



**CITY OF DENISON
CITY COUNCIL MEETING
MINUTES**

Monday, April 1, 2024

Announce the presence of a quorum.

Mayor Janet Gott called the meeting to order at 6:00 p.m. Council Members present were Mayor Pro Tem Robert Crawley, Brian Hander, Michael Courtright, James Thorne, Joshua Massey and Aaron Thomas. Staff present were Interim City Manager, Bobby Atteberry, Assistant City Manager, Renee Waggoner, City Attorney, Julie Fort, and City Clerk, Christine Wallentine. Department Directors and members of the media were also present.

1. INVOCATION, PLEDGE OF ALLEGIANCE AND TEXAS PLEDGE

Council Member James Thorne gave the invocation which was followed by the Pledge of Allegiance and Texas Pledge led by Grayson College Softball Team Members Sam Hartman, Danleigh Harris and Kamryn Cantu.

2. PUBLIC COMMENTS

Mayor Gott called for any public comments at this time and reminded those wanting to comment of the guidelines established by the City Council. Christine Wallentine, City Clerk, confirmed no Request to Speak Cards were received at this point in the meeting. Therefore, no public comments were received.

3. CONSENT AGENDA

- A. Receive a report, hold a discussion and take action on approving the Minutes from the Regular City Council Meeting held on March 18, 2024.
- B. Receive a report, hold a discussion and take action on the appointment of Marq Hoil to fill the remainder of the two-year term on the Main Street Advisory Board of Jimmay Mundine that commenced on January 1, 2024.
- C. Receive a report, hold a discussion and take action on the appointment of Marq Hoil to the Main Street Inc. Board of Directors to fill the remainder of Jimmay Mundine's two-year term that commenced January 1, 2024.
- D. Receive a report, hold a discussion and take action on denying the extraterritorial jurisdiction release petition received from Ray C. Davis and Linda B. Davis for property located at or near Desvoignes Road, Denison, Texas more particularly described as G-1311 Wright William A-G1311, acres 8.83 and G-0919 Oldham William A-G0919, Acres 70.76, GCAD Property ID Nos. 230631 and 230639.

- E. Receive a report, hold a discussion and take action on the appointment of Cindy Salem to the Conventions and Visitors Bureau Advisory Board.
- F. Receive a report, hold a discussion, and take action on entering into an agreement with The C.T. Brannon Corporation (Contract Number 2024-0045) to prepare civil engineering related designs for the repairs of the natatorium structure and enclosure at Waterloo Pool and authorize the Interim City Manager to execute the same.
- G. Receive a report, hold a discussion, and take action on awarding a proposal and entering into a contract with Walker Frozen Ice LLC for Shaved Ice Services at Texoma Health Foundation Park (Contract Number 2024-0046) and authorize the Interim City Manager to execute the same.
- H. Receive a report, hold a discussion, and take action on an Interlocal Agreement with Grayson County for improvements to a portion of Juanita Drive (Contract No. 2024-0042) in the amount of \$58,464.08.
- I. Receive a report, hold a discussion, and take action on the approval of the purchase of a Vermeer Hydrovac trailer, with a total purchase amount of \$61,076.35, from Vermeer Texas, and authorize the Interim City Manager to execute any associated documents.
- J. Receive a report, hold a discussion, and take action on rejecting all bids received for the 2023 THF Park - Parking Improvements and authorize staff to revise and readvertise an Invitation to Bid.

Council Action

On motion by Mayor Pro Tem Crawley, seconded by Council Member Thorne, the City Council unanimously approved the Consent Agenda as presented.

4. PUBLIC HEARINGS

- A. Receive a report, hold a discussion, conduct a public hearing, and take action on an Ordinance to rezone a ± 3,114.1-acre tract of land more commonly known as being located at the northwest corner of SH 84 and FM 406, from the Agricultural (A) District to a Planned Development Overlay District established as a freestanding Planned Development to allow for a mixed-use development. (Case No. 2024-012PD).

Council Action

Dianne York, Planner, stated the applicant is requesting a rezone from Agricultural District to a Planned Development Overlay District. The subject property is located in the northwest corner of the City. The property was annexed sometime in 2013 and was provided the default zoning of agricultural. In order to prepare the property for development, the applicant is seeking a Planned Development Overlay District for the master planned community Preston harbor. Preston Harbor will be developed utilizing a variety of residential uses, nonresidential uses along the perimeter, along with some less intense nonresidential uses within the interior, the neighborhoods, as well as some open space and park land. For reference, Ms. York provided a slide showing the concept plan together with the conceptual trail master trail plan. Residential uses depicted on the concept plan will include a variety of different types of single-family homes, townhomes, multifamily, and two family. All of these development standards for these specific

residential uses are listed within the Preston Harbor Planned Development District document provided as backup within this agenda. While there is no maximum number or density total for the specified residential uses, at the end of development there will not be any units over 10,000 to be developed. So, the max total number of units is 10,000 for the property. As mentioned, the nonresidential development will take place along the perimeter of the property along FM 84, FM 406 and to the north of the property. These nonresidential uses will comply with the Office Zoning District development standards, Local Retail zoning development standards and the Neighborhood Services development standards listed within the City of Denison code of ordinances, with some deviations and those deviations are listed within the Preston Harbor Planned Development. Landscaping shall comply with the provisions set forth in Section 28.51 of the City of Denison's zoning ordinance. However, natural areas may be included as and counted towards any landscaping requirements. Same thing goes for the perimeter fencing requirements, those will be developed in accordance with the zoning ordinance. However, deviations can be presented through the site plan submittal and staff as well as the Planning and Zoning Commission may be able to approve those deviations. Ms. York reiterated that all deviations or development standards are listed within the Planned Development District associated with this agenda item. Ms. York added that staff feels this PD reflects the intent that Preston Harbor be developed in a manner that offers walkability, connectivity and multimodal options. Hike and bike trails and golf cart paths will be constructed in addition to typical vehicular infrastructure providing residents and visitors multiple transit opportunities. Additionally, the property is intended to be planned and constructed in a manner that ensures adequate open and park spaces. Staff has reviewed the presented PD document against the development agreement that has already been approved and both documents mirror one another. For these reasons, along with the development standards that have been presented, or provided within the agenda, staff recommends approval, as did the Planning and Zoning Commission at their meeting held on March 26, 2024.

Mayor Gott then asked if there was anyone present who wished to speak on this agenda item. Mr. Roeder came forward and provided the following information for the record:

Name: Bob Roeder, Attorney

Address: Abernathy, Roeder, Boyd and Hullett, P.C.
1700 N. Redbud Blvd., Suite 300
McKinney, TX

Mr. Roeder stated he was speaking on behalf of the applicant. Mr. Roeder started by complimenting the staff, specifically Dianne York, Planner, and Mary Tate, Director of Development Services. Mr. Roeder stated they have been exceptionally good to work with and finds them both to be very knowledgeable about the City's Code of Ordinances as well as state law. These girls know what they are doing, and the Council should be very comfortable with their recommendation. Mr. Roeder commented that each of the Council Members have been involved in this process for some time. We approved a development agreement at the end of last year and this planned development ordinance is really the mechanism that gives them the zoning needed to start construction, to actually start the land use preparation out there. Mr. Roeder stated that Ms. York did a very good job of walking the Council through the particulars. Mr. Roeder stressed this 3100 plus acres is being planned to take advantage of all the natural features that we have, Lake Texoma, the inundations and topography of the property, etc. It is a remote location today but will not be remote for long. All of these things have been folded into this planning document;

walkability, golf cart ability, are all going to be primary modes of transportation within this property. They have had conversations with the school district about a school site and some other things. Nothing has been firmed up, but this will be a very nice place for the residents of Denison, and it should attract a lot of new residents to the City. Mr. Roeder stated he was happy to go through any of the details if the Council would like him to. Otherwise, he would just say he is pleased to be here and would ask for the Council's approval.

There was no discussion or questions from Council.

Mayor Gott then asked if there was anyone else present who wished to speak to this agenda item, to which there were none. With that, the Mayor closed the public hearing.

On motion by Mayor Pro Tem Crawley, seconded by Council Member Courtright, the City Council unanimously approved Ordinance No. 5341, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF DENISON, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY CHANGING THE ZONING CLASSIFICATION FROM AGRICULTURAL (A) TO PLANNED DEVELOPMENT OVERLAY DISTRICT (PD) ON AN APPROXIMATELY 3,114.1-ACRE TRACT; BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A-1" AND DEPICTED IN EXHIBIT "A-2"; PROVIDING DEVELOPMENT STANDARDS, ATTACHED HERETO AS EXHIBIT "B"; PROVIDING A CONCEPT PLAN, ATTACHED HERETO AS EXHIBIT "C"; PROVIDING FOR SEVERABILITY, REPEALING, AND SAVINGS CLAUSES; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW."

- B. Receive a report, hold a discussion, conduct a public hearing, and take action on an Ordinance to rezone approximately .1148 of an acre tract legally described as Lot 8, Block 1 of the J.P. Dumas Addition, commonly known as 301 E. Shepherd Street, GCAD Property ID No. 146205, from the Local Retail (LR) District to the Single-Family (SF-5) Residential District to allow for residential use. (Case. No. 2024-010Z)

Council Action

Dianne York, Planner, introduced this agenda item. This zoning request is for property located at the corner of East Sheppard and South Crockett Avenue, commonly known as 301 E. Shepard. The applicant is requesting a rezone to the SF-5, Single Family Residential Zoning District. The block has been developed in this manner. The applicant wishes to build a one car garage. A lot of the homes that are built within this block have either one car carport or no covered parking whatsoever. Given that this is a 50 by 100 lot, it fits all the development standards for the SF-5 Zoning District and the Comprehensive Plan does call for this area to be developed in a residential manner. For this reason, staff does recommend approval of the request as did the Planning and Zoning Commission at their March 26, 2024 meeting.

Mayor Gott then asked if there was anyone present who wished to speak to this agenda item. Mr. Johnson came forward and provided the following information for the record:

Name: Aaron Johnson

Address: 1909 Polaris Street
Denison, TX

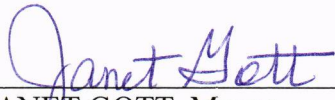
Mr. Johnson said he was there on behalf of Holly Jolly Homes. As Ms. York stated, the whole area has been developed in the Single Family 5 manner. So, they would like the Council to approve this zoning request in order to build a house with a one car garage.

There was no discussion or questions from Council.

Mayor Gott then asked if there was anyone else present who wished to speak to this agenda item, to which there were none. With that, the Mayor closed the public hearing.

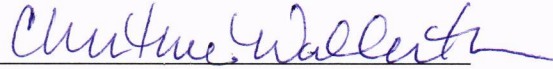
On motion by Mayor Pro Tem Crawley, seconded by Council Member Thomas, the City Council unanimously approved Ordinance No. 5342, "AN ORDINANCE OF THE CITY OF DENISON, TEXAS, AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION ON A CERTAIN TRACT OF LAND LEGALLY DESCRIBED AS LOT 8, BLOCK 1, OF THE J.P. DUMAS ADDITION, AN ADDITION TO THE CITY OF DENISON, GRAYSON COUNTY, TEXAS, ACCORDING TO DEED RECORDED IN VOLUME Y, PAGES 324 AND 325, DEED RECORDS OF GRAYSON COUNTY, TEXAS, COMMONLY REFERRED TO AS 301 E. SHEPHERD STREET, DENISON, TX, AND MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT "A", FROM ITS ZONING CLASSIFICATION OF LOCAL RETAIL (LR) DISTRICT TO SINGLE FAMILY (SF-5) RESIDENTIAL DISTRICT; PROVIDING THAT SUCH TRACT OF LAND SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE CITY; PROVIDING THAT THE ZONING MAP SHALL REFLECT THE SINGLE FAMILY (SF-5) RESIDENTIAL DISTRICT FOR THE PROPERTY; PROVIDING A PENALTY; PROVIDING REPEALING, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE."

There being no further business to come before the Council, the meeting was adjourned at 6:15 p.m.



JANET GOTT, Mayor

ATTEST:



Christine Wallentine, City Clerk