

**STATE OF TEXAS
COUNTY OF DENTON
CITY OF CORINTH**

On this April 18, 2016, The Planning and Zoning Commission of the City of Corinth, Texas, met in a Special Session at Corinth City Hall, located at 3300 Corinth Parkway, Corinth, TX. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members, to wit:

Members Present:

Brian Rush
Bruce Hanson
Dwayne Zinn
Breien Velde
Marc Powell
Bill Morgan

Members Absent:

Haven Hendrik

CALL TO ORDER

The Special Session Meeting of the Planning & Zoning Commission of the City of Corinth, Texas, was called to order by Brian Rush at 7:00 p.m.

INVOCATION

Mr. Morgan delivered the invocation.

CONSENT AGENDA

1. Consider and act on Minutes from the March 28, 2016 Planning and Zoning Commission Regular Session.

MOTION made by Mr. Hanson to approve the consent agenda.

SECONDED by Mr. Morgan.

5-0. All in favor.

Ayes:	Brian Rush, Bruce Hanson, Dwayne Zinn, Marc Powell, Bill Morgan
Noes:	none
Present but not voting:	Breien Velde
Absent:	Haven Hendrik

MOTION TO APPROVE CARRIES

2. Consider and act on the Preliminary Plat of Terrace Oaks Addition Phase I, Lots 1-33, Block 1; Lots 1-30, Block 2; Lots 1-16, Block 3; Lots 1-13, Block 4; Lots 1-16, Block 5, being 31.364 acres situated in the W.M. Wilson Survey, County Abstract 1383, the D.A. Ware Survey, County Abstract 1580, and the W.M. Garrison Survey, County Abstract 0508 in the City of Corinth, Denton County, Texas.

Ms. Cabbage gave a brief overview of the plat request. She also said both the preliminary and final plats have been reviewed by the Development Review Committee and approved by the City’s engineering consultant—with only one outstanding issue, an offsite easement that needs to be delineated.

Mr. Upchurch said there was a 50 foot water and sewer easement that was granted before staff could review it, but, during the subdivision review process the City determined it was not what the City needed for its purposes, and are in the process of having portions of it abandoned—and are retaining a sanitary sewer easement.

Ms. Cabbage also said that parkland dedication was approved in August, 2015. Meritage Homes will be maintaining the open space.

Mr. Hanson asked about the vicinity map on the preliminary plat, being inaccurate. Ms. Cabbage said that will be fixed prior to the filing of the plat. She also said the final plat has the correct vicinity map on it.

Mr. Hanson asked about the emergency access through lot three. Ms. Cabbage said that was not required because of the second planned access, however, the Fire Department asked for an emergency access and the developer complied. She said it meets the separations as required by the fire code.

Mr. Hanson asked about the staff recommendation wording. Ms. Cabbage said “City Staff recommends approval of the plat subject to the approval and recordation of an ordinance abandoning a portion of the drainage and sanitary sewer easement by the applicant obtained in accordance with section 3.03 of the Unified Development Code.”

MOTION made by Mr. Hanson to approve the plat subject to the approval and recordation of an ordinance abandoning a portion of the drainage and sanitary sewer easement by the applicant obtained in accordance with section 3.03 of the Unified Development Code.

SECONDED by Mr. Zinn.

Mr. Hanson clarified that he was referring to the preliminary plat.

5-0. All in favor.

Ayes:	Brian Rush, Bruce Hanson, Dwayne Zinn, Marc Powell, Bill Morgan
Noes:	none
Present but not voting:	Breien Velde
Absent:	Haven Hendrik

MOTION TO APPROVE CARRIES

3. Consider and act on the Final Plat of Terrace Oaks Addition Phase I, Lots 1-33, Block 1; Lots 1-30, Block 2; Lots 1-16, Block 3; Lots 1-13, Block 4; Lots 1-16, Block 5, being 31.364 acres situated in the W.M. Wilson Survey, County Abstract 1383, the D.A. Ware Survey, County Abstract 1580, and the W.M. Garrison Survey, County Abstract 0508 in the City of Corinth, Denton County, Texas.

Ms. Cabbage said this is the same situation as the preliminary plat.

Mr. Hanson asked about the 16 foot sanitary sewer easement—if it is in place of the 50 foot drainage and sanitary sewer easement that is on the preliminary plat. Mr. Upchurch answered his question off mic while looking at plans on the dais.

Mr. Zinn asked if this is a recommendation or approval. Ms. Cabbage said that Staff wants the commission to recommend approval contingent of approval of the ordinance to vacate the easement and subject to the correct date on the plat.

MOTION made Mr. Hanson to approve the final plat dated March 28, 2016 subject to the approval and recordation of an ordinance abandoning a portion of the drainage and sanitary sewer easement the applicant obtained per section 3.03 in the Unified Development Code.

SECONDED by Mr. Powell.

5-0. All in favor.

Ayes:	Brian Rush, Bruce Hanson, Dwayne Zinn, Marc Powell, Bill Morgan
Noes:	none
Present but not voting:	Breien Velde
Absent:	Haven Hendrik

MOTION TO APPROVE CARRIES

4. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT DALE RIDINGER, WITH RIDINGER ASSOCIATES, INC, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNERS, JOHN HOFFLER AND SUSAN TORRIE FOR A ZONING CHANGE FROM SINGLE FAMILY-2 (SF-2) TO PLANNED DEVELOPMENT SINGLE FAMILY-3 PROVIDING A CONCEPT DESIGN MAP ON A TOTAL OF 2.658 ACRES LEGALLY DESCRIBED AS A PORTION OF J. HOFFLER ADDITION, BEING A PART OF A CERTAIN TRACT OF LAND DESCRIBED BY DEED TO JOHN V. HOFFLER RECORDED IN VOLUME 2853, PAGE 707 OF THE PRDCT AND BEING TRACT 3 SITUATED IN THE J.M. WALTON SURVEY, COUNTY ABSTRACT 1390 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located on the south side of Fritz Lane - 3618 Fritz Lane).

PUBLIC HEARING opened at 7:26 PM.

Mr. Powell recused himself from this agenda item.

Ms. Cabbage asked the applicant to come up and present. Mr. LaPiene, with Ridinger Associates, gave a brief overview of the request, saying this is a small side project to the existing Parkside Farms addition. He also mentioned the waiver request and temporary access easement.

Patrick Hamilton, 1305 Corinth Bend, had questions and comments—neither for nor against
Mike Santy, 3610 Fritz Lane, had questions and comments—neither for nor against

Mr. LaPiene said the Belle Way cul-de-sac will be a concrete cul-de-sac and will have a 40 foot radius, and will be constructed to the City's standards. He also said the 18 foot road and utility easement is being incorporated into lot one and lot two—and will be the responsibility of the property owners. And, the easement to the east, there are no plans to do anything with it due to it not being a part of their property. He also said they have a tree preservation and protection plan in place.

Mr. Hanson asked about the temporary cul-de-sac. Mr. LaPiene said the cul-de-sac will be taken out when the property to the west develops—the expansion of Belle Way to the west.

PUBLIC HEARING closed at 7:35 PM.

- 4a.** Consider and act on a zoning change from Single Family-2 (SF-2) to Planned Development Single Family-3 on a total of 2.658 acres legally described as a portion of J. Hoeffler Addition, and being a part of a certain tract of land described by deed to John V. Hoeffler recorded in Volume 2853, Page 7-7 of the PRDCT and being Tract 3 situated in the J.M. Walton Survey, County Abstract 1390 in the City of Corinth, Denton County, Texas.

Ms. Cabbage said this is for eight lots, the extension of Belle Way, and gave an overview of the zoning request. She also said the fencing is different from the original subdivision. City Council requested a 30 foot additional buffer for the building setbacks for a bigger separation of the buildings. And, in response to Mr. Santy's question, there are no fencing plans for that residential area. Everything else is the same as the original subdivision regulations. She received one letter in opposition of the development.

Mr. Hanson asked how many letters were mailed out. Ms. Cabbage answered 14. She also said their plats do not show a seven foot easement which staff required them to do so—for a blanket easement that was found during a title search. The Development Review Committee asked them to delineate that easement and to make sure OCNOR is okay with that. And, the cul-de-sac has been reviewed and approved by the Fire Department Engineer.

Mr. Hanson asked if the Fire Department is onboard with the circle. Ms. Cabbage answered yes. He also asked if the circle will go away when the property to the west develops. Ms. Cabbage answered yes.

MOTION made by Mr. Zinn to recommend approval of the zoning as presented.

SECONDED by Mr. Hanson.

5-0. All in favor.

Ayes:	Brian Rush, Bruce Hanson, Dwayne Zinn, Bill Morgan, Breien Velde
Noes:	none
Recused from agenda item:	Marc Powell
Absent:	Haven Hendrik

MOTION TO APPROVE CARRIES

- 5.** Consider and act on a request from the applicant, Dale Ridinger with Ridinger Associates Inc., authorized representative for the property owner, for a Major Waiver to City of Corinth Ordinance No. 13-05-08-20, Unified Development Code (UDC) to allow an 80 foot turnaround outside paving diameter in lieu of the 100 foot outside paving diameter as required in the UDC; and an 81 foot diameter temporary turnaround easement in lieu of the 120 feet dimension as required for the Right-of-Way in the UDC on a total of 2.658 acres legally described as a portion of J. Hoeffler Addition, and being a part of a certain tract of land described by deed to John V. Hoeffler recorded in Volume 2853, Page 7-7 of the PRDCT and being Tract 3 situated in the J.M. Walton Survey, County Abstract 1390 in the City of Corinth, Denton County, Texas.

Ms. Cabbage gave a brief overview of the request—and that the Fire Department has approved of the proposal—and that the 120 feet takes the right-of-way into consideration as well.

Mr. Rush asked if the measurement takes into consideration that at least one vehicle will be parked along the edge at any time. Mr. Upchurch answered yes.

MOTION made by Mr. Hanson to recommend approval as requested.

SECONDED Mr. Velde.

5-0. All in favor.

Ayes: Brian Rush, Bruce Hanson, Dwayne Zinn, Bill Morgan, Breien Velde
Noes: none
Recused from agenda item: Marc Powell
Absent: Haven Hendrik

MOTION TO APPROVE CARRIES

6. Consider and act on the Preliminary Plat of Parkside Farms Phase II Lots 1-4, Block E and Lots 1-4, Block F being 2.658 acres situated in the J.M. Walton Survey, County Abstract 1390 including a portion of J. Hoeffler Addition recorded in Cabinet L, Page 46 PRDCT in the City of Corinth, Denton County, Texas.

Ms. Cabbage addressed the 18 foot ingress/egress that goes to Shady Rest—the maintenance should have been taken care of by the property owner. And, she will notify Code Enforcement of the complaint.

Mr. Hanson asked if lots one and two will be included within the easement. Ms. Cabbage said it is an easement but that that does not determine who is responsible—and that when this is platted it will become a part of their lots.

Mr. Zinn asked about the ownership of the property that was taken into to the two lots. Mr. LaPiene said the seller was. And, he said there is a note on the plat to abandon that easement. Mr. Zinn also asked if the developer would have a problem with the turnaround becoming permanent. Mr. LaPiene said there would be no problem.

MOTION made by Mr. Hanson to approve the preliminary plat subject to City Council's approval of the applicant's requests for a major subdivision waiver and the planned development rezoning and acceptance of the utility easements delineated on the plat.

SECONDED by Mr. Zinn.

5-0. All in favor.

Ayes: Brian Rush, Bruce Hanson, Dwayne Zinn, Bill Morgan, Breien Velde
Noes: none
Recused from agenda item: Marc Powell
Absent: Haven Hendrik

MOTION TO APPROVE CARRIES

7. TO HEAR PUBLIC OPINION REGARDING A FINAL PLAT OF PARKSIDE FARMS PHASE II LOTS 1-4, BLOCK E AND LOTS 1-4, BLOCK F BEING 2.658 ACRES SITUATED IN THE J.M. WALTON SURVEY, COUNTY ABSTRACT 1390 INCLUDING A REPLAT OF A PORTION OF J. HOFFLER ADDITION RECORDED IN CABINET L, PAGE 46 PRDCT IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (his property is located at 3618 Fritz Lane (south side of Fritz and at the end of Belle Way.)

PUBLIC HEARING opened at 8:00 PM.

Mike Santy, 3610 Fritz Lane, had questions and comments—neither for nor against

PUBLIC HEARING closed at 8:03 PM.

7a. Consider and act on the Final Plat of Parkside Farms Phase II Lots 1-4, Block E and Lots 1-4, Block F being 2.658 acres situated in the J.M. Walton Survey, County Abstract 1390 including a Replat of a portion of J. Hoeffler Addition recorded in Cabinet L, Page 46 PRDCT in the City of Corinth, Denton County, Texas.

Ms. Cabbage said the lot one and lot two portion for ingress/egress will be vacated on the plat.

MOTION made by Mr. Zinn to recommend approval of the final plat subject to City Council's approval of the applicant's requests for a major subdivision waiver and the planned development rezoning and acceptance of the utility easements delineated on the plat.

SECONDED by Mr. Velde.

5-0. All in favor.

Ayes:	Brian Rush, Bruce Hanson, Dwayne Zinn, Bill Morgan, Breien Velde
Noes:	none
Recused from agenda item:	Marc Powell
Absent:	Haven Hendrik

MOTION TO APPROVE CARRIES

8. Consider and act on a request from the applicant Steve Homeyer, authorized representative for the property owner, Redriver Bancorp for a major subdivision waiver to the City of Corinth Ordinance No. 13-05-08-20, Unified Development Code (UDC) to allow a reduction in the minimum required distance from the intersection along a collector to the centerline of a proposed driveway on property legally described as part of Tract 10A being 2.21 acres out of the J.P. Walton Survey, Abstract No. 1389, in the City of Corinth, Denton County, Texas.

Ms. Levy gave an overview of the request—a reduction of four feet from the required measurement—the property will only have one driveway—there is not sufficient room to move the driveway due to the shape of the lot.

Mr. Zinn asked if the developer did a traffic study. Ms. Levy said they did not, but the Development Review Committee and TXDOT both are okay with the reduction.

MOTION made by Mr. Zinn to recommend approval as requested.

SECONDED by Mr. Powell.

5-0. All in favor.

Ayes:	Brian Rush, Bruce Hanson, Dwayne Zinn, Marc Powell, Bill Morgan
Noes:	none
Present but not voting:	Breien Velde
Absent:	Haven Hendrik

MOTION TO APPROVE CARRIES

9. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT, KYLE VRLA, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER, MONICA UTTER, WITH UTTER PROPERTIES, FOR A ZONING CHANGE ON 12.283 ACRES FROM C-3, COMMERCIAL TO PLANNED DEVELOPMENT C-3 ON PROPERTY LEGALLY DESCRIBED AS BILL UTTER FORD ADDITION BLOCK A, LOT 1 AND A ZONING CHANGE ON APPROXIMATELY 6.255 ACRES FROM C-2, COMMERCIAL TO PLANNED DEVELOPMENT C-2 ON PROPERTY LEGALLY DESCRIBED AS BILL UTTER FORD ADDITION BLOCK A, LOT 2 AND TRACT 26 OUT OF THE L. BATES SURVEY, COUNTY ABSTRACT 204 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

PUBLIC HEARING opened at 8:10 PM.

Mr. Vrla gave a brief overview of the request—after these changes are made the entire site will be replatted to one property.

PUBLIC HEARING closed at 8:13 PM.

- 9a. Consider and act on a zoning change on 12.283 acres from C-3, Commercial to Planned Development C-3 on property legally described as Bill Utter Ford Addition Block A, Lot 1 AND a zoning change on approximately 6.255 acres from C-2, Commercial to Planned Development C-2 on property legally described as Bill Utter Ford Addition Block A, Lot 2 and Tract 26 out of the L. Bates Survey, County Abstract 204 in the City of Corinth, Denton County, Texas.

RECESS at 8:14 PM.

RECONVENED at 8:27 PM.

Mr. Vrla presented his project in more detail. He said they are adding the use of used automobile sales and an auto inventory lot—requesting some reductions in landscaping requirements from there and the corner lot requirement. And, he talked about permeable pavers for detention purposes. The lighting on the existing site will remain, but, the new portions will meet the current codes—requesting an addition up to a 25% rule for expansion. They are also asking for a change in parking spot sizes—to 10x18.

Mr. Hanson asked about the permeable pavers. **Mr. Vrla** explained in detail how they work.

Mr. Hanson asked if the inventory cars will be parked on them—**Mr. Vrla** answered yes.

Mr. Hanson asked if the city engineer has approved of the pavers. **Ms. Cabbage** said we are still waiting for more information on the pavers. **Mr. Gibbs** said there are still some outstanding issues they are trying to clean up for the preliminary and final plat approval processes.

Mr. Zinn asked why they did not go for a straight C3 zoning. Ms. Cabbage said they did not want to extend the C3 district and that due to some of the things they were asking for this was a better fit.

Mr. Hanson asked if there was a problem having two different zoning designations on the same lot. Ms. Cabbage said there would be no problem with that. She also said the land use would be commercial, not requiring a comprehensive zone amendment. She also said she received a call from the owner of Caliber Collision and he is in support of it.

Mr. Zinn asked about PD 33 and its zoning designation—she said yes, but it has expired and reverts back to C2.

Mr. Hanson asked about staff's recommendation regarding lighting. Ms. Cabbage said there are different types of shields and other ways to reduce the lighting from extending across the property line at high levels.

Mr. Zinn asked if just the perimeter lighting could use a lower wattage bulb. Mr. Vrla answered that shielding is another way to mitigate the levels.

Mr. Powell asked if the lighting has anything to do with the zoning request. Ms. Cabbage said it is specifically called out in the ordinance regulations/standards. Mr. Gibbs said this ordinance is setting the standard for the development of the site. Mr. Gibbs said the commission can allow them one expansion before having to comply, if they wanted to.

Mr. Mohkamkar, with ASM Architects, said the lighting used to be a ha-lite but has been recently changed to a fluorescent to reduce output.

Mr. Zinn asked if the 35 expansion will affect the front of this property. Mr. Vrla said yes, there are proposed new right-of-ways. Phase one will not have improvements on the site—nothing has been purchased.

MOTION made Mr. Hanson to recommend approval as presented, except to only allow one building expansion without meeting Unified Development Code Lighting regulations and limitations.

SECONDED by Mr. Zinn.

5-0. All in favor.

Ayes:	Brian Rush, Bruce Hanson, Dwayne Zinn, Marc Powell, Bill Morgan
Noes:	none
Present but not voting:	Breien Velde
Absent:	Haven Hendrik

MOTION TO APPROVE CARRIES

10. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT JOHN THATCHER, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNERS, TOMMY JOSEPH ROBINSON, BRIAN KEITH ROBINSON, RAYMON MANN ROBINSON, BRANDY DENISE ROBINSON, ROBERT MANLEY ROBINSON, THOMAS MANN ROBINSON, AND TIMOTHY MANLEY ROBINSON FOR A ZONING CHANGE FROM C-1, COMMERCIAL TO PLANNED DEVELOPMENT C-2 COMMERCIAL WITH MODIFIED DEVELOPMENT STANDARDS ON 10.603 ACRES OF LAND LEGALLY DESCRIBED AS

LOT 1, BLOCK A, TRI-STEEL ADDITION, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

PUBLIC HEARING opened at 9:00 PM.

Ms. Levy gave an overview of the request—they are adding auto and truck sales use, minor auto repair and a non-public car wash and an underground storage of fuel. They are also proposing smaller drive aisles and parking spaces, lighting standards and screening requirements. She said staff is recommending denial of the request due to it being too intensive of a use for the area.

Mr. John Thatcher, with CenterPoint Integrated Solutions, gave a short presentation of the request.

Mr. Barry Hudson, with Dunaway Associates, made a more detailed presentation of the proposals. He said the perimeter trees are very important to the developer and neighbors, and will be kept in place. He also said this is an appropriately placed request for this type of proposal. There is no neighborhood access at this site and would limit a neighborhood service use. He pointed out all of the existing dealerships and uses the site is in between and near to strengthen his point of this being a well-placed site for his proposed use. He quoted from the staff report for this item and items 11 and 11a.

Mr. Dahlstrom, with Jackson Walker LLP, said the Comprehensive Plan calls for this site to be commercial, which this proposal will be. He also said he met with the neighbors and addressed their concerns.

Mr. Thatcher said they reviewed the project with adjoining neighbors and they have taken their concerns into consideration in the language of the ordinance. He then gave a PowerPoint presentation of the operations of the dealership project. He also said they have increased setbacks and wall heights throughout the site and a tree preservation area along the perimeter of the site. There will be no public address system, but, a walkie-talkie system will be used. Lowest light levels will be placed close to the adjoining residential areas. They will also be complying with all architectural standards.

JM Dixon, with CarMax, did not speak, is in support of the development
Carla Bowers, 2410 Forest Hills, mailed in a comment and is against the development
Bruce Goodwyn, 2408 Creekwood St., mailed in a comment but was neither for nor against
Kiric Starks, 2409 Aspen St., did not speak, is in support of the development
John Thatcher, with CenterPoint Integrated Solutions, is in support of the development
Barry Hudson, with Dunaway Associates, is in support of the development

PUBLIC HEARING closed at 9:30 PM.

Ms. Levy gave a brief overview of the zoning change request—a new motor vehicle sales dealership for CarMax—and staff recommends denial of the request.

Mr. Hanson asked about Planned Development 28 and if it is based on C2. Mr. Gibbs answered yes. He also asked if the primary change is because of automobile sales are not permitted—Ms. Levy answered yes.

Mr. Gibbs gave a brief history on the zoning of the site in question—Tri-Steel was a C1 and had a very specific Planned Development on the site, and staff recommended the applicant rezone the property for more marketability and flexibility.

Mr. Hanson asked what Tri-Steel's base zoning was. Mr. Gibbs said back then there was no base zoning.

Mr. Zinn asked about the future land use map, that it shows retail near the Church Rd., not near this site. Mr. Gibbs said the commercial designation makes more sense at the site due to the existing dealerships.

Mr. Hanson asked if this area were to stay C1, would it be developable. Mr. Gibbs said those permitted uses can be compatible with the existing uses.

Mr. Hanson asked if C2 encompassed retail. Ms. Levy answered yes.

Mr. Hanson asked about the staff recommendation, about the intensity of the development and the difference between the existing dealerships. Ms. Levy said this site is surrounded by residential—and it is a new use. Mr. Hanson said it is not fully surrounded. Ms. Levy said it is substantially surrounded by developed single family residences.

Mr. Zinn asked about recommendation number three—limited availability. He said there appears to be a lot of vacant land. Ms. Levy said Corinth is eight square miles and a lot of its undeveloped land is along the highway and already has six automobile dealerships in place—and that we only have one chance at this. She also brought up the Gateway Study. Mr. Dahlstrom said that study did not reach this far north.

MOTION made by Mr. Powell to approve the rezoning request to allow C2 with the SUP with conditions.

Mr. Hanson asked if Mr. Powell meant to change from C1 Commercial to Planned Development C2. Mr. Powell answered yes.

SECONDED by Mr. Hanson.

Mr. Powell said that he wishes that everyone that comes in to develop in an area would go above and beyond with buffers and meeting with neighbors. Mr. Zinn said he agrees and said this level of buffering is an excellent presentation in trying to preserve the area as is with the adjoining neighborhood.

Mr. Hanson said he agrees and also with staff's item number two—but it is not surrounded by residential—and does not agree with recommendation number five.

4-1.

Ayes:	Brian Rush, Dwayne Zinn, Marc Powell
Noes:	Bill Morgan
Present but not voting:	Breien Velde
Absent:	Haven Hendrik

MOTION TO APPROVE CARRIES

11. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT RAY HUFFINES AUTHORIZED REPRESENTATIVE FOR DWIGHT WALKER, MANAGING GENERAL PARTNER FOR THE PROPERTY OWNERS DOROTHY WILLIAMS FAMILY PS LTD AND R. O. DUNCAN FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION FROM MIXED USE NON-RESIDENTIAL TO COMMERCIAL ON 13.773 ACRES OF LAND SITUATED IN THE E. A. GARRISON

SURVEY, COUNTY ABSTRACT 511 BEING TRACTS 36, 35, 34, 33, AND 24 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

PUBLIC HEARING opened at 10:01 PM.

Mr. Paschal, with Paschal Consulting, presented an overview of the Huffines proposal. **See Exhibit A.**

Charlotte Alexander, 2538 Knightsbridge, Grand Prairie, TX – in support of
Ray Huffines, 906 Parkwood Ct., McKinney, TX 75070 – in support of
Elliott Brackett, 4808 Alta Vista, Dallas, TX 75229 – in support of

PUBLIC HEARING closed at 10:46 PM.

11a. Consider and act on an amendment to the Comprehensive Plan Future Land Use designation from Mixed Use Non-Residential to Commercial on 13.773 acres of land situated in the E. A. Garrison Survey, County Abstract 511 being tracts 36, 35, 34, 33, and 24 in the City of Corinth, Denton County, Texas.

Ms. Cabbage said the land use portion of the project contains no changes from last year. She also said she has not seen some of the changes Mr. Paschal was referring to. And, it is still staff's recommendation that the proposed land use change does not fit the Comprehensive Plan steering committee's vision—and they do not recommend approval.

Ms. Cabbage said the foundation plantings were added with the planning and zoning meeting submittal—with virtually no time to review them. She also said the heavily treed lot provision still has not been addressed. There were seven property owners that were notified of the public hearing.

Ms. Cabbage said the proposed body shop is not permitted in a MXC zoning district. She also said the zoning change is not consistent with the land use. And, this is our one chance to get this right. These proposed uses do not fit in this area of the city.

Mr. Zinn asked if this will replace the existing dealership to the north. Mr. Paschal answered yes—it would be his expectation that after the new dealership is built, they will remarket the property as an extension of the existing office/banking properties that come off of Post Oak, which we would think would be an appropriate use.

Mr. Hanson asked if the existing Huffines site is C2 with an SUP—Ms. Cabbage said it predates the existing UDC, but might have gone through an expansion with an SUP.

Mr. Hanson asked if the property changes hands, and a new dealership wanted to come to the site, would an SUP be required or would they be grandfathered in. Mr. Reinwand said nonconforming uses do transfer to a new owner—so, a new owner would be able to open a new dealership.

MOTION made by Mr. Hanson for the Planning and Zoning Commission to recommend denial of the amendment to the Comprehensive Plan Future Land Use as presented.

SECONDED by Mr. Morgan.

Mr. Hanson said this is almost an exact inverse of the previous applicant. He said at the workshop that was held a couple of weeks ago he did not receive any guidance that things are changing with the plan.

4-1.

Ayes: Brian Rush, Bruce Hanson, Marc Powell, Bill Morgan
Noes: Dwayne Zinn
Present but not voting: Breien Velde
Absent: Haven Hendrik

MOTION TO RECOMMEND DENIAL PASSES

12. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT RAY HUFFINES AUTHORIZED REPRESENTATIVE FOR DWIGHT WALKER, MANAGING GENERAL PARTNER FOR THE PROPERTY OWNERS DOROTHY WILLIAMS FAMILY PS LTD AND R. O. DUNCAN FOR A ZONING CHANGE FROM MX-C, MIXED USE COMMERCIAL TO PLANNED DEVELOPMENT MX-C ON 13.773 ACRES OF LAND SITUATED IN THE E. A. GARRISON SURVEY, COUNTY ABSTRACT 511 BEING TRACTS 36, 35, 34, 33, AND 24 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

PUBLIC HEARING opened at 11:10 PM.

Elliott Brackett, 4808 Alta Vista, Dallas, TX 75229 – in support of

PUBLIC HEARING closed at 11:11 PM.

12a. Consider and act on a zoning change from MX-C, Commercial to Planned Development MX-C on 13.773 acres of land situated in the E. A. Garrison Survey, County Abstract 511 being tracts 36, 35, 34, 33, and 24 in the City of Corinth, Denton County, Texas.

Ms. Cabbage said the zoning change cannot be approved without approving the Comprehensive Plan amendment.

MOTION made by Mr. Hanson for the Planning and Zoning Commission to recommend denial of the zoning change from MX-C Commercial to Planned Development as listed.

SECONDED by Mr. Rush.

5-0.

Ayes: Brian Rush, Bruce Hanson, Dwayne Zinn, Marc Powell, Bill Morgan
Noes: none
Present but not voting: Breien Velde
Absent: Haven Hendrik

ADJOURN

Meeting adjourned at 11:40 PM.

MINUTES APPROVED THIS 16th DAY OF MAY, 2016.



Brian Rush, Planning and Zoning Commission Chairman



Nathan Abato, Planning and Zoning Commission Secretary