

**MINUTES OF THE TOWN OF ARGYLE
PLANNING AND ZONING COMMISSION REGULAR MEETING
WEDNESDAY, MAY 3, 2023**

A regular meeting of the Argyle Planning and Zoning Commission was held on Wednesday, May 3, 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 April 28, 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
Jeff Castellanos

PLANNING AND ZONING COMMISSION MEMBERS ABSENT:

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 6:07 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 April 5, 2023.**

Commissioner Brekke made a motion to approve the minutes of the Planning and Zoning Commission Regular Meeting of April 5, 2023, as presented. Commissioner Nelson 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 for a Zoning Change Request (Z-23-002) from Agricultural (A) to Single Family-1 (SF-1) acre for two tracts of land consisting of a total of 5.167-acres out of the W. Gazaway Survey Abstract No. 480 and J. Gazaway Survey, Abstract No. 481, known as 134 Crawford Road, Town of Argyle, Denton County, Texas.**

Principal Planner Harrison Wicks provided a presentation on the zoning change request. Applicant and property owner Mr. Scott Stover spoke on the project as well. The Commission discussed this item and considered the request.

Chairman Stewart opened the public hearing at 6:38 PM. No public comment was received, and the Public Hearing was closed at 6:39 PM.

Commissioner Brekke motioned to recommend approval to Town Council of Z-23-002 from Agricultural (A) to Single Family-2.5 (SF-2.5) acre residential estate for two tracts of land consisting of a total of 5.167-acres. Commissioner Lewis seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

- 3. Receive public comments, consider, and make recommendation on an ordinance amendment (TDS-23-003) to consider amendments to Article III, Zoning, Part 2, Zoning Procedures and Administration of the Town of Argyle Town Development Standards regarding various amendments to the site plan timeline requirements and other related provisions in the Town Development Standards.**

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

Chairman Stewart opened the Public Hearing at 6:53 PM. No public comment was received, and the Public Hearing was closed at 6:54 PM.

Chairman Stewart motioned to recommend approval to Town Council of TDS-23-003 as presented by Town staff, with one change to remove a reference to the Town's Development Schedule. Commissioner Castellanos seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

ACTION ITEMS

- 4. Consider and take appropriate action on a preliminary plat (PP-23-001) for the Heath Addition East Tract Estates, to plat 42.663 acres in the Patrick Rock Survey, Abstract No 1063, Town of Argyle, Denton County, Texas, into 8 residential lots zoned agricultural. This plat includes the northeast portion of the James P. Heath Addition, Lot 1, Block A.**

Principal Planner Harrison Wicks provided a presentation on the preliminary plat application. The Commission discussed this item and considered the preliminary plat.

Commissioner Lewis motioned to approve preliminary plat (PP-23-001) for the Heath Addition East Tract Estates, with one condition to add a plat note for tree preservation and one waiver to the

minimum lot width requirement for Agricultural (A) zoned lots. Commissioner Castellanos seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

- 5. Consider and take appropriate action on a replat (RP-23-003) for 5.64 acres, being lots 73-89, Blk5, lots 1-12, Blk 9, lots 2R-27R, Blk 11, totaling 53 residential lots in Harvest Phase 16B. These lots are located on the east side of Harvest Way and north of Harvest Townside Phase 1.**

Principal Planner Harrison Wicks provided a presentation on the replat application. The Commission discussed this item and considered the replat.

Commissioner Brekke motioned to approve replat (RP-23-003) for 5.64 acres, being lots 73-89, Blk5, lots 1-12, Blk 9, lots 2R-27R, Blk 11, totaling 53 residential lots in Harvest Phase 16B, as presented. Commissioner Nelson seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

- 6. Consider and make a recommendation for a Site Plan (SP-23-003) for a 6,400 square foot restaurant without drive thru on the proposed Cactus Canyon addition, Lot 1, Block A being 3 acres in the Patrick Rock Survey, Abstract No 1063, Town of Argyle, Denton County, Texas. This lot is located on the north side of FM407 and west of the Well Community Church.**

Principal Planner Harrison Wicks provided a presentation on the site plan application. The Commission discussed this item and considered the site plan.

Commissioner Brekke motioned to recommend approval to Town Council of Site Plan (SP-23-003) for a 6,400 square foot restaurant without drive thru on the proposed Cactus Canyon addition, as presented with the following waivers and conditions:

Waivers

1. A waiver to allow for approximately 1,940 and 2,057 lumens per bulb for security lights in the parking lot, whereas the town standards specify no more than 1,200 lumens per bulb per Section 14.3.42-4.F.9.C
2. A waiver to allow for plants other than those on the Town's Approved Plant List to be used in the Landscape Plan. The species include Spineless Prickly Pear, Chaste Tree, and Chitalpa.

Conditions

- A. That the applicant confirm there will be no increase in downstream flow to adjacent properties and FEMA floodplain.
- B. That the applicant comply with any requirements from TXDOT for issuance of a ROW permit.

Commissioner Castellanos seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

WORKSHOP ITEMS

- 7. Discuss the merit of conducting a third-party review of all tree surveys submitted to the Town.**

Commissioner Kula presented and the Commission discussed this item and considered merits of third-party review of all tree surveys. There was consensus to schedule a Tree Preservation Board

meeting to have a guest speaker present on best practices and industry standards for tree surveys. Town staff will work to schedule a future Tree Preservation Board meeting.

FUTURE AGENDA AND ITEMS OF INTEREST

8. Active Development Project List

9. 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.

ACTION ITEMS

10. Accept the resignation of Planning and Zoning Commission member for Place 2, Jeffrey Brekke.

Chairman Stewart motioned to accept the resignation of Planning and Zoning Commission member for Place 2, Jeffrey Brekke. Commissioner Castellanos seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

ADJOURNMENT

With no further business to attend, the meeting was adjourned at 8:20 PM.

APPROVED THIS THE 7th DAY OF JUNE 2023.

WITNESS:



Paul Kula, Chairman



Harrison Wicks, Principal Planner