

Minutes of the February 17, 2022
Planning and Zoning Commission Meeting

The Planning and Zoning Commission of the City of Pilot Point, Texas met on February 17, 2022 at 6:30 p.m. for a regular meeting of the Planning and Zoning Commission. Planning and Zoning Commission Members present were Bryan Heitzman, Mark Lanier, Steve Keith, and Scott Cates. Staff members present were Development Services Director John Taylor, Planner Christina Benante, City Attorney Brenda McDonald, and Development Services Administrative Assistant JoAnn Wright.

A. ROLL CALL/CALL TO ORDER

Commissioner Heitzman declared a quorum and called the meeting to order at 6:32 pm.

Commissioner Heitzman called the roll:

Commissioner Dennis – Absent

Commissioner Speer - Absent

Commissioner Lanier – Present

Chair Heitzman - Present

Commissioner Keith – Present

Commissioner Sevier - Absent

Commissioner Cates – Present+

B. Public Forum:

Commissioner Heitzman announced the public forum open at 6:33 pm.

With no comments Commissioner Heitzman closed the public forum at 6:33 pm.

C. Discuss, consider, and possible action on the January 6, 2022, Planning and Zoning Commission meeting minutes.

Commissioner Lanier made the motion to approve the minutes from the January 6, 2022, Planning and Zoning Commission meeting. Commissioner Cates seconded the motion. The motion passed unanimously.

D. Z22-001 B3 Duplexes – Zoning Change Request

Discuss, consider, and take any necessary action on a zone change request to a plus or minus 1.32-acre tract from “MF-1” Multi-family 1 (Duplex) and “C-2” Commercial to “MF-1” Multi-family 1 (Duplex). The property is bounded by Washington Street, Morgan Street, and Jefferson Street with the approximate address of 100 W. Holford Street and 109 Morgan Street, Pilot Point, TX.

• **Staff report and presentation.**

Planner Benante stated the owner Mr. Trey Gruenwald is requesting a zoning change to develop a project named B3 Duplexes in an area with existing duplex development. This request updates the zoning to be in alignment with the proposed use and recent development in the area. A replat has been submitted to combine a mix of three platted and un-platted parcels. The request is also in conformance with the adopted Future Land Use Plan which shows the area as low to medium density residential.

Staff recommends approval as submitted.

Development Services Director Taylor added this is a straight zoning change.

- **Public Hearing.**

Chair Heitzman opened the public hearing at 6:38 pm.

Melissa Gruenwald stated that the product they are proposing is like one they built in Sanger. There would be seven units which would have fourteen front doors. There would be a retention pond and a dog park or playground.

With no other comments, Chair Heitzman closed the public hearing at 6:40 pm.

- **Discuss, consider, and take any necessary action.**

Commissioner Cates made the motion to recommend that City Council approve the ordinance to rezone a plus or minus 1.32-acre tract from C-2” Commercial to “MF-1” Multi-Family 1 (Duplex). Commissioner Lanier seconded the motion. The motion passed unanimously.

E. RP22-001 Dorothy Court Addition Replat

Discuss, consider, and take any necessary action on the Replat for Dorothy Court Addition, Phase 1A, Lots CA3, 4R, & CA4R Block D, a 1.43 acres replat south of Carol St. and east of Dorothy Blvd.

- **Staff report and presentation.**

Planner Benante stated owner Mr. Jacob Tudor is requesting a replat to create an additional Single Family (SF-2) Lot 4R in Planned Development 001 (PD-001) Yarbrough Farms, Phase 1A.

The current Lot CA4 was planned as a Common Area and the eastern part with the pond will remain as CA4R.

The current location of the Homeowner Association’s amenity center on Lot 3 was intended for a SF-2 residence. This replat updates the lot to reflect its use more accurately as Lot CA3.

The replat is in keeping with the Preliminary Plat and the Planned Development zoning as the existing amenity center was built on a planned residential lot rather than the intended lot to the east. This replat establishes the amenity center lot as a common area lot and takes an approximately equal area to a residential lot.

Staff recommends the plat be approved as submitted.

- **Applicant presentation.**

Applicant was not present at this meeting.

Chair Heitzman asked what happened to cause this mistake.

Planner Benante stated it was indicated to the city that it was a surveyor error created at the very beginning of the construction of Yarbrough Farms.

City Attorney McDonald stated that if the replat meets all ordinances and laws, the Commission is obligated to approve the replat. Ms. McDonald also suggested that the Commission could go into executive session to receive legal advice.

Chair Heitzman made the motion to convene into executive session under Texas Government Code 551.071 to receive legal advice on agenda item E (Dorothy Court Addition Replat). Commissioner Cates seconded the motion. The motion passed unanimously.

The Planning and Zoning Commission Meeting convened into executive session at 7:02 pm.

The Planning and Zoning Commission Meeting convened into regular session at 7:23 pm.

Chair Heitzman stated, as a result of the executive session, no additional action is needed.

Based on the Commissions conversation with the city attorney, Chair Heitzman made the motion to approve the replat for Dorothy Court Addition, Phase 1A, Lots CA3, 4R, & CA4R Block D.

Commissioner Keith seconded the motion.

Votes: Chair Heitzman – for Commissioner Lanier – for
 Commissioner Keith – for Commissioner Cates – against

Motion passes with a three to one vote.

Chair Heitzman asked the secretary to report in the minutes the commissions frustration with its inability to deal with yet another error that has a significant impact with this neighborhood.

F. FP22-001 Mobberly Farms Phase 1 – Final Plat

Discuss, consider, and take any necessary action on the Final Plat for Mobberly Farms Phase 1, 91.076 acres located in the J.H. Holcomb & E.E. Steen Survey Abstract 1467, Levi Robinson Survey Abstract 1488, James H. Melroy Survey Abstract 895, and Denton County Fresh Water Supply District 12 & 13, Denton County, Texas; creating 486 residential lots, eleven non-residential lots, and 20.171 acres of street right-of-way.

- **Staff report and presentation.**

Planner Benante stated the property owner, MM Mobberly 236, LLC., is proposing to Final Plat Phase 1 of Mobberly Farms. The property was recently annexed into the city's Extra Territorial Jurisdiction (ETJ).

Denton County was the initial governing body for this development. The Denton County platting process differs from the city in that the Final Plat is not processed until the infrastructure is completed.

The plat meets the regulations of the Subdivision Rules and Regulations. Civil engineering plans for the construction were approved by Denton County and have since been reviewed by city engineer, public works director and the capital projects manager. All infrastructure has been inspected by the city and all review comments have been addressed.

Staff recommends approval of the Final Plat as submitted.

Development Services Director Taylor stated that when the property is annexed into the city, this will be a Planned Development (PD).

- **Applicant presentation.**

Engineer Travis Mondok stated the following as features of the property:

1. A large amenity center planned on property where there is a drainage easement.
2. 2,000 lots.
3. Lots of open space.
4. Expansion of FM 1385 and Mobberly Road at this property.
5. 2.5 acres dedicated for a public safety site.
6. Walking trails through out flood plain area which will connect with other area developments.
7. A commercial portion of land next to FM 1385 will be dedicated to commercial business.
8. The utilities are being provided by Mustang Water.

City Attorney McDonald stated this development began in the county and not in the City's ETJ which means they have the right to have a MUD water district with no input from the city. They have chosen to have a PID/TIRZ model for financing public infrastructure. The city's option is to work with the developer to accomplish their goals and annex the property into the city to increase the city's tax base, get the school site and have some input on the final product. The city has an application for annexation and zoning for approval by City Council. Creekview Meadows

Development which is just to the south of Mobberly Farms is in the city's ETJ and will be annexed into the city limits.

Commissioner Keith made the motion to recommend City Council approve the Final Plat for Mobberly Farms Phase 1. Commissioner Cates seconded the motion. The motion passed unanimously.

G. Workshop on the following:

- TIRZ/PID/MUD
- Annexation/ETJ Process

Chair Heitzman started the workshop at 7:45 pm.

City Attorney McDonald gave training on the following:

1. Tax Increment Reinvestment Zone (TIRZ).
2. Public Improvement District (PID).
3. Municipal Utility District (MUD).
4. Annexation and ETJ process.

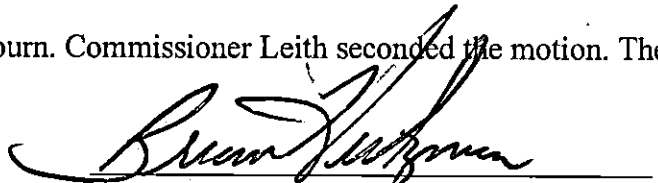
H. Items for Future Discussion

There were no items listed for future discussion.

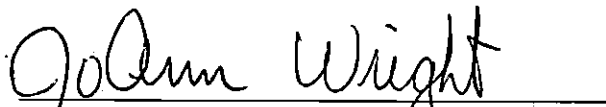
I. Adjourn.

Commissioner Cates made the motion to adjourn. Commissioner Leith seconded the motion. The meeting adjourned at 9:00 pm.

ATTEST:



Brian Heitzman, Chair



JoAnn Wright, Development Services
Administrative Assistant
Approved 3/17/2022