

**MINUTES OF THE TOWN OF ARGYLE
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY JUNE 3, 2020**

A regular meeting of the Argyle Planning and Zoning Commission was held on Wednesday, June 3, 2020, at 6:00 p.m. at Argyle Town Hall, located at 308 Denton Street, Argyle, Texas. 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 May 29, 2020 at 5:00 PM, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

The Planning and Zoning Commission participated in this meeting remotely in compliance with the Texas Open Meetings Act or under the provisions provided by the Governor of Texas in conjunction with the Declaration of Disaster enacted March 13, 2020 and as amended on March 24, 2020.

In an effort to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code, telephonic capabilities were utilized. Members of the public are entitled to participate remotely via Toll-Free Dial-In Number: 1-888-475-4499; Meeting ID: 874 6338 6764 or through Zoom meeting link at <https://us02web.zoom.us/j/87463386764>. The meeting was also live-streamed on Argyle's website at: <http://argyletx.com>.

PLANNING AND ZONING COMMISSION MEMBERS PRESENT:

Rick Bradford, Chairman
Paul Kula, Vice-Chairman
Gordon Baethge
Richard Spies
Casey Stewart
Leona McDade
Jeff Castellanos

PLANNING AND ZONING COMMISSION MEMBERS ABSENT:

None

STAFF PRESENT:

Erika McComis, Interim Town Administrator
David Hawkins, Director of Community Development
Patricia Adams, Town Attorney

REGULAR MEETING AGENDA

A. CALL TO ORDER – Chairman

The regular meeting was called to order at 6:07 p.m. by Chairman Rick Bradford 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 Bradford opened the meeting to public comment. No public input was received.

E. MINUTES

1. Consider approval of the minutes of the Regular Planning and Zoning Commission Meeting of June 3, 2020.

Discussion was held and Ms. McDade stated that a correction to the spelling of Mr. Castellanos' name was needed under New Business Item G.1. Mr. Kula motioned to approve the minutes of the Regular Planning and Zoning Commission Meeting of May 7, 2020 as presented with the one correction to the spelling of Mr. Castellanos' name under New Business Item G.1. Ms. McDade seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed. Commissioner Spies was absent.

F. OLD BUSINESS

1. None.

Commissioner Spies joins the meeting at 6:12 p.m.

G. NEW BUSINESS

1. Consider and make a recommendation on a Site Plan Amendment (SP-20-006) for Christian Brother's Automotive, regarding a special exception to the Town Development Standards, Section 14.4.14 - Wall Signs, being located at 8719 US HWY 377, Town of Argyle Extra Territorial Jurisdiction, Denton County, Texas.

Mr. Hawkins presented the staff report and gave an overview of the Site Plan Amendment request. Mr. Hawkins explained the purpose of the Site Plan Amendment was to seek a special exception to the Sign Regulations to allow a total of three (3) wall signs (only 2 signs allowed), each exceeding the maximum allowed 60 square feet in area for a single tenant. The proposed monument sign met all of the requirements for the Sign Regulations.

Josh Tips, a representative for the applicant, addressed the Commission and made himself available to answer any questions. The Commission considered the size of the building and the proportion of the signs on each building elevation as well as what other business locations had for their signage.

Discussion was held amongst the Commission regarding the type of illumination and brightness levels of the signs on the building as well as the monument sign. Mr. Kula motioned to recommend approval of the Site Plan Amendment to allow up to three (3) attached wall signs, each exceeding the maximum allowed sixty (60) square feet as illustrated in the packet. Mr. Baethge seconded the motion. The motion carried unanimously by a vote of seven (7) in favor to none (0) opposed.

- 2. Consider and make a recommendation on a Site Plan Extension (SP-20-007) for The Well Church, an approximately 20,500 sq. ft. church facility, to be located north of FM 407 and west of US 377, being legally described as a 20.876-acre tract of land located in the Patrick Rock Survey, Abstract No. 1063, Town of Argyle, Denton County, Texas.**

Mr. Hawkins presented the request for a Site Plan Extension and gave an overview of the project. Mr. Hawkins explained Site Plans are valid for a period of 183 before lapsing and becoming null and void. If the applicant feels they will not be able to meet the next benchmark before expiration, they may come before the Planning and Zoning Commission and Town Council to request an extension. Mr. Hawkins explained the Well Church was requesting their approved Site Plan be given an extension.

Mr. Joel Richey, representative of the applicant, addressed the Commission and made himself available for questions. The Commission considered the difference in the reasoning for the extension request being related to COVID-19 pandemic when compared to other developments like the Dry Cleaners Super Center waiting on TxDOT property acquisition and compensation. They also discussed the status of the development plans being at approximately 60% completion and whether a building permit or construction plan submission could be made within the next 6 months.

Additional discussion was held amongst the Commission regarding the reasoning for the request for extension and an appropriate timeframe for the project. Mr. Spies motioned to recommend approval of the Site Plan Extension request and allow the applicant be given an extension of 183 days after the original expiration date to meet the next required benchmark. Mr. Stewart seconded the motion. The motion carried unanimously by a vote of seven (7) in favor to none (0) opposed.

- 3. Consider and make a recommendation on a Site Plan Amendment (SP-20-008) for Argyle High School regarding a greenhouse education facility addition, located at 191 US 377, being legally described as Lot 1R, Block 1, Argyle High School Addition, Town of Argyle, Denton County, Texas.**

Commissioner McDade recused herself from this agenda item.

Mr. Hawkins presented the request for a Site Plan Amendment and gave an overview of the project. Mr. Hawkins explained that the purpose of this Site Plan Amendment was to add a new greenhouse educational facility to serve the AISD students and that the Site Plan Amendment met the requirements of the TDS.

Mr. Bravis Brown, owner of BPS Jet and representing the applicant, addressed the Commission and made himself available for questions. Discussion was held amongst the Commission regarding the exterior lighting for the new structure, the type of classes and programming of the facility, and the partnership between BPS Jet, Inc. and A.I.S.D. Mr. Kula motioned to recommend approval of the Site Plan Amendment as presented. Mr. Castellanos seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed. Commissioner McDade recused herself from this vote.

Commissioner McDade returned to the meeting prior to New Business Item G.4

- 4. PUBLIC HEARING: Consider and make a recommendation regarding an ordinance amendment (TDS-20-002) to consider amendments to Article V, Tree Preservation, of the Town of Argyle Town Development Standards regarding various amendments to the tree mitigation requirements within the Tree Preservation Ordinance.**

Mr. Hawkins presented the staff report and explained this was an ordinance amendment to the TDS requested by Councilman Livingston regarding the tree mitigation requirements.

Discussion was held and the Commission inquired if the size of the replacement trees were remaining the same for the protected trees (4" min.), specimen trees (6" min.) and majestic trees (10" min.). Staff explained that the only change proposed change was the ratio of the replacement caliper inches to be 1 to 1 and not the size of the replacement trees. Commissioner Kula also inquired about the Approved Plant List which is referenced in the current Tree Replacement Requirements Section 14.5.5 and if this list could be modified with the additions and removals of tree species as recommended by the Texas Trees Foundation.

Chairman Bradford opened the public hearing at 7:23 p.m. No input was received from the public. Chairman Bradford closed the public hearing at 7:24 p.m.

Additional discussion was held and Mr. Spies motioned to approve the ordinance amendment as presented with the addition of the Modified Section 14.5.50 Approved Plant List (Tree Portion only) with the removal of Texas Ash and White Ash trees from the list.

Mr. Kula seconded the motion and the motion carried unanimously by a vote of seven (7) in favor to none (0) opposed.

5. Discussion and take appropriate action on Street Tree Requirements in the Town of Argyle Town Development Standards (TDS).

Mr. Hawkins gave an overview of the background of the Street Tree requirements and suggested possible talking points to the Commission regarding the project.

Discussion was held amongst the Commission, covering the following topics relating to the Street Tree requirements:

- Initiating the project by forming a sub-committee to work with staff in revising the street tree requirements for commercial developments.
- Considering removing any tree requirements within public rights-of-ways and locating all trees on private properties within landscape buffers.
- Consider refining and updating the landscaping requirements not based on zoning but on the type of street frontage and thoroughfares.

Ms. McDade made a motion to forward a recommendation to the Town Council that the street tree requirements in the Town Development Standards be taken up for review and revisions; the motion also specified that the review process should be initiated by establishing a sub-committee and include the topics of discussion as outlined above. Mr. Spies seconded the motion, the motion carried unanimously by a vote of seven (7) in favor to none (0) opposed.

I. FUTURE AGENDA AND ITEMS OF INTEREST

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

- **Dry Clean Super Center Site Plan Extension: Approved by Town Council 5.18.2020**
- **Use Chart Updates: Town Council approved the project to move forward by establishing a sub-committee to be led by Chairman Bradford 5.18.20**

Mr. Hawkins updated the Commission on recent action regarding Community Development Agenda items.

2. Project updates.

- **DRC Projects List**

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Mr. Hawkins provided the Commission with recent development project updates and gave an overview of upcoming projects.

Mr. Bradford inquired about a future discussion item on Form-Based Codes and how to address conflicts between current zoning/infill developments and Form Based Code. Mr. Kula inquired about the expiration of the Harvest/Belmont Development Agreement, if any and the latest information on the Lakes of Argyle parkway trees.

I. ADJOURNMENT

With no further business to attend, the meeting was adjourned at 8:07 PM.

APPROVED THIS THE 1st DAY OF JULY 2020.

WITNESS:

Rick Bradford, Chairman

David Hawkins, AICP
Director of Community Development