TX 76226, spoke in opposition
4. Art Holbrook, 204 Quiet Cove Court, Argyle, TX 76226, spoke in opposition

The public hearing was closed at 6:18 PM.

Commissioner Castellanos motioned to recommend denial to Town Council of FLUP-22-001 from C1 Rural Corridor to T3 Low-Density Transition for 11.03 acres of land out of the Patrick Rock Survey Abstract No. 1063, being part of Lot 1, Block A James P. Heath Addition, as presented. Commissioner Lively-Oehlers seconded the motion. The motion carried by a vote of six (6) in favor to none (0) opposed.

- 3. Receive public comments, consider, and make recommendation on Zoning Change Request (Z-22-001) from Agricultural (A) to Single-Family Residential Estate-1 (SF-1) on 32.68 acres of land out of the Patrick Rock Survey Abstract No. 1063, being part of Lot 1, Block A James P. Heath Addition, recorded under Document Number 2010-16 and 2018-114132, located on the south line of Sam Davis Road, and the west side of Postmaster Lane, Town of Argyle, Denton County, Texas.**

[Original Request: Zoning Change Request (Z-22-001) from Agricultural (A) to Single Family-1 acre (SF-1) for a 92.656-acre tract of land out of the Patrick Rock Survey Abstract No. 1063, being part of Lot 1, Block A James P. Heath Addition, recorded under Document Number 2010-16 and 2018-114132, Town of Argyle, Denton County, Texas]

Community Development Director Nabila Nur provided a presentation on zoning change request. David Martin, representing the applicant, spoke on the project as well. The Commission discussed this item and considered the request.

Chairman Stewart opened the public hearing at 6:22 PM. The following individuals spoke:

1. David Martin, 2728 N. Harwood Street, Dallas, TX 75201, spoke in support

The public hearing was closed at 6:23 PM.

Commissioner Castellanos motioned to recommend denial to Town Council of Z-22-001 from Agricultural (A) to Single-Family Residential Estate-1 (SF-1) on 32.68 acres of land out of the Patrick Rock Survey Abstract No. 1063, being part of Lot 1, Block A James P. Heath Addition, as presented. Commissioner Lively-Oehlers seconded the motion. The motion carried by a vote of six (6) in favor to none (0) opposed.

- 4. Receive public comments, consider, and make recommendation on a Future Land Use Plan amendment (FLUP-23-001) from C1 Rural Corridor to PD Commercial Planned Development for a 3.00-acre tract of land out of the Patrick Rock Survey Abstract No. 1063, being part of 9.99-acre tract of land described as tract 114C in deed in favor of The Well Community Church of Argyle recorded in instrument number 2019-49287, Town of Argyle, Denton County, Texas.**

Principal Planner Harrison Wicks provided a presentation on the future land use plan amendment. Doug Powell with McAdams spoke on the project as well. The Commission discussed this item and considered the amendment.

Chairman Stewart opened the public hearing at 7:09 PM. The following individuals spoke:

1. Melissa Allred, 621 Birch Court, Argyle, TX 76226, spoke in opposition
2. George Kolb, 609 Woods Drive, Argyle, TX 76226, spoke in opposition
3. Phyllis Clark, 200 Oregon Trail, Argyle, TX 76226, spoke in support
4. John Critz, 795 Sam Davis Road, Argyle, TX 76226, spoke in support
5. Joe D'Elia, 423 Goodnight Trail, Argyle, TX 76226, spoke in support
6. Marty Bryan, 913 Hat Creek Court, Argyle, TX 76226, spoke in support
7. Allan Kuykendall, 534 Village Way, Argyle, TX 76226, spoke in support
8. Joan Delashaw, 242 Herriott Lane, Argyle, TX 76226, spoke in support

The public hearing was closed at 7:24 PM.

Commissioner Lively-Oehlers motioned to recommend approval to Town Council of FLUP-23-001 from C1 Rural Corridor to PD Commercial Planned Development for use of a sit-down restaurant without drive thru on a 3.00-acre tract of land out of the Patrick Rock Survey Abstract No. 1063, being part of 9.99-acre tract of land described as tract 114C in deed in favor of The Well Community Church of Argyle. Commissioner Castellanos seconded the motion. The motion carried by a vote of four (4) in favor to one (1) opposed. Commissioner Kula dissented and Commissioner Brekke left early at approximately 6:45pm.

- 5. Receive public comments, consider, and make recommendation on a Zoning Change Request (Z-23-001) from Agricultural (A) to Office Retail (OR) for a 3.00-acre tract of land out of the Patrick Rock Survey Abstract No. 1063, being part of 9.99-acre tract of land described as tract 114C in deed in favor of The Well Community Church of Argyle recorded in instrument number 2019-49287, Town of Argyle, Denton County, Texas.**

Principal Planner Harrison Wicks provided a presentation on the zoning change request. The Commission discussed this item and considered the request.

Chairman Stewart opened the public hearing at 7:38 PM. No individuals spoke. The public hearing was closed at 7:39 PM.

Commissioner Lively-Oehlers motioned to recommend approval to Town Council of Z-23-001 from Agriculture (A) to Planned Development District limited to a Restaurant (Without Drive-Through) with a base zoning of Office Retail (OR) for a 3.00-acre tract of land out of the Patrick Rock Survey Abstract No. 1063, being part of 9.99-acre tract of land described as tract 114C in deed in favor of The Well Community Church of Argyle. Commissioner Castellanos seconded the motion. The motion carried by a vote of four (4) in favor to one (1) opposed. Commissioner Kula dissented and Commissioner Brekke left early at approximately 6:45pm.

6. Receive public comments, consider, and make recommendation on a zoning change request (Z-22-002) from Agricultural (A) to Planned Development District with an Office Retail (OR) base zoning for a 10.40-acre tract of land out of the G. Gray Survey Abstract No. 450, being lot 1R-2, Block A United Methodist Church of Argyle Addition, Town of Argyle, Denton County, Texas.

Principal Planner Harrison Wicks provided a presentation on the zoning change request. Applicants Sean Faulkner, Richard Williams, and Jerry Crenshaw spoke on the project as well. The Commission discussed this item and considered the request.

Chairman Stewart opened the public hearing at 9:09 PM. The following individuals spoke:

1. Phyllis Clark, 200 Oregon Trail, Argyle, TX 76226, spoke in opposition
2. Joe D'Elia, 423 Goodnight Trail, Argyle, TX 76226, spoke in opposition
3. Joan Delashaw, 242 Herriott Lane, Argyle, TX 76226, spoke in opposition
4. Bryan Dawn, 422 Goodnight Trail, Argyle, TX 76226, spoke in opposition
5. Heidi Fernandes, 510 Hickory Hill Rd, Argyle, TX 76226, spoke in opposition

The public hearing was closed at 9:25 PM.

Commissioner Lively-Oehlers motioned to table the zoning change request (Z-22-002) to the P&Z Commission meeting on April 5, 2023. Commissioner Lewis seconded the motion. The motion carried by a vote of five (5) in favor to none (0) opposed.

7. Receive public comments, consider, and make recommendation on an ordinance amendment (TDS-23-001) to consider amendments to Article I. General, Part 3. Definitions of the Town of Argyle Town Development Standards regarding the definition of a Barber Shop/Beauty Shop (Non-College).

Community Development Director Nabila Nur provided a presentation on the ordinance amendment. Applicant Amy Ryan spoke on the project as well. The Commission discussed this item and considered the amendment.

Chairman Stewart opened the public hearing at 10:04 PM. The following individuals spoke:

1. Phyllis Clark, 200 Oregon Trail, Argyle, TX 76226, spoke in support

The public hearing was closed at 10:05 PM.

Commissioner Lewis motioned to recommend approval to Town Council of TDS-23-001 to consider amendments to Article I. General, Part 3. Definitions of the Town of Argyle Town Development Standards regarding the definition of a Barber Shop/Beauty Shop (Non-College), as presented.

Commissioner Lively-Oehlers seconded the motion. The motion carried by a vote of five (5) in favor to none (0) opposed.

8. Receive public comments, consider, and make recommendation on an ordinance amendment (TDS-22-001) to consider amendments to Article IV, Sign Regulations and Article I, General of the Town of Argyle Town Development Standards.

Community Development Director Nabila Nur provided a presentation on the ordinance amendment. The Commission discussed this item and considered the amendment.

Chairman Stewart opened the public hearing at 10:09 PM. No individuals spoke. The public hearing was closed at 10:10 PM.

Chairman Stewart motioned to recommend approval to Town Council of TDS-22-001 to consider amendments to Article IV, Sign Regulations and Article I, General of the Town of Argyle Town Development Standards, as presented. Commissioner Lewis seconded the motion. The motion carried by a vote of five (5) in favor to none (0) opposed.

ACTION ITEMS

9. Consider and make a recommendation for a Site Plan (SP-23-001) for a proposed 6,185 square foot medical office located on Tract 4 of the Avalon commercial portion of the Avalon at Argyle Planned Development PD-001, located north of Avalon Boulevard, 400 feet east of the entrance into Avalon at Argyle Phase I at Castle Chase Road.

Principal Planner Harrison Wicks provided a presentation on the site plan. Applicant Dr. Naylor spoke on the project. The Commission discussed this item and considered the site plan.

Commissioner Kula motioned to recommend approval to Town Council of SP-23-001 for a proposed 6,185 square foot medical office located on Tract 4 of the Avalon commercial portion of the Avalon at Argyle Planned Development PD-001, as presented. Commissioner Castellanos seconded the motion. The motion carried by a vote of five (5) in favor to none (0) opposed.

10. Consider and take appropriate action on a minor final plat (FP-23-002) for Lot 1, Block 1 of the Riney Addition, being a portion of a called 0.445 acre tract of land conveyed to Richmond A. Riney and Kay L Riney by Deed of Record in volume 611, page 382 of the Deed Records of Denton County, Texas, Jesse Gazaway survey, Abstract Number 481, Town of Argyle, Denton County, Texas; and being located to the north of Village Way and east of US Hwy 377.

Principal Planner Harrison Wicks provided a presentation on the final plat. Applicant Brad Eubanks with Eagle Surveying spoke on the project. The Commission discussed this item and considered the plat.

Chairman Stewart motioned to approve the plat with a variance to the minimum lot width, as presented. Commissioner Lively-Oehlers seconded the motion. The motion carried by a vote of five (5) in favor to none (0) opposed.

FUTURE AGENDA AND ITEMS OF INTEREST

11. Active Development Project List

12. Briefing on recent Town Council action on Community Development agenda items.


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

ADJOURNMENT

With no further business to attend, the meeting was adjourned at 10:36 PM.

APPROVED THIS THE 5th DAY OF APRIL 2023.

WITNESS:



Casey Stewart, Chairman



Nabila Nur, Director of Community
Development