



**CITY OF DENISON  
PLANNING AND ZONING COMMISSION MEETING  
NOTES**

**Tuesday, June 25, 2024**

**1. CALL TO ORDER**

Announced the presence of a quorum.

Chair Charlie Shearer called the meeting to order at 10:00 a.m. Commissioners present were Chair Charlie Shearer, Vice Chair Robert Sylvester, Commissioners Linda Anderson, Angela Harwell, and Ernie Pickens.

Staff present were Dianne York, Planner; Felecia Winfrey, Development Coordinator; Kirk J. Kern, Chief Building Official; and Karen Avery, Deputy City Clerk.

The Invocation was delivered by Chair Shearer, followed by the Pledge of Allegiance led by Commissioner Anderson.

**2. PUBLIC COMMENTS**

No comment cards were returned to the Deputy City Clerk. Therefore, public comments were not received.

**3. CONSENT AGENDA**

- A. Receive a report, hold a discussion, and take action on approving the Minutes from the Planning and Zoning Commission Meeting held on June 11, 2024.
- B. Receive a report, hold a discussion, and take action on a Site Plan for Whataburger, a drive-thru restaurant located on the north side of FM 120. (Case No. 2024-030SP)

Commission Action

On motion by Commissioner Harwell, seconded by Commissioner Pickens, the Planning and Zoning Commission approved the Consent Agenda. [Commissioner Anderson abstained from the Minutes as she was absent at the June 11, 2024. Meeting.]

#### **4. PUBLIC HEARINGS**

- A. Receive a report, hold a discussion, conduct a public hearing, and make a recommendation on a request to rezone a tract of land consisting of approximately 6.559 acres, being commonly known as GCAD Property ID No. 355667, 215 S. US Highway 75 from the Commercial (C) District to a Planned Development Overlay (PD) District to allow for the use of metal building material for the façade of the existing building. (Case No. 2024-040PD).

##### Commission Action

Dianne York, Planner, presented this agenda item. Ms. York provided an aerial view of the property. Ms. York stated that this case is for Blake Utter Ford located on the west side of US 75, south of Walmart. Ms. York stated that the Applicant is requesting to rezone the subject property from the Commercial District (C) to a Planned Development Zoning District (PD) for the use of metal building material for the façade of the building. The subject property falls within the Highway Oriented and Corridor District Overlay (HO) District. Ms. York stated that, per Section 28.46.5.2.b, the use of metal building materials for facades within this Overlay is prohibited. The proposed PD will allow for the use of metal building material for the façade of an existing building located at 215 S. US Hwy 75 for the auto dealership known as Blake Utter Ford. Ms. York stated that approval of the proposed PD will allow Blake Utter Ford to move forward with utilizing Ford Motor's new Signature MV design, which incorporates Aluminum Composite Material (ACM), on the front façade of existing buildings. Staff recommended approval of the Planned Development Zoning District.

Ms. York stated that staff wants to be mindful that they do not place themselves in a situation where they come back and say that they should not have done something. She stated that she and Director of Development Mary Tate are reviewing the Highway Overlay to see if there is a way to build exceptions into the building material, because this is going to look substantially cleaner and will improve their façade. She stated that it will definitely improve the corridor area. Ms. York stated that staff appreciates the Applicant's patience with them as they work through the process, but, unfortunately, there's just no room in the Ordinance at the moment to allow them to move forward without this zoning change.

Chair Shearer asked if there was anyone else present who wished to speak on this agenda item.

Mr. Bruce Green came forward and provided the following information:

Name: Mr. Bruce Green, BWG Architecture (Applicant's Representative)

Address: 218 Emily Lane  
Van Alstyne, TX 75494

Mr. Green stated that he was available for any questions from the Commission – to which there were none.

Chair Shearer asked if there was anyone else present who wished to speak on this agenda item, to which there were none. With that, Chair Shearer closed the Public Hearing.

On motion by Commissioner Pickens, seconded by Vice Chair Sylvester, the Planning and Zoning Commission unanimously recommended approval of the subject property being rezoned to a Planned Development Zoning District for the use of metal building material for the façade of the existing building.

- B. Receive a report, hold a discussion, conduct a public hearing, and take action on Lot 1R, Block 1 of the Gateway East Professional Office Park, being a Replat of Lot 1R-1 & 1R-2, Block 1, of the Replat of Lot 1, Block 1 of the Gateway Addition, Phase 6. (Case No. 2024-058RP)

#### Commission Action

Dianne York, Planner, presented this agenda item. Ms. York provided an aerial view of the property. The Applicant is seeking approval of the proposed Replat consisting of approximately 3.893 acres. Ms. York stated that this property has come before the Commission twice for a Replat proposing two lots, as well as a site plan approval. Ms. York stated that the Applicant is now requesting this proposed Replat in order to turn those two lots into one. She stated that the site plan is still approved. Ms. York stated that the civil engineering plans are approved and they are under construction. The property is zoned Planned Development (PD) and is currently being developed. Ms. York stated that the property will have access to FM 691 and Theresa Drive and has access to water and sewer. Staff recommended approval of the Replat as submitted.

Chair Shearer asked if there was anyone present who wished to speak on this agenda item, to which there was none. With that, Chair Shearer closed the Public Hearing.

On motion by Commissioner Anderson, seconded by Commissioner Harwell, the Planning and Zoning Commission approved the proposed Replat.

## **5. STAFF UPDATES**

Planner York stated that the Highway Overlay Ordinance will be brought before the Commission with proposed changes on July 9, 2024. She stated that if there are any items that the Commission wishes staff to consider, please send them an email as they want to ensure that they have a thorough examination of the amendments they prepare. Ms. York stated that at the June 17, 2024, City Council meeting, the Duck Creek Crossing Planned Development item was tabled to the July 1, 2024, City Council meeting.

6. ADJOURNMENT

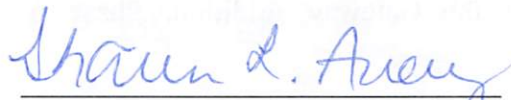
There being no further business to come before the Commission, the meeting was adjourned at 10:13 a.m.



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CHARLIE SHEARER, Chairman

ATTEST:



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Karen L. Avery, Deputy City Clerk