



"A GREAT PLACE TO LIVE"

**MINUTES
PLANNING AND ZONING COMMISSION
WEDNESDAY, NOVEMBER 15, 2023
CITY HALL COUNCIL CHAMBER, 7105 WHITLEY ROAD
REGULAR MEETING
6:30 P.M.**

CALL TO ORDER

Chairperson Karen Isbell called the meeting to order at 6:30 p.m.

ROLL CALL

Vacant	Place 1, Member
Quincy Adams	Place 2, Secretary
Jillian Giles	Place 3, Member
David Bry	Place 4, Member
Cristy McCauley-Blackburn	Place 5, Member
Karen Isbell	Place 6, Chairperson
Sharon Gehle	Place 7, Vice-Chairperson

And

Jan Hill	City Council Liaison
Randy Richards	Assistant Public Works Director
Jeannette Garcia	Planner I

PRESENTATIONS

PUBLIC COMMENT

Chairperson Isbell called for Public Comment. Request to Speak forms were not received and there were no participants present requesting to speak.

PUBLIC TESTIMONY FOR ACTION ITEMS

Chairperson Isbell called for Public Comment. Request to Speak forms were not received and there were no participants present requesting to speak.

ANNOUNCEMENTS

CONSENT AGENDA

1. Consider action to approve the meeting minutes of the October 18, 2023, Regular meeting of the Planning and Zoning Commission

Chairperson Isbell entertained a motion. Member McCauley-Blackburn made a motion to approve the October minutes as presented and Member Adams seconded the motion.

With there being no discussion, Chairperson Isbell called for a vote, with members present voting as follows:

AYES:	Adams, Giles, Bry, McCauley-Blackburn, Gehle
NAYS:	None
ABSENT:	None
ABSTAIN:	None

The motion carried 5-0-0-0.

PUBLIC HEARING

1. **P.23-03:** Public hearing to receive comments for or against a preliminary plat for Lots 1-125 Block A, Lots 1-6 Block B, Lots 1-8 Block C being known as The Pointe at Capp Smith Lake Addition, located east of Denton Highway, west of Parkview Drive, north of Hightower Drive and south of Starnes Road. The proposed plat is to subdivide 11.702 acres out of the Phillip Green Survey, Abstract No. 566 into 132 total lots and 7 open space lots to accommodate future single-family townhome development. Owner, CW-Smith Lake LLC. Applicant, Ashton Woods.

Chairperson Isbell introduced Jeannette Garcia to present Case No. P.23-03.

Ms. Garcia introduced the item as a plat request for the property known as The Pointe at Capp Smith Lake, proposed to include 132 single-family residential townhome lots and seven (7) open space lots. The property under consideration is an 11.703 acre site and the property is zoned PD (Planned Development). This zoning was approved by the City Council on May 8th of this year. (Ordinance No. 2023-007)

The lot sizes on the plat range from 1650 square feet to 2204 square feet, with an average size of 1851 square feet. The typical residential lot is 22 feet wide and 75 feet deep, with a maximum density of 12 dwelling units per acre. The phasing of the preliminary plat identifies the stages of development which can begin while the developer awaits results from FEMA officially granting a Letter of Map Revision (LOMR) revising the current FIRM to show changes to floodplains, floodways or flood elevations.

The development incorporates 3.844 acres of open space in 7 lots. Approximately 2.122 acres of open space/drainage easement area surrounds the eastern portion of the property from Starnes Road adjacent to Capp Smith Park. Six additional common area lots are to be provided within the subdivision. Primary street access to the development is from Starnes Road, with four additional street connections on the west side of the property. This secondary

connection will continue as a shared access provided in part to increase emergency access and reduce response times to the neighborhood, and to avoid total reliance on Starnes Road for ingress/egress to the subdivision.

Preliminary engineering has been started if you recall when the zoning application was submitted. Full engineering will be submitted to staff upon approval of the preliminary plat by the City Council and you will see the final plat for recommendation of approval prior to the issuance of building permits on the new lots.

The public hearing notice was published and posted by the City Secretary's Office. Additionally, required notices were mailed to all property owners located within 200 ft. of the subject property. Staff has received one response from the property owner at 5805 Starnes Road and the protest is included in your packet.

Texas Local Government Code 212.005 requires the municipal authority responsible for approving plats must approve a plat or replat that is required to be prepared under this subchapter and that satisfies all applicable regulations. The plat submitted meets these requirements.

Finally mentioned was that city staff fully supports this request for a preliminary plat. The applicant's agent, Mr. Warren Corwin, Corwin Engineering, Danny Satsky, Ashton Woods (Land Acquisition and Development) were present to answer any questions.

Chairperson Isbell asked if any of the commission members had any questions. Member Giles inquired of the FEMA floodplain and Phase II which consist of approximately 9 lots. Mr. Corwin addressed the members stating that there is a slight bit of floodplain as the existing FEMA map shows that is encroaching on some of the lots. Phase II will be pulled out while the flood study is being completed, developing the entire site while waiting for the study to be approved. Once approved, the minor fill work on Phase II will then be filled to meet the appropriate elevations.

Member Gehle shared concern for turning radiuses and parking. Mr. Corwin stated he has confidence in the 15' alley and the circulation will be adequate.

Member Giles inquired of the Traffic Impact Analysis completed in December 2022. Noted previously on the traffic impact study were that three access points to Starnes. Mr. Corwin acknowledged that his group had not requested completion of the initial traffic impact study. However, when his meetings began with staff, it was requested that an access point be removed so that the lots faced Starnes Road and were more aesthetic. Member Giles shared concern that with several homes to the west, there is limited access to Starnes Road and/or Denton Highway. Mr. Richards acknowledged that staff wanted to limit the number of access points to Starnes Road. Member Giles asked Mr. Richards if the traffic impact analysis had been reassessed since changing to one access

point to Starnes Road. Mr. Richards advised the Commission members that he will take the concerns back to the Director for reconsideration.

Member Gehle had concern about the garage space and trash bins on the lot spaces. She also shared concern regarding mailbox clusters. Mr. Corwin shared that they will be staggered throughout the neighborhood. Garage sizes are typical and were initially approved in the PD.

Members were also reminded to reference Ordinance No. 2023-007 which was approved by the governing body.

Member McCauley-Blackburn called point of order to remind the members to stay on point.

Member Gehle made a comment to the developer, advising that she had pulled the Bursey Townhomes tax records and only 15 have sold which is a very low absorption rate and wanted them to be cognizant of the situation.

Member McCauley-Blackburn shared concern of the drives which will also access the commercial businesses and drive approaches will be utilized by additional motorist turning south onto Denton Highway to avoid a controlled signal.

Mr. Richards also mentioned that the Development Review Team held meetings regarding the parking of vehicles along the western access drive and that code enforcement and police patrol will monitor the situation to make certain that access drives are not blocked for through traffic.

Council liaison Jan Hill shared concern of impact on paving due to heavy traffic and regarding the turns north and south onto Denton Highway.

Member Giles questioned if a pause motion can be made as a recommendation. Mr. Richards reminded the members that the plat meets all requirements and by law the municipal authority responsible for approving plats must approve a plat which satisfies all applicable regulations.

Final word was made by Mr. Corwin that his group can have the TIA updated with the current layout, if the Director feels this to be of concern. He also stated that the TIA will be updated prior to the final plat being presented.

Member McCauley-Blackburn reminded the members that a recommendation will be made by the Commission to the Council for approval of the preliminary plat. Chairperson Isbell reminded the members that additional revisions may be made prior to approval of the final plat in the future.

With the introduction of the case being completed, Chairperson Isbell opened the public hearing at 7:08 p.m.

With there being no one wishing to speak, Chairperson Isbell closed the public hearing at 7:08 p.m.

ACTION ITEMS

1. **P.23-03:** Consideration of a request from Ashton Woods for a preliminary plat out of the Phillip Green Survey, Abstract No. 566, being 11.703 acres located east of Denton Highway, west of Parkview Drive, north of Hightower Drive and south of Starnes Road.

Chairperson Isbell entertained a motion for recommendation regarding the preliminary plat as requested. A motion was made to approve P.23-03 sending recommendation to Council with discussed concerns by Member McCauley-Blackburn, and a second by Member Bry.

With there being no further discussion, Chairperson Isbell restated the motion for recommendation of approval of the preliminary plat and send to council with the discussed concerns and then called for a vote, with members present voting as follows:

AYES: Adams, Giles, Bry, McCauley-Blackburn
NAYS: Gehle
ABSENT: None
ABSTAIN: None

The motion carried 4-1-0-0.

ITEMS FOR FUTURE AGENDAS

Vacant	Place 1
Quincy Adams	Place 2 – None
Jillian Giles	Place 3 – None
David Bry	Place 4 - None
Cristy McCauley-Blackburn	Place 5 - None
Karen Isbell	Place 6 - None
Sharon Gehle	Place 7 – None

ADJOURNMENT

With there being no further items to discuss, Chairperson Isbell adjourned the meeting at 7:12 p.m.

APPROVED: this the 21st day of February, 2024.

SIGNED: this the 21st day of February, 2024.

APPROVED:
Karen Isbell /s/
Member

APPROVED: Karen Isbell, Chairperson

ATTEST: Q. Adams /s/

Quincy Adams, Secretary

NOTE: Original Audio Recording of this meeting is preserved and maintained by the City Secretary's Office.



PLANNING AND ZONING COMMISSION
RECOMMENDATION TO COUNCIL

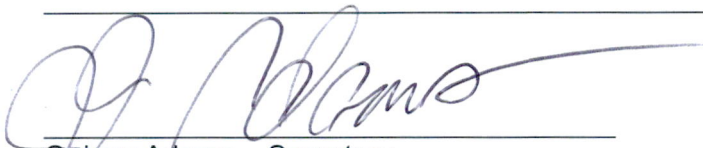
PLANNING AND ZONING MEETING: **November 15, 2023**

P.23-03: Consideration of a request from Ashton Woods for a preliminary plat out of the Phillip Green Survey, Abstract No. 566, being 11.703 acres located east of Denton Highway, west of Parkview Drive, north of Hightower Drive and south of Starnes Road.

RECOMMEND APPROVAL OR DENIAL:
APPROVAL ✓ **DENIAL** _____

COMMENTS:

(REQUIRED FOR DISAPPROVALS)


Quincy Adams – Secretary


Karen Isbell - Chairperson