

**AMENDED MINUTES OF THE TOWN OF ARGYLE
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY AUGUST 4, 2021**

A regular meeting of the Argyle Planning and Zoning Commission was held on Wednesday, August 4, 2021, 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 July 30, 2021 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
Leona McDade
Gordon Baethge
Toby Haynes
Matt Nelson

PLANNING AND ZONING COMMISSION MEMBERS ABSENT:

Jeff Castellanos

STAFF PRESENT:

Rich Olson, Town Administrator
Emilio Sanchez, Director of Community Development
Harrison Wicks, Development Coordinator

REGULAR MEETING AGENDA

A. CALL TO ORDER – Chairman

The regular meeting was called to order at 6:02 p.m. by Chairman Casey Stewart 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 Stewart opened the meeting to public comment. No public comment was received.

E. MINUTES

- 1. Consider approval of the minutes of the Planning and Zoning Commission Meeting of July 7, 2021.**

Commissioner Haynes motioned to approve the minutes of the Planning and Zoning Commission Meeting of July 7, 2021 as presented. Commissioner Nelson seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

F. OLD BUSINESS

1. PUBLIC HEARING: Consider an ordinance amendment (TDS-21-001) to Article III, Zoning, of the Town of Argyle Town Development Standards regarding various amendments to setbacks and bufferyards for commercially zoned districts adjacent to residentially owned districts in the Town Development Standards.

Mr. Wicks provided a presentation on this item. Chairman Stewart opened the Public Hearing at 6:07 PM. No individuals signed up to speak and the Public Hearing was closed at 6:08 PM.

Commissioner Haynes motioned to recommend approval of ordinance amendment (TDS-21-001) for various amendments to setbacks and bufferyards for commercially zoned districts adjacent to residentially owned districts in the Town Development Standards with the following revisions:

- A. Increase bufferyards from 10' to 50' between commercial and residential properties.
- B. Revise Bufferyard E requirements to match Bufferyard F1.
- C. Add transitional height section as it pertains to building heights of commercial structures next to residential properties.
- D. Revise Bufferyard F1 requirements to match Bufferyard F2 for all commercial zoning districts (this would require a masonry screening wall between all commercial and residential properties).

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

2. PUBLIC HEARING: Consider an ordinance amendment (TDS-21-002) to Article III, Zoning, of the Town of Argyle Town Development Standards regarding various amendments to setbacks, lot coverage, and accessory building requirements for SF-1, SF-2.5, and Agricultural zoned districts in the Town Development Standards.

Mr. Wicks provided a presentation on this item. Chairman Stewart opened the Public Hearing at 6:23 PM. No individuals signed up to speak and the Public Hearing was closed at 6:24 PM.

Chairman Stewart motioned to recommend approval of ordinance amendment (TDS-21-002) for various amendments to setbacks, lot coverage, and accessory building requirements for SF-1, SF-2.5, and Agricultural zoned districts in the Town Development Standards with the following revisions:

- A. Make no change to the side and rear building setback lines for SF-1 zoning district.
- B. Increase side and rear building setback lines from 15' to 50' for A zoning district.
- C. Increase side and rear building setback lines from 15' to 30' for SF-2.5 zoning district.
- D. Change side and rear building setback lines for accessory structures to be "Same as Main Building" for A, SF-2.5, and SF-1 zoning districts.
- E. Increase max. allowed lot coverage to 20% for SF-1 zoning district. A and SF-2.5 zoning districts will remain the same at 20% and 15% respectively.
- F. Add language that exempts main and accessory structures built prior to the passage of this ordinance amendment.

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

3. Consider and take appropriate action on Site Plan (SP-21-002) for Castle Development Argyle, Phase II a proposed 7,500 sq. ft. medical office building, and overall concept Site Plan, being located on the southeast corner of FM 407 and Blue Horizon Way, Town of Argyle, Denton County, Texas.

Mr. Wicks provided a presentation on this item. The P & Z Commission discussed the submitted materials. As a representative for applicant Argyle 407 Partners, LLC, Mr. Clay Cristy with Claymoore Engineering Inc, 1903 Central Drive, Bedford, TX 76021, spoke in support of the project and answered questions from the commissioners.

Commissioner McDade motioned to recommend approval of Site Plan (SP-21-002) for Castle Development Argyle, Phase II, and overall concept site plan, with the following conditions and variances:

Conditions:

1. That a replat be submitted and approved for Lots 3 and 4 prior to approval of the concept plan.
2. That a 24" Firelane, Mutual Access Easement be approved between Argyle 407 Partners, LLC and the property owner on the east border of the property, otherwise known as the Argyle Veterinary Hospital, prior to approval of the concept plan.
3. That the applicant comply with tree mitigation requirements according to Article V Tree Preservation of the Town Development Standards prior to approval of the site plan, and have the tree mitigation requirements included in a Memorandum of Understanding (MOU) between Castle Argyle and the Town for development of the property **to be satisfied within 24 months.**
4. That 1 shade tree be added to the landscape buffer along FM 407 to satisfy landscaping requirements of the form-based code.

Variances:

1. The variance request to allow a reduced building articulation to be considered.
2. The variance request to allow two existing shade trees to be next to each other and not separated by at least 100 linear feet (LF) for street landscaping along FM 407.
3. The variance request to a requirement that surface parking lots for non-residential uses shall be located at the side or rear of a building.

Commissioner Haynes seconded the motion. The motion carried by a vote of five (5) in favor to one (1) opposed. Commissioner Kula dissented.

G. NEW BUSINESS

1. Consider and take appropriate action on a Final Plat (FP-21-012) for Avalon at Argyle, Phase III, a proposed subdivision on approximately 31.408 acres of land in the Francis W. Thorton Survey, Abstract No. 1244, Town of Argyle, Denton County, Texas; located on the east side of IH 35 W, south of FM 407, and west of Gateway Blvd.

Mr. Wicks provided a presentation on this item. Representative Justin Lansdowne from McAdams Co., 201 Country View Dr, Roanoke, TX was in attendance to answer questions on behalf of the property owner D.R. Horton.

Commissioner Haynes motioned to approve Final Plat (FP-21-012) for Avalon at Argyle, Phase III with the following conditions:

1. That the Town Engineer review and approve construction plans for Avalon at Argyle Phase 3 prior to filing of the final plat.

2. That the Town Engineer review and approve a flood study for Avalon at Argyle Phase 3 prior to filing of the final plat.

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

Chairman Stewart temporarily adjourned the meeting at 8:25 PM for a break, the meeting was reconvened at 8:35 PM. Commissioner Haynes excused himself for the remainder of the meeting.

- 2. Consider and take appropriate action on a Final Plat (FP-21-013) for Canyon Falls Village 10-AR, being 16.056 acres of the approximately 168.31-acre Canyon Falls subdivision in the Francis W. Thorton Survey, Abstract No. 1244, Denton County, Texas; located in the Town of Argyle's Extra Territorial Jurisdiction (ETJ); and being located to the west of Stonecrest Road and south of Town Limits of the Town of Argyle.**

Mr. Wicks provided a presentation on this item. The applicant submitted this amended final plat in order to satisfy the conditional approval requirement for the Canyon Falls Village 9-AR amended preliminary plat and final plat that was previously reviewed by the P & Z Commission and Town Council on May 5, 2021 and May 17, 2021 respectively. Denton County Fire Marshal's Office and Denton County Development Services Department do not have any objection to a road connection from Cattail Creek Court to Stonecrest Road, which is maintained by Denton County at this location.

Commissioner Baethge motioned to approve Final Plat (FP-21-013) for Canyon Falls Village 10-AR, amending the final plat to construct a road connection from Cattail Creek Court to Stonecrest Road. Commissioner Kula seconded the motion. The motion carried unanimously by a vote of five (5) in favor to none (0) opposed.

- 3. Presentation and discussion on possible TDS Amendments to contractor registration requirements (TDS-21-006).**

Mr. Wicks provided a presentation on this item. Town Council requested that Town staff review contractor registration requirements with a focus on penalties for violations, as well as establish a benchmark analysis of contractor registration requirements for other comparable Towns and Cities in the local area. P & Z Commissioners discussed the Town's current contractor registration requirements, as well as example language from nearby municipalities.

Chairman Stewart motioned to recommend Town Council consider possible TDS amendments to contractor registration requirements (TDS-21-006) to include language from the City of Southlake and Town of Flower Mound as presented by staff. Commissioner Nelson seconded the motion. The motion carried unanimously by a vote of five (5) in favor to none (0) opposed.

H. FUTURE AGENDA AND ITEMS OF INTEREST

1. Briefing on recent Town Council action on Community Development agenda items.
2. Project updates.
DRC Projects List - Updated 7.30.2021

Mr. Wicks provided the commission with recent development project updates and gave an overview of upcoming projects. Topics included a request for a future staff report on parliamentary procedure and updates on tree mitigation for numerous projects in Argyle.

I. ADJOURNMENT

With no further business to attend, the meeting was adjourned at 9:30 PM.

APPROVED THIS THE 1st DAY OF SEPTEMBER 2021.

WITNESS:


Casey Stewart, Chairman


Emilio Sanchez, Director of Community
Development