

**MINUTES OF THE TOWN OF ARGYLE
PLANNING AND ZONING COMMISSION REGULAR MEETING
WEDNESDAY, APRIL 5, 2023**

A regular meeting of the Argyle Planning and Zoning Commission was held on Wednesday, April 5, 2023, 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 March 31, 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
Marilyn Lewis
Jeff Brekke
Matt Nelson

PLANNING AND ZONING COMMISSION MEMBERS ABSENT:

Jeff Castellanos
Rebecca Lively-Oehlers

STAFF PRESENT:

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

REGULAR MEETING AGENDA

CALL TO ORDER – Chairman

The regular meeting was called to order at 6:32 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 March 1, 2023.**

Commissioner Lewis made a motion to approve the minutes of the Planning and Zoning Commission Regular Meeting of March 1, 2023, as presented. Commissioner Kula seconded the motion. The motion carried unanimously by a vote of five (5) in favor to none (0) opposed.

PUBLIC HEARING ITEMS

- 2. 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 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 Mike Cist 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 7:27 PM. The following individuals spoke:

1. Brian Downe, 422 Goodnight Trail, Argyle, TX 76226, spoke in opposition
2. Joe D'Elia, 423 Goodnight Trail, Argyle, TX 76226, spoke in opposition

The public hearing was closed at 7:41 PM.

Commissioner Brekke motioned to recommend approval to Town Council of Z-22-002 with recommended conditions by staff and an additional masonry wall as presented by the applicant on the north and east sides of the property. Staff conditions included:

1. The additional use proposed within the PD identifies that self-storage or separate storage shall not be allowed; storage would only be allowed as an accessory use with the main Office use.
2. The drainage easement and cross-access easement with the First Baptist Church is finalized within the Planned Development District so that the concept plan does not trigger substantial changes in the future.
3. The picnic area and its connection with Tract 1 is further fleshed out and amenities are specified within the ordinance or concept plan.

Commissioner Lewis seconded the motion. The motion carried by a vote of four (4) in favor to one (1) opposed. Commissioner Kula dissented.

- 3. Receive public comments, consider and make recommendation on a Specific Use Permit (SUP-23-001) for a proposed Carwash, Self- Service at the North Avalon Addition (Lot 2, Block A) on approximately 2.891 acres of land in the Francis W. Thorton 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.**

Principal Planner Harrison Wicks provided a presentation on the specific use permit and introduced the applicant Justin Lansdowne of engineering firm McAdams. The Commission discussed this item and considered the specific use permit. Property and business owner Keith Sasich, 112 Triple Crown Court, Bartonville, TX 76226, spoke in favor of the project.

Chairman Stewart opened the Public Hearing at 8:39 PM. No public comment was received, and the Public Hearing was closed at 8:40 PM.

Chairman Stewart motioned to recommend approval to Town Council of SUP-23-001 with recommended conditions by staff. Staff conditions included:

1. A concept plan
2. An elevation plan
3. Hours of operation between 7: 00 am to 7: 00 pm
4. Completion of the roadway between Avalon Boulevard and Gateway Boulevard which as of this moment is planned to be named Hampshire Road.

Commissioner Nelson seconded the motion. The motion carried by a vote of four (4) in favor to one (1) opposed. Commissioner Brekke dissented.

4. **Receive public comments, consider, and make recommendation on an ordinance amendment (TDS-23-002) to Article V, Tree Preservation of the Town of Argyle Town Development Standards regarding tree protection measures within the right-of-way, specified timeline for preserved trees on a site, and counting existing trees for the required landscaping within the landscape buffer.**

Director of Community Development Nabila Nur and Public Works Director Robert White provided a presentation on the ordinance amendments. The Commission discussed this item and considered the amendments.

Chairman Stewart opened the Public Hearing at 8:40 PM. No public comment was received, and the Public Hearing was closed at 8:41 PM.

Chairman Stewart motioned to recommend approval to Town Council of TDS-23-002 as presented with alternative tree protection allowed in the Right-of-Way (ROW). Commissioner Nelson seconded the motion. The motion carried by a vote of five (5) in favor to none (0) opposed.

ACTION ITEMS

5. **Consider and make recommendation on a Site Plan (SP-23-002) for a special exception request on two monument signs for Teresa's House, an Assisted Living/Memory Care Development, located on the north side of Tucker Street and east of US 377, being 4.099 acres and legally described as Lot 2, Block A of Argyle Crossing Phase I, Town of Argyle ETJ, Denton County, Texas.**

Principal Planner Harrison Wicks provided a presentation on the special sign exception. Applicant Godwin Dixon of Teresa's House presented on the project. The Commission discussed this item and considered the site plan.

Commissioner Kula motioned to recommend approval to Town Council of SP-23-002 for a special exception request on two monument signs for Teresa's House, as presented. Commissioner Nelson seconded the motion. The motion carried by a vote of four (4) in favor to one (1) opposed. Commissioner Brekke dissented.

FUTURE AGENDA AND ITEMS OF INTEREST

6. **Active Development Project List**
7. **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. Commissioner Kula requested staff research requiring third party review by a certified arborist of all tree surveys submitted to the Town.

ADJOURNMENT

With no further business to attend, the meeting was adjourned at 9:13 PM.

APPROVED THIS THE 3rd DAY OF MAY 2023.

WITNESS:



Casey Stewart, Chairman



Nabila Nur, Director of Community
Development