

**MINUTES OF THE TOWN OF ARGYLE
PLANNING AND ZONING COMMISSION MEETING
TUESDAY, APRIL 2, 2019**

A regular meeting of the Argyle Planning and Zoning Commission was held on Tuesday, April 2, 2019, at 6:30 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 March 29, 2019 at 5:00 PM, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

PLANNING AND ZONING COMMISSION MEMBERS PRESENT:

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

PLANNING AND ZONING COMMISSION MEMBERS ABSENT:

STAFF PRESENT:

David Hawkins, Director of Community Development
Angie Manglaris, Development Coordinator
Julie Doshier, Town Attorney

REGULAR MEETING AGENDA

A. CALL TO ORDER – Chairman

The regular meeting was called to order at 6:30 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. MINUTES

- 1. Consider approval of the minutes of the Regular Planning and Zoning Commission Meeting of March 5, 2019.**

Mr. Kula motioned to approve the minutes of the Regular Planning and Zoning Commission Meeting of March 5, 2019 as presented. Mr. Spies seconded the motion. The motion carried unanimously by a vote of seven (7) in favor to none (0) opposed.

E. OLD BUSINESS

None.

F. NEW BUSINESS

- 1. Public Hearing: Consider and make a recommendation on a Specific Use Permit (SUP-19-003) for Eagle Plaza to operate a drive-thru facility at a proposed restaurant/retail building, being legally described as Lot 4, Block A, White Rock Farm Addition, Town of Argyle, Denton County, Texas.**

Ms. Manglaris presented the staff report and stated the purpose of the Specific Use Permit was to allow for a drive-thru facility as part of the Eagle Plaza Project.

Chairman Bradford opened the public hearing at 6:34 pm. No public input was received. Chairman Bradford closed the public hearing at 6:36 pm.

Mr. Todd Weaver, a representative of the applicant, addressed the Commission and gave a brief overview of his client and the proposed drive-thru facility. Discussion was held between the applicant and the Commission regarding the function of the drive-thru window and where it would be located on the potential building.

Mr. Stewart motioned to approve the Specific Use Permit as presented. Mr. Kula seconded the motion. The motion carried by a vote of six (6) in favor to one (1) opposed.

- 2. Public Hearing: Consider and make a recommendation on a Zoning Change (MDP-19-001) from A (Agricultural) to VC-MU (Village Center Mixed Use) for Cook Street Restaurant, being approximately 1.143 acres of land, being a portion of Stephen A. Chambers Survey, Abstract No. 0308A, and being located on the southeast corner of the Cook Street and U.S. Hwy. 377 intersection, located in the Town of Argyle, Denton County, Texas.**

Ms. Manglaris presented the staff report, explained the Master Development Plan Request, and stated the applicant was requesting variances to the Town Development Standards and Form Based Code.

Mr. Doug Powell, a representative of the applicant, gave a brief overview of the proposed project and answered questions from the Commission regarding building setbacks, sidewalk variances and cross-access connection to neighboring properties.

Chairman Bradford opened the public hearing at 6:59 pm. The following spoke in favor of the application:

- Greg Johnson, 2405 Winthrop Hill
- Steven Shannon, 1901 Warren Crescent Ct.

Chairman Bradford closed the public hearing at 7:02 pm.

Additional discussion was held regarding alcohol sales and regulations in the area and how Texas Alcoholic and Beverage Commission state statutes measures distances between buildings.

Mr. Spies motioned approve the zoning change request with the following conditions:

1. The applicant shall add a note or illustrate that vehicular access connection to the south be provided when the adjacent property to the south is re-developed.

2. The variance request to waive the required sidewalk along US HWY 377 shall be allowed.
3. The variance request to change Alcohol Sales from a Specific Use Permit to a permitted use shall be denied.

Mr. Kula 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 for a Site Plan Amendment (SP-19-003) for improvements to Argyle High School, located at 191 U.S. 377, and being legally described as Lot 1R, Block 1, Argyle High School Addition, Town of Argyle, Denton County, Texas.

Commissioner McDade recused herself from discussion and action regarding this agenda item.

Ms. Manglaris presented the staff report and gave an overview of the previously approved Site Plan Amendments for the expansion of Argyle High School.

Mr. Robert Howman and Dr. Telena Wright, representatives of the applicant, presented on behalf of Argyle ISD and answered questions from the Commission regarding parking lot improvements and the proposed plans for the transit parking facility.

Mr. Stewart motioned to recommend approval of the Site Plan Amendment as presented. Mr. Baethge seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed. Commissioner McDade recused herself.

4. Consider and make a recommendation on a Specific Use Permit (SUP-19-002) to allow for an alternative street section in lieu of the required fifty-foot (50') right-of-way consisting of concrete curb and gutter street thirty-feet (30') in width for a portion of Charyl Lynn Drive, located on the north side of the Joyce Drive and Charyl Lynn Drive intersection, Town of Argyle, Denton County Texas.

Mr. Hawkins presented the staff report and gave a brief overview of the application, explained the history of the project, previous discussions between the Applicant and Town Council, and explained what the applicant was proposing for an alternative street section.

Mr. David Ryan Smith, the owner and applicant, gave a brief overview of this history of the lot and the reasoning for the request to allow for an alternative street standard.

Chairman Bradford opened the public hearing at 7:57 p.m. No one spoke in favor of the request. The following residents spoke against the application:

- Nathanael Wydner, 500 Charyl Lynn
- Austin Colley, 126 Joyce Drive

Those in opposition stated there were already existing drainage problems in the region and there were concerns that an additional home fronting on an unimproved street would have adverse effects. The public hearing was closed at 8:07 p.m.

Discussion was held between the Commission, Staff and applicant regarding drainage in the area, street section alternatives and logistics of relocating utilities in the area for road improvements.

Mr. Spies motioned to recommend approval of the Specific Use Permit with the requirement that the applicant install the 50' hammerhead street section on private property. Mr. Kula seconded the motion. The motion carried by a vote of six (6) in favor to one (1) opposed.

5. Consider and take appropriate action on a tree removal permit for First Baptist Church of Argyle, located at 414 US 377, and being legally described as Tract 24 out of the White Survey, Abstract No. 1384A and Tract 11 out of the Gray Survey, Abstract No. 450A, Town of Argyle, Denton County, Texas.

Mr. Hawkins presented the staff report, gave an overview of the waiver request from First Baptist Church and provided the Commission with a timeline of the tree removal project.

Mr. Bobby Cates, a representative of the applicant, spoke to the Commission and gave an overview of the tree removal need, why the Church felt they fell within the parameters of tree permit exemptions, and the request to have the tree mitigation requirements waived.

Discussion was held amongst the Commission, staff, and the applicant regarding the timeline of the tree removal permit submittal and the timing of the tree removal.

The Commission discussed various options and alternatives for tree mitigation requirements. The Commission asked questions regarding the Church's ability to replant mitigation inches onsite in lieu of paying into the tree reforestation fund. Mr. Cates stated replanting on-site would be difficult due to the unknown future expansion plans for the Church and the potential for expansion of existing facilities on the lot.

Mr. Kula motioned to approve an alternative tree mitigation plan for First Baptist Church with the stipulation that the Church shall plant twelve (12), 3.5-caliper inch trees from the Town of Argyle Approved Tree Plant list on site. Mr. Hawkins interjected to provide an alternative option of the First Baptist Church to replant the trees on another location in Town. Mr. Kula withdrew his motion.

Mr. Stewart inquired where in Town the trees would be planted and if they could be planted in the Argyle Community Park. Kristi Gilbert, Town Manager confirmed there is space in the Community Park near the pavilion for trees to be planted.

Mr. Kula motioned to approve an alternative tree mitigation plan for First Baptist Church stipulating the Church shall plant twelve (12), 3.5-caliper inch trees from the Town of Argyle Approved Tree Plant list in a location of the Town Manager's choosing. Mr. Castellanos seconded the motion. The motion carried unanimously by a vote of seven (7) in favor to none (0) opposed.

Chairman Bradford called for a five (5) minute recess at 9:24 p.m. The meeting reconvened at 9:32 p.m.

6. Consider and take appropriate action on a tree removal permit for Waterbrook Commercial, being approximately 30 acres of land, and being located at the southeast corner of US 377 and FM 407, Town of Argyle, Denton County, Texas.

Mr. Hawkins presented the staff report and gave an overview of the applicant's request to allow early lot grading and advanced tree removal for the commercial component of the Waterbrook Master Development Plan and a waiver to the tree mitigation requirements at this time. The Tree

Mitigation requirements would be met at time of Site Plan applications for each new commercial building on this property.

Alex Rafiqui, a representative of the applicant, presented to the Commission and explained the reasoning behind early lot grading for this portion of the Waterbrook development.

Discussion was held amongst the Commission and Mr. Kula motioned to deny the request for the tree mitigation requirements to be waived and for early tree removal. Mr. Stewart seconded the motion. The motion carried unanimously by a vote of seven (7) in favor to none (0) opposed.

7. Discussion on tree planting and mitigation requirements for single-family residential lots within subdivisions currently under development.

Mr. Hawkins provided the Commission with an update on tree planting requirements for 5T Ranch, The Lakes of Argyle, and Waterbrook. Mr. Hawkins stated the final mitigation numbers for Waterbrook had not been confirmed and a site walk-thru with the Town Arborist would be held Friday, April 5th. The status of tree mitigation would be confirmed at that time and the mitigation numbers would be presented to the Commission at their next meeting.

G. FUTURE AGENDA AND ITEMS OF INTEREST

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

Mr. Hawkins provided the Commission with recent actions taken by Town Council regarding Community Development agenda items.

2. Project updates.

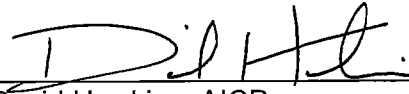
Mr. Hawkins provided the Commission with recent updates regarding Community Development items and projects to be placed on a future agenda.

H. ADJOURNMENT

With no further business to attend, the meeting was adjourned at 10:08 p.m.

APPROVED THIS THE 7th DAY OF MAY, 2019. WITNESS:


Rick Bradford, Chairman


David Hawkins, AICP
Director of Community Development