

**MINUTES OF THE TOWN OF ARGYLE
PLANNING AND ZONING COMMISSION MEETING
THURSDAY, APRIL 2, 2020**

A regular meeting of the Argyle Planning and Zoning Commission was held on Thursday, April 2, 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 March 27, 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 was utilized. Members of the public were entitled to participate remotely via Toll-Free Dial-In Number: 1-888-475-4499; Meeting ID: 382 291 892 or through Zoom meeting link at <https://zoom.us/j/382291892>. 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:

David Hawkins, Director of Community Development
Angie Manglaris, Development Coordinator
Brenda McDonald, Town Attorney

REGULAR MEETING AGENDA

A. CALL TO ORDER – Chairman

The regular meeting was called to order at 6:08 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 March 5, 2020.

Discussion was held and Ms. McDade motioned to approve the minutes of the Regular Planning and Zoning Commission Meeting of March 5, 2020 as presented. Mr. Spies seconded the motion. The motion carried unanimously by a vote of seven (7) in favor to none (0) opposed.

F. OLD BUSINESS

1. None.

G. NEW BUSINESS

1. Consider approval of an Amended Final Plat (FP-20-004) for Harvest Townside Phase 2, a proposed subdivision on an approximately 22.63-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, Denton County, Texas; located in the Town of Argyle's Extra Territorial Jurisdiction (ETJ); and being located to the west of Interstate Highway 35W and west of Town Limits of the Town of Argyle.

Commissioner Spies recused himself from this agenda item.

Mr. Hawkins presented the Staff report and gave an overview of the Amended Final Plat. Mr. Hawkins explained the purpose of the Amended Final Plat was to center the building pads between their lot lines and to extend a portion of the lots in Harvest Townside Phase 2 by an additional five feet (5').

Ms. Gina Terrell, representative of the applicant, addressed the Commission and gave an overview of the proposed changes. Ms. Terrell made herself available to any questions the Commission may have had.

Discussion was held and Mr. Stewart motioned to approve the Amended Final Plat as presented. Mr. Castellanos seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed. Commissioner Spies recused himself.

2. Consider and make a recommendation on a Site Plan Amendment (SP-20-003) for Fifth Gear Automotive, regarding a special exception to the Town Development Standards, Section 14.4.14 - Wall Signs, being located at 8955 US HWY 377, Town of Argyle Extra Territorial Jurisdiction, Denton County, Texas.

Ms. Manglaris presented the Site Plan Amendment and gave an overview of the staff report. Ms. Manglaris explained the purpose of the Site Plan Amendment was to seek a special exception to the Sign Regulations to allow for two (2) wall signs for a single tenant.

Discussion was held amongst the Commission regarding the placement of the sign on the building in relation to existing signs. Mr. Castellanos motioned to recommend approval of the Site Plan Amendment with the condition that the applicant situate the sign on the building so that it is in alignment with the existing other signage. Mr. Baethge 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 (SP-20-002) for Valley Creek Church, an approximately 35,724 sq. ft. church facility, to be located on southwest corner of FM 407 and Gateway Blvd., being legally described as a 7.746-acre tract of land located in the F.W Thornton Survey, Abstract No. 1244, Town of Argyle, Denton County, Texas.

Ms. Manglaris presented the Site Plan and gave an overview of the project. Ms. Manglaris explained the applicant was requesting two variances as part of the Site Plan: the situation of the Type E Buffer along FM 407 and a request for waiver to the street tree requirements along FM 407 and Gateway Blvd.

Mr. Brad Lanham, representative of the applicant, addressed the Commission and made himself available for any questions. The Commission inquired about the need for more than required parking spaces on site and the projected right-of-way acquisition along FM 407 and Gateway Blvd.

Discussion was held amongst the Commission regarding the request for the waiver of street tree requirements. The Commission asked staff how many street trees were owed by the applicant and if the Town Development Standards require street trees to be placed in the right-of-way. Ms. Manglaris confirmed the Town Development Standards requires plantings in the right-of-way and stated the applicant was required a total of 44 trees to be planted along FM 407 and Gateway Blvd. The Commission expressed concerns over waiving all 44 street trees.

Josh Barton, representative of the applicant, addressed the Commission and stated they were not opposed to planting the trees but were uncertain how the impending road projects of FM 407 and Gateway Blvd. could impact established trees.

The Commission discussed possible alternatives to the street tree waiver. Ms. McDonald, Town Attorney, suggested the Commission require an escrow account for the planting of street trees once FM 407 and Gateway Blvd. is reconstructed in the future.

Additional discussion was held, and Mr. Spies motioned to recommend approval of the Site Plan with the following conditions:

1. The variance request to allow for the Type E Buffer yard to be situated further than 10' off the property line shall be allowed.
2. Town Staff and the applicant shall discuss an amount to be escrowed for the planting of street trees after the road improvements to FM 407 and Gateway Blvd. have been completed.

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

4. Discuss possible change to P & Z Commission meeting dates.

Mr. Hawkins presented the staff report and gave an overview of the meeting date change request. Mr. Hawkins explained to the Commission that at the March Council meeting, Council moved to utilize one Town Attorney from The Municipal Law Firm in lieu of having multiple contact points

within the firm. Mr. Hawkins explained the new Town Attorney, Ms. Patricia Adams, was not available to attend Planning and Zoning Commission meetings on the first Thursdays of the month; therefore, a meeting date change is required. Mr. Hawkins stated the possible new meetings days were the 1st Wednesday, 2nd Monday, 2nd Tuesday, or 2nd Thursday of the month. Mr. Hawkins stated the first Tuesday was not preferable as it was the day after Town Council.

Discussion was held amongst the Commission and their availability throughout the week to attend meetings. The Commission agreed the first Wednesday of the month would be an agreeable meeting day.

Mr. Kula motioned to recommend moving the Regular Meeting of the Planning and Zoning Commission to the first Wednesday of each month, starting in June, 2020. Ms. McDade 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.

- **Specific Use Permit: Honey's Farm Wedding Venue – Withdrawn by applicant**
- **Site Plan: Rapid Med- Denied by Town Council 3.24.2020**

Ms. Manglaris updated the Commission on recent action regarding Community Development Agenda items.

2. Project updates.

- **Impact Fee Ordinance Update**
- **Valley Creek Church Final Plat-Approved 3.27.2020**

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

Mr. Kula inquired about the status of the Planning and Zoning Commission request to schedule a workshop with Town Council to the discuss Form Based Code, PACE meetings and the Use Chart revision project. Staff explained the recent developments with COVID-19 had put some things on hold and agreed to ensure the request was sent to the Interim Town Manager.

I. ADJOURNMENT

With no further business to attend, the meeting was adjourned at 7:32 PM.

APPROVED THIS THE 7th DAY OF MAY 2020.

WITNESS:



Rick Bradford, Chairman



David Hawkins, AICP
Director of Community Development