

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

On this the 2nd day of June, 2016 the City Council of the City of Corinth, Texas met in a Regular Session at the Corinth City Hall at 7:16 PM, located at 3300 Corinth Parkway, Corinth, Texas. 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:

Present: Bill Heidemann, Mayor
Joe Harrison, Mayor Pro-Tem
Sam Burke, Councilmember
Scott Garber, Councilmember
Lowell Johnson, Councilmember
Don Glockel, Councilmember

Staff Members Present: Lee Ann Bunselmeyer, Finance Director
Fred Gibbs, Planning and Development Director
Guadalupe Ruiz, Human Resources Director
Debra Walthall, Chief of Police
Kim Pence, City Secretary
Curtis Birt, Fire Chief
Lori Levy, Senior Planner
Shea Rodgers, Technology Services Manager
Cody Collier, Acting Public Works Director
Jane Krhovjak, Human Resource Generalist
Jason Alexander, Economic Development Director

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE:

Mayor Heidemann called the meeting to order at 7:00 P.M., Councilmember Garber delivered the Invocation and led in the Pledge of Allegiance.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine and will be enacted in one motion. Should the Mayor, a Councilmember, or any citizen desire discussion of any Item that Item will be removed from the Consent Agenda and will be considered separately.

1. Consider and act on an Interlocal Cooperation Agreement for Shared Governance Communications and Fire Dispatch Services for the 2016-2017 Fiscal Year with Denton County.
2. Consider and act on an Interlocal Cooperation Agreement for Shared Governance Communications and Police Dispatch Services for the 2016-2017 Fiscal Year with Denton County.
3. Consider and act on an Interlocal Cooperation Agreement for Public Safety Application Support and Maintenance for the 2016-2017 Fiscal Year with the Denton County Department of Technology Services.
4. Consider and act on an Interlocal Agreement with the Lake Dallas Independent School District for Summer Camp Transportation Services.
5. Consider and act on an Interlocal Agreement with Lake Cities Municipal Authority (LCMUA) authorizing a

mutually beneficial emergency water supply interconnect between the City of Corinth and the LCMUA distribution systems.

MOTION made by Council Member Lowell Johnson to approve the Consent Agenda as presented. Seconded by Mayor Pro-Tem Joe Harrison

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

PASSES

CITIZENS COMMENTS

In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes. Comments about any of the Council agenda items are appreciated by the Council and may be taken into consideration at this time or during that agenda item. Please complete a Public Input form if you desire to address the City Council. All remarks and questions addressed to the Council shall be addressed to the Council as a whole and not to any individual member thereof.* Section 30.041B Code of Ordinance of the City of Corinth.

Kurt Hyde, 2701 Yellowstone Park – I am not the only person and there are other people right now in the State of Texas also who are trying to get additional disclosure, like financial information from our towns and cities. Basically as a Corinth resident and a tax payer I would like to see the following enhancements added to our Comprehensive Annual Financial Report. 1) List of all vehicles purchased or leased by the City of Corinth. This list would be grouped by department and include a description of the vehicle, date acquired, purchase price, or annual lease cost, annual cost of insurance, expected retirement date and expected residual value. 2) A list of all city employees and salaries. This list would be grouped by department and include a job title, annual salary or hourly wage rate, previous year's W-2 total wages and the salary range for that position.

David Betz, 1812 Copper Leaf Drive – all we seem to want to do is put more car dealerships in Corinth. We have to stop the car businesses and we need to come with businesses that produce taxable income to take the pressure off of our backs as the homeowners in the City. Let's make this town a point of destination with nicer restaurants, shopping similar to what Highland Village and Flower Mound were faced with, we are faced with the same thing and you don't find car dealerships in there. The folks that are here have done a nice job expanding and they are good citizens but we need to stop this. Give us a vision of what the Council wants to do, we don't have it. I have been here 3 years and the taxes on my house has gone up \$1,100 dollars.

Mayor Heidemann and Councilmember Burke recused themselves from any discussion regarding the following business items for car dealerships.

PUBLIC HEARING:

Mayor Pro-Tem Harrison opened the Public Hearing at 7:10 P.M.

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.

Fred Gibbs, Planning and Development Director - On May 5, 2016, the City Council postponed this request to the June 2, 2016 meeting per the request of the applicant. The rezoning request is in conformance with the Comprehensive Plan. Therefore, no amendment to the Comprehensive Plan is required in order for the City Council to consider this request. See Proposed Zoning Change Map Exhibit A.

However, the proposed automobile and truck sales facility, new and/or pre-owned (used) is **not** currently allowed in a C-1 Commercial zoning district and is **only** allowed in C-2 Commercial district **upon approval of an SUP with conditions**. Please see the following chart below listing the allowable uses in the C-1 and C-2 zoning districts and for all of the proposed uses, including the accessory uses for this request.

Proposed Non-Residential Uses	C-1	C-2
Automobile and Truck Sales Facility, new and/or pre-owned (used)	Not Allowed	SUP with Conditions
Automobile Parts Store	Allowed	Allowed
Automobile Service Garage (Minor)	Allowed	Allowed
Outside Display	Allowed with Conditions	Allowed with Conditions
Outside Storage	SUP with Conditions	SUP with Conditions
Gasoline Filling/Car Wash	Not Allowed	SUP with Conditions

The applicant is proposing a rezoning from C-1 Commercial District on 10.603 acres to a Planned Development C-2 Commercial District with modified development standards in order to develop a Carmax, automobile and truck sales facility, new and/or pre-owned (used) and accessory uses, such as new auto sales parts (tires and accessories), automobile service garage for routine services and minor repairs to be conducted inside the building, one (1) non-public car wash building, and an underground fuel storage area with one (1) fuel pump.

The applicant is proposing the following in lieu of the C-2 dimensional regulations per Section 2.08.05 of the UDC as shown in the chart below.

C-2	REQUIRED	PROVIDED
Minimum Side Yard Setbacks:		
Interior Lots:		
East	0' feet	15' feet
West	15' feet	25' feet
Minimum Rear Yard Setback	20' feet	50' feet

The applicant is meeting or exceeding all other requirements of the UDC, except the following:

1. UDC Section 2.09.01 **Landscape Regulations** shall apply except:

a. Interior parking lot landscaping in the outdoor automobile sales display area or the automobile sales staging area shall not be required. The interior parking lot trees that would be required in the sales display/staging area shall be planted and maintained in the residential adjacency area landscape edge buffer yards along the west and south property lines, and along I-35E as shown on the Design Map/Concept Plan, as shade trees with a minimum 3" caliper

size (per Table 15: Approved Plant Material List). Additionally, parking lot trees a minimum of 3" caliper (per Table 15: Approved Plant Material List) shall be planted per the Interior Parking Lot Landscaping requirements.

b. A 50' wide tree preservation area shall be established along the south property line to provide an increased landscape buffer to the adjacent single family residential property, with the provision that drainage requirements are met.

c. In addition to the required landscaping/screening for parking lots adjacent to residential areas, a 15' wide tree preservation area shall be established and maintained along the west property line.

2. UDC Section 2.09.02 **Tree Preservation** shall apply except:

a. A 50' wide tree preservation area shall be established along the south property line to provide an increased landscape buffer to the adjacent single family residential, with the provision that drainage requirements are met.

b. A 15' wide tree preservation area shall be established along the west property line.

3. UDC Section 2.09.03 **Vehicle Parking Regulations** shall apply except:

a. Parking space dimensions for sales display may be 9' x 17' with 20' wide maneuvering/drive aisle lanes only.

4. UDC Section 2.09.07 **Lighting and Glare Regulations** shall apply except:

(a) Required Turning Off of Property Luminaires

(i) All luminaires within the property, except those required for security, shall be extinguished within one hour after the end of business hours and remain extinguished until one hour prior to the commencement of business hours. Normal business hours shall be similar to other Texas CarMax locations which are 9:00 AM to 9:00 PM.

(ii) A maximum average level of five foot-candles at building and gated parking lot entrances is permitted and a maximum level of one foot-candle on the rest of the structure. A maximum level of two foot-candles is permitted along the staging and preparation area security wall in the southwest portion of the site. The site shall comply with the shielding requirements of Section 2.09.07.C.1 so that substantially all the directly emitted luminous flux falls within the property line.

5. UDC Section 4.02 **Fence and Screening Regulations** shall apply except:

a. The masonry screening wall separating nonresidential used and/or zoned areas from residential uses as required under Section 4.02.11 shall be eight (8') feet in height and shall be placed at the edge of the parking areas on the south and west sides in the general locations shown on the PD Concept Design Map, instead of at the property line, to provide for the above described Tree Preservation Areas.

Prior to the Planning and Zoning Commission meeting, public hearing notifications were sent to the 34 property owners located within 200' of the subject property. A notice of public hearing was posted on the subject property along I-35E.

On April 18, 2016, we received 2 public hearing notification letters in opposition.

SURROUNDING PROPERTIES ZONING

- Subject Property C-1, Commercial-1
- North N/A (I-35E)

- South PD (SF-1), Single Family
- East PD (C-2), Commercial-2
- West SF-4, Single Family/C-2, Commercial

SURROUNDING PROPERTIES EXISTING LAND USE

- Subject Property Vacant Commercial (Demolition in Progress)
- North N/A (I-35E)
- South Single Family, Residential
- East Undeveloped/Motor Vehicle Sales
- West Single Family, Residential/Motor Vehicle Sales

SURROUNDING PROPERTIES FUTURE LAND USE

- Subject Property Commercial
- North Commercial
- South Low Density Residential
- East Commercial
- West Low Density Residential/Commercial

Staff does **not** recommend Approval of this request for the following reasons:

- 1). The proposed use is too intensive for this location, as it is surrounded on the south and west by single family residentially zoned and developed properties.
- 2). There are already a large number of motor vehicle sales along this major I-35E corridor within the City of Corinth.
- 3). There are limited available parcels remaining along this major I-35E corridor within the City of Corinth for retail, restaurant, corporate campus office, hospitality, medical and entertainment opportunities which market studies show this area can support.
- 4). I-35E is a major corridor within the City of Corinth that provides excellent visibility and access making it attractive for future retail, restaurant, office, medical and entertainment development.
- 5). Retail development is crucial to a healthy tax base.
- 6). Neighborhood and/or regional services, such as retail, restaurant, employment and recreational/entertainment opportunities are appropriate in this location and are vital in providing for the health, and welfare of our current and future residents and families within the City of Corinth.

On April 18, 2016, the Planning and Zoning Commission recommended approval of the request as presented by a vote of 4-1.

Councilmember Glockel – you mentioned that staff is recommending denial would you touch on some of those subjects?

Fred Gibbs, Planning and Development Director – staff feels that this is a too intense use in this area. There is already some existing car dealerships there. Due to the proximity of some of the residential uses in there, we certainly do not want to increase that intensity with this additional use. Also there is a large number of automobile sales along the corridor. We are 8 square miles and you have one shot of developing a property with efficient uses throughout the corridor and this of course will be ten acres less of having that opportunity to develop retail, other regional centers, hotels and other commercial uses that may be more desirable for this particular area.

J.M. Dixon, Real Estate Manager, Carmax – Carmax provides their customers with a stress free retail environment to shop for and buy used vehicles, we offer a broad selection of cars and high quality vehicles. We have been in business for over 23 years, starting in Virginia and since that time we have opened 160 stores with our last one being last month in California. Our employees are our biggest asset and we have invested a lot of time and money in making sure that they are engaged in the workplace and this enables us to continue our culture of integrity, respect and innovation.

In 2003 Carmax started the Carmax foundation as a way for our associated to give back to the community in which they work with and play. Since that time, we have donated over \$30 million dollars across the country to non-profit organizations with a little more than \$1 million dollars in the Dallas Fort Worth area alone. We are a national partner with Caboom, they are dedicated in providing safe places for children to play across the country. Over the past 3 years we have built with them 30 playgrounds across the country and dedicated volunteer hours and money to build an additional 33 playgrounds and that will impact over 300,000 children across the country.

We have 6 dealerships in the Dallas/Fort Worth area with the closest one being in Plano which really brings us to the City of Corinth and our research has shown that this is a great area for our Carmax customers.

John Thatcher, Development Consultant, Carmax - the Carmax site plan has been designed in such a way that these existing mature trees are preserved as a natural landscape buffer between the residential areas to the southwest. In addition to these existing trees we will be supplementing one with further additional plantings as part of the development process. There are currently three driveways into the site off of the frontage road. Carmax is proposing to reduce that number of driveways from three down to two, one of which will be the primary drive the other will be a secondary drive with controlled access that will only be used for test drives and emergency access.

All adjacent access to the one-way frontage road is in the neighborhood, it is about one mile between our site and Post Oak Road and Church Drive connections. Carmax property is surrounded by numerous existing automotive uses, several major dealerships in the immediate area.

In addition we are going above and beyond in some of the landscaping screen requirements. The staging wall surrounding the staging area is a six foot wall and we agreed to raise that to an eight foot wall at the request of the neighbors. Code requires there be a screening wall there and on the property line and we are asking to move it off the property line to preserve that tree buffer and provide further separation between the adjacent residential areas. We are not surrounding the staging area with that wall we are also extending that wall all the way along the residential property to the west and south.

Another concern for the neighbors was lighting. We have come up with a conceptual lighting plan and it is strategically placed the lowest light levels adjacent to the residential properties. The existing and enhanced landscape buffer will help out with that as well. We will be meeting the code with the exception of several small variances and those are requested for light levels at building entrances and at the armed gates. We are asking to have it at the bare minimum so that our equipment functions properly for our security system and motion detectors that Carmax uses and it requires a certain light level to function properly.

Elizabeth Morris, Insight Research Corporation – we have been working with the City of Corinth on various projects over the last decade. In this case we were requested by Carmax to prepare an economic employment and tax revenue impact analysis of the use of the site that engagement was made as part of the request from the city.

We looked at the site and capital investment plans that were included which was about, a little over \$15 million dollars for land, construction and equipment. At the temporary construction job count would be about 82 people that would be employed as full time equivalence for one year to get this site in position and that includes all of the positions that would be related to establishing the new site. Full time equivalent jobs at full sales maturity would be about 118 positions. So economic, employment and tax revenue impact we looked at both direct and indirect results.

Looking at the construction period and the 20 years you can see that the new revenue stream that would be generated

by the activities on this site would provide about \$6.5 million dollars in new tax revenue to Denton ISD, \$2.9 million to the City of Corinth and 1.1 million to Denton County.

David Betz, 1812 Copper Leaf – I just want to reiterate the fact that what Huffines group said they are going to do with their property, they are going to develop it into something different being retail and professional buildings and that would ducktail nicely into this property. Carmax will not reduce in their sales hardly anything in sales tax revenue which we can bring businesses into that area that can do that and that are more desirable and what the residents want to come spend their money within their own community.

Kelly Pickens – in opposition of the proposed dealership.

Mayor Pro-Tem closed the Public Hearing at 7:50 P.M.

BUSINESS:

Consider and act on a zoning change from C-1, Commercial to Planned Development C-2, Commercial on 10.603 acres of land legally described as Lot 1, Block A, Tri-Steel Addition, in the City of Corinth, Denton County, Texas. (This property is located on the southwest side of I-35E, between Post Oak Drive and Church Drive.)

Councilmember Garber – two weeks ago it was my understanding that some of the zoning were proper uses of the property that is currently Huffines is on is changing once that property evacuated is that correct?

Fred Gibbs, Planning and Development Director – yes I believe one of the conditions put on the zoning request for approval of that zoning was for Huffines to purchase that property before the actual relocation of their development and we are still working on that and it has not been finalized yet.

Councilmember Garber – the two properties together if zoning were to be the same on both and it was C-1 instead of C-2, does that open up interesting opportunities from a development standpoint to maybe develop both properties at once or individually maybe break up some of the dealerships that our citizens requested?

Jason Alexander, Economic Development Director – it opens up a few opportunities from an economic development standpoint. Whether they are developed separate or developed in a cohesive fashion there are alternative opportunities available

Councilmember Garber – maybe to define cohesive does that mean maybe a master plan through both properties or with both properties being taken into consideration?

Jason Alexander, Economic Development Director – certainly and I think there are tools in the zoning ordinance such as planned development in order to facilitate a type of development happening on either both sites or on one of those sites.

MOTION made by Council Member Scott Garber to deny the zoning request. Seconded by Council Member Lowell Johnson

AYE: Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

Other: Council Member Sam Burke (RECUSE)

PASSES

BUSINESS AGENDA

7. Consider and act on the Site Plan for the Bill Utter Ford Dealership zoned Planned Development C-3 and Planned Development C-2 on 16.652 acres legally described as Bill Utter Ford Addition Block A, Lot 1, 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.

Fred Gibbs, Planning and Development Director - The Planning and Zoning Commission recommended approval of the zoning change for the Bill Utter Ford Dealership at the April Planning and Zoning Commission meeting. City Council approved the ordinance associated with the rezoning on May 5, 2016 approving a Planned Development C-3/C-2 zoning district that will allow renovations to the existing development and expansion for inventory, a car wash and future body shop on the Bill Utter Ford campus.

City Staff recommends approval of the site plan based on the approved zoning and approved plat and engineering plans.

Kyle Vrla, Design Engineer Bill Utter Ford – this is our last step in the process. Our intent for this site is an expansion of the dealership itself and the properties adjacent to this dealership were purchased and platted as one and the site itself will be expanded. The renovations will include a service shop addition, a service drive, expansion of used car sales, and an inventory vehicle parking will be built on the two adjacent lots to the east and we will also have the stand alone carwash, a private carwash the public will not be able to use it.

The intent of this site plan is to depict the quality and development consistent with the City of Corinth zoning criteria by consideration of existing development adjacent to this property. See Exhibit B.

Councilmember Harrison – what happens to the sidewalk across the Post Oak Bridge? what happens to it on Shady Shores Road or Post Oak Road, down to the trails?

Fred Gibbs, Planning and Development Director – I believe the way I understand it is TxDOT is building a sidewalk with their improvements. After you pass Bill Utter I am not sure where that sidewalk goes.

Councilmember Harrison – there is not a sidewalk there. Is it too late to put a sidewalk there? I am trying to get on the sidewalk to connect to the trail.

Kyle Vrla, Design Engineer , Bill Utter Ford – TxDOT will be constructing the sidewalk along the south side of Lake View and Post Oak but I believe it is only to the first driveway.

Councilmember Harrison – ok, so there is one along the north side of your property?

Kyle Vrla, Design Engineer, Bill Utter Ford – yes, on the northwest side.

Councilmember Harrison – you have to connect to something.

Fred Gibbs, Planning and Development Director – so if I am understanding you are looking at continuing that around and tying it in over to the trail?

Councilmember Harrison – yes, either sometime in the future or something.

Kyle Vrla, Design Engineer, Bill Utter Ford – is that an issue being in the City of Denton?

Councilmember Harrison – can I ask that at this point?

Fred Gibbs, Planning and Development Director – sidewalks in the City of Denton I don't know what their requirements are. It is kind of an odd situation over there on Shady Shores because they have their roads in a PD there

Councilmember Harrison – I will withdraw my question then.

Councilmember Glockel – there is no trail and probably no plans to put a sidewalk to the east side of Lake View on the north side of Shady Shores road. I don't see one.

Councilmember Harrison – as I said I withdraw my question.

Fred Gibbs, Planning and Development Director – there is a proposed hard surface trail along Shady Shores that does pull up into Post Oak in some point in time when the road improves.

MOTION made by Council Member Lowell Johnson to approve the site plan for Bill Utter Ford Dealership as presented. Seconded by Council Member Scott Garber

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

PASSES

Recessed from 8:25 p.m. until 8:30 p.m.

Mayor Heidemann returned to the meeting for the remainder of the business items.

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 street 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.

Fred Gibbs, Planning and Development Director - The applicant is requesting a major subdivision waiver in order to reduce the minimum required distance from the intersection of N. Corinth Street and Walton Drive to the centerline of the driveway into the proposed Domino's Pizza and future retail site.

Section 3.05.04 Access Management of the Unified Development Code requires the minimum distance from the intersection along City maintained collector roadways to the centerline of the driveway to be a minimum of 150' feet; whereas, the applicant is proposing a minimum distance of 146' feet.

The proposed development is located at both the corner of N. Corinth Street and Walton Drive, and I-35E and N. Corinth Street. Therefore, only one driveway is proposed along N. Corinth Street, as the site does not have sufficient room between these two intersections in order to meet the driveway spacing requirements to allow for additional driveways.

Staff recommends approval of the request as presented for the following reasons:

- 1). the distance of the proposed driveway spacing from the City maintained intersection is only being reduced by 4' feet.
- 2). If the proposed driveway were located 150' from this intersection, it would not meet the required distance

from the major intersection of the State maintained I-35E arterial street.

3). TXDOT is also supportive of this request.

4). Neither staff nor TXDOT could support a reduction in the required distance from the other intersection at I-35E and N. Corinth Street for this property, and access must be provided.

On April 18, 2016, the Planning and Zoning Commission recommended approval of the request as presented.

Councilmember Glockel – the way that it is positioned on the property it looked like it was very difficult to get that building on that piece of property and I don't have any issues with driveway and the plats were very busy, where is the fire protection? Is there any hydrants close? We can look at that during the next agenda item.

Fred Gibbs, Planning and Development Director – ok.

MOTION made by Council Member Don Glockel to accept the site variance for the driveway. Seconded by Mayor Pro-Tem Joe Harrison

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

PASSES

9. Consider and act on the Site Plan for Domino's Pizza on property legally described as 2.21 acres situated in the J. P. Walton Survey, Abstract Number 1389, City of Corinth, Denton County, Texas. (This property is located on the southeast corner of N. Corinth St. and Walton Dr.)

Fred Gibbs, Planning and Development Director - The applicant is seeking approval of proposed Lot 1, Block A, G4 Corinth Addition for the Domino's Pizza restaurant at this time. The proposed restaurant is a non-residential use and is required to develop with the Residential Adjacency Standards; therefore, the building is required to be setback a minimum of 134' feet from the adjacent residentially zoned and developed property line, and the dumpster is required to be a minimum of 50' feet away from the property lines. The proposed thirty-three and a half (33 1/2") foot tall building is setback approximately 257' feet from the nearest developed single family residence, and the dumpster is approximately 158' feet from the nearest developed single family residence.

A Major Subdivision Waiver request is a companion item on this agenda. The proposed development is located at both the corner of N. Corinth Street and Walton Drive and I-35E and N. Corinth Street. Therefore, only one driveway is proposed along N. Corinth Street, as the site does not have sufficient room between these two intersections in order to meet the driveway spacing requirements to allow for additional driveways.

The Preliminary Plat and the Final Plat was approved by the Planning and Zoning Commission on May 16, 2016. The Major Subdivision Waiver for the driveway spacing was recommended for Approval by the Planning and Zoning Commission on April 18, 2016 and is a companion item on this agenda.

The applicant is meeting all other development requirements; however, the applicant is proposing an alternative to the required corner lot landscaping requirement. Section 2.09.01 Landscaping Requirements of the Unified Development Code provides that corner lots shall have a minimum of 900 sq. ft. of area in landscape at the intersections. The required area is to be measured a minimum distance of 40 feet from the projected corner of the intersection of both sides of the lot and extending out 175 feet or to the nearest driveway.

The applicant is proposing 1,280 sq. ft. of landscaping at the corner of N. Corinth St. and I-35E and 900 sq. ft. at the corner of N. Corinth St. and Walton Dr. However, since the site has two corners, there is not sufficient room to meet the minimum distance of 40 feet from the projected corner of the intersections of both sides of the lot and extending out 175 feet or to the nearest driveway.

Therefore, the applicant is requesting alternative compliance by meeting the area of landscaping at the corner of N. Corinth St. and I-35E, and is exceeding the area at the corner of N. Corinth St. and Walton Drive. The applicant is also providing additional shrubs at the corner of N. Corinth St. and Walton Drive, along N. Corinth St. and the driveway entrance into the site along N. Corinth St.

Staff recommends Approval of the Site Plan, subject to approval of the companion Major Subdivision Waiver.

On May 16, 2016, the Planning and Zoning Commission recommended Approval of the site plan subject to approval of the Major Subdivision Waiver.

Mayor Heidemann – there are two entrances, are both entrances for Dominos or is this have another tenant in this facility?

Clint Bishop, Homeyer Engineering – there will be two separate businesses in here. The Domino's will take the left hand side and the other use will also be a complementary restaurant as well.

Councilmember Glockel – I noticed this portion of the phase you had to stub the fire lane and I guess there is room to back a truck and turn it around obviously. I can't see where they fire hydrants are?

Clint Bishop, Homeyer Engineering – we are relocating that fire hydrant right next to the entrance.

MOTION made by Mayor Pro-Tem Joe Harrison to approve the site plan for Domino's pizza on property legally described as 2.21 acres situated in the J. P. Walton Survey, Abstract Number 1389, City of Corinth, Denton County, Texas. Seconded by Council Member Scott Garber.

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

PASSES

10. Consider and act on nominations, appointments, resignations and removal of members from Corinth Economic Development Corporation.

Lee Ann Bunselmeyer, Acting City Manager – the item tonight is for Council to consider nominations for the Economic Development Corporation. There are three board positions that have expired terms and one Council Representative position that has an expired term.

Earlier this year the Council approved a procedure for considering nominations to these committees. First for Council to consider individuals that are seeking reappointments to their board places. If a person is considered and approved that person would be filled by an existing board position, if not the second criteria is for Council to them consider alternates positions and this board does not have any alternates on it. The third point for consideration would be given to new applicants.

Mayor Heidemann opened nominations for Wade May for reappointment to the Economic Development Corporation.

MOTION made by Council Member Don Glockel to nominate Wade May for reappointment to the

Economic Development Corporation Board. Seconded by Council Member Scott Garber

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Council Member Don Glockel

NAY: Mayor Pro-Tem Joe Harrison

PASSES

Mayor Heidemann opened nominations for Mike Amason for reappointment to the Economic Development Corporation.

MOTION made by Council Member Sam Burke to nominate Mike Amason for reappointment to the Economic Development Corporation Board.. Seconded by Council Member Scott Garber.

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison

NAY: Council Member Don Glockel

PASSES

Mayor Heidemann opened nominations for an open position for Place 4 to the Economic Development Corporation.

MOTION made by Council Member Don Glockel to nominate Jerry Blazewicz for appointment to the Economic Development Corporation Board. Seconded by Council Member Lowell Johnson.

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

PASSES

Mayor Heidemann opened nominations for City Council Representative Lowell Johnson for reappointment to the Economic Development Corporation.

MOTION made by Council Member Scott Garber to nominate Lowell Johnson for reappointment to the Economic Development Corporation Board, Seconded by Council Member Don Glockel

AYE: Council Member Sam Burke, Council Member Scott Garber, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

Other: Council Member Lowell Johnson (RECUSE)

PASSES

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

The purpose of this section is to allow each councilmember the opportunity to provide general updates and/or comments to fellow councilmembers, the public, and/or staff on any issues or future events. Also, in accordance with Section 30.085 of the Code of Ordinances, at this time, any Councilmember may direct that an item be added as a business item to any future agenda.

Councilmember Burke – it is my intent to resign from the Economic Development Corporation Board and the application you received from Robert Goodwin was in response to me and Councilmember Garber reaching out to him and seeing if he is interested in serving on the Economic Development Corporation Board. I would like to have an item similar to the item we just considered on the next agenda.

Councilmember Garber – perhaps maybe looking at what Corinth is facing over the next few years, I think this Economic Development Corporation is a vital part of that and I think it was do us good as a Council to sit down and talk about every single seat on the board to decide if there are people we want to remove off or put back on and really take a look at that. I think that is a possible Executive Session item and I would recommend that.

Councilmember Johnson – the DATCU Dash 5K is coming up and running this weekend. We would love to have your support out there on Saturday at 8:00 A.M.

Lee Ann Bunselmeyer, Acting City Manager – I wanted to provide Council with some information, I know you received a memorandum from Mr. Hyde on information he would like to have distributed to the public or put in our CAFR. Our CAFR has a structure that we follow and we try not to deviate from adding any additional information into the structure to our Comprehensive Annual Financial Report. However, several months ago we did add most of that information on our website, we do have a budget page that is on there and we do have a listing of all our vehicles, equipment, purchase date, purchase price etc. and description of that on those vehicles and equipment. On our Human Resources page under employment, we do have our pay scales there with the job titles, ranges with minimum, mid and top out ranges for all of our positions including our Police and Fire step plans. In that schedule we do not have employee names on it we just have employee titles on there.

Councilmember Garber – is it possible to have a member of our staff to point that out to Mr. Hyde and make sure that answers his questions?

Lee Ann Bunselmeyer, Acting City Manager – sure.

Lee Ann Bunselmeyer, Acting City Manager – I did want to let Council know we did close on the property on 3501 FM 2181 for the future site of our Joint Public Safety Facility. We closed on Tuesday, with the help from Andy Messer and his firm we were able to get resolution on the majority of the easement issues that we had. They are still working on one more and we hope to be bringing that back to the Council within the next few months. We have acquired it and it is now our property.

Mayor Heidemann recessed the meeting at 8:50 P.M. * See Closed Session.

CLOSED SESSION

The City Council will convene in such executive (closed session) to consider any matters regarding any of the above listed agenda items as well as the following matters pursuant to Chapter 551 of the Texas Government Code

Section 551.071. (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551. Consultation with the City Attorney regarding legal issues associated with the matter listed under Section 551.072.

a. Receive information and discuss, deliberate, and provide staff with direction regarding the potential

acquisition of real property located in Corinth along the west side of I-35 on FM 2181.

Council met in Closed Session from 8:50 P.M. until 9:08 P.M.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

b. Deliberation of the employment, reassignment, or duties of the City Manager.

Section 551.087. To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect. After discussion of any matters in executive session, any final action or vote taken will be in public by the City Council. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not.

RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON CLOSED SESSION ITEMS.

There was no action taken from Closed Session.

ADJOURN:

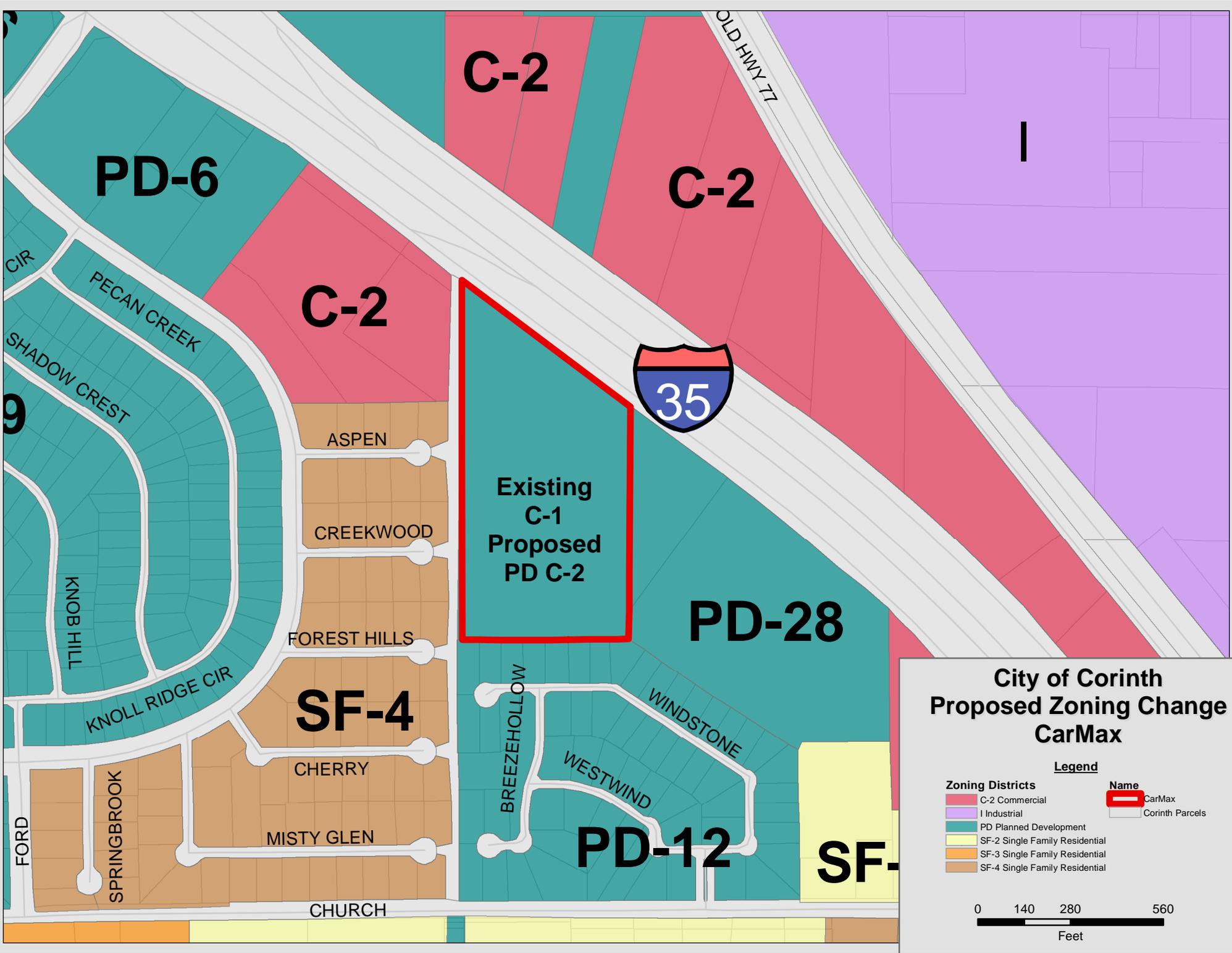
Mayor Heidemann adjourned the meeting at 9:10 P.M.

AYES: All

Meeting adjourned.

Approved by Council on ____ day of _____, 2016.

Kimberly Pence, City Secretary
City of Corinth, Texas.



City of Corinth Proposed Zoning Change CarMax

- Legend**
- | | |
|--|---|
| ■ C-2 Commercial | Name |
| ■ I Industrial | CarMax |
| ■ PD Planned Development | Corinth Parcels |
| ■ SF-2 Single Family Residential | |
| ■ SF-3 Single Family Residential | |
| ■ SF-4 Single Family Residential | |





CITY OF CORINTH

CARMAX Aerial and Site Location



Denton

Shady Shores

SHADY SHORES RD

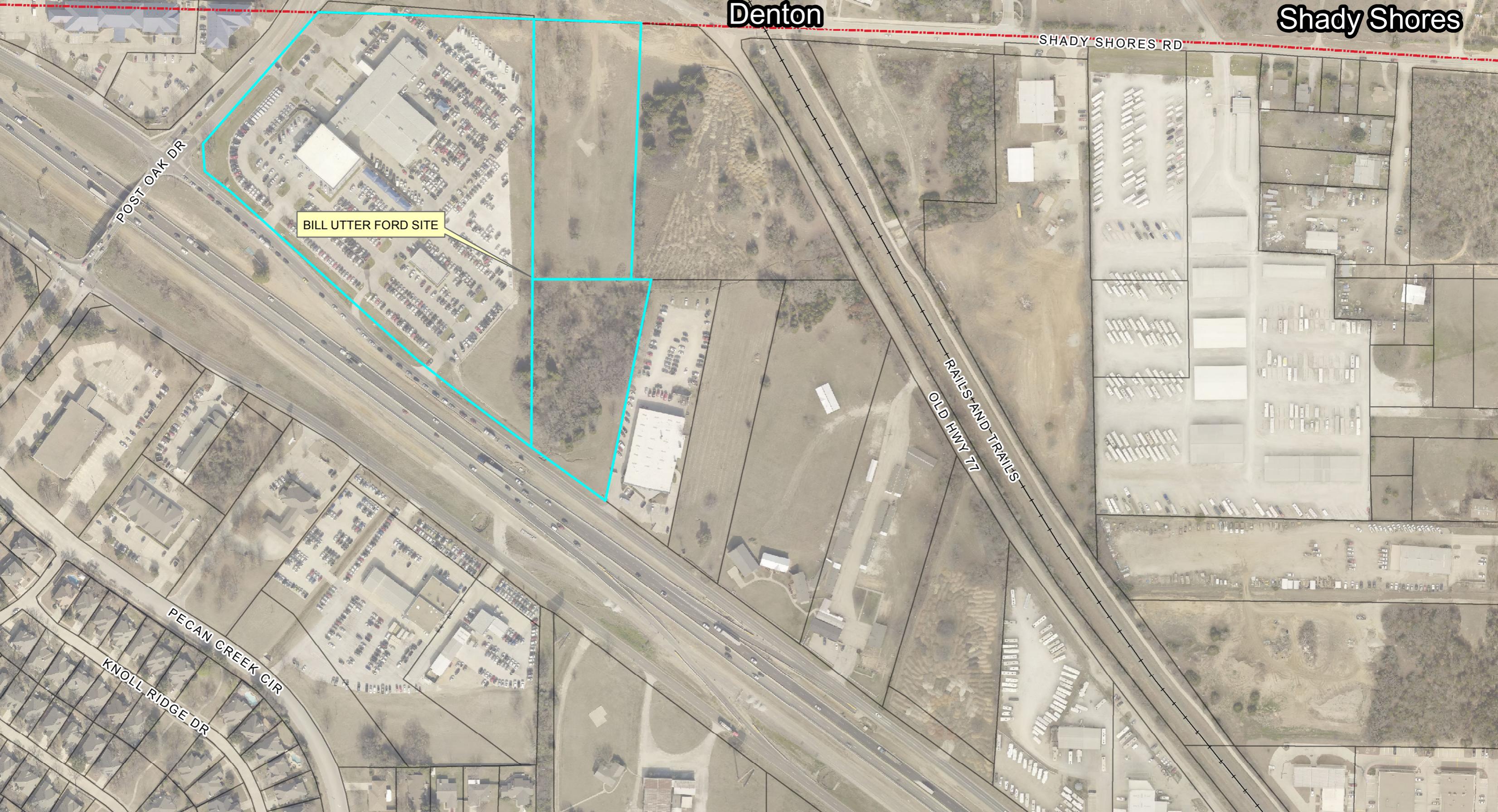
POST OAK DR

BILL UTTER FORD SITE

RAILS AND TRAILS
OLD HWY 77

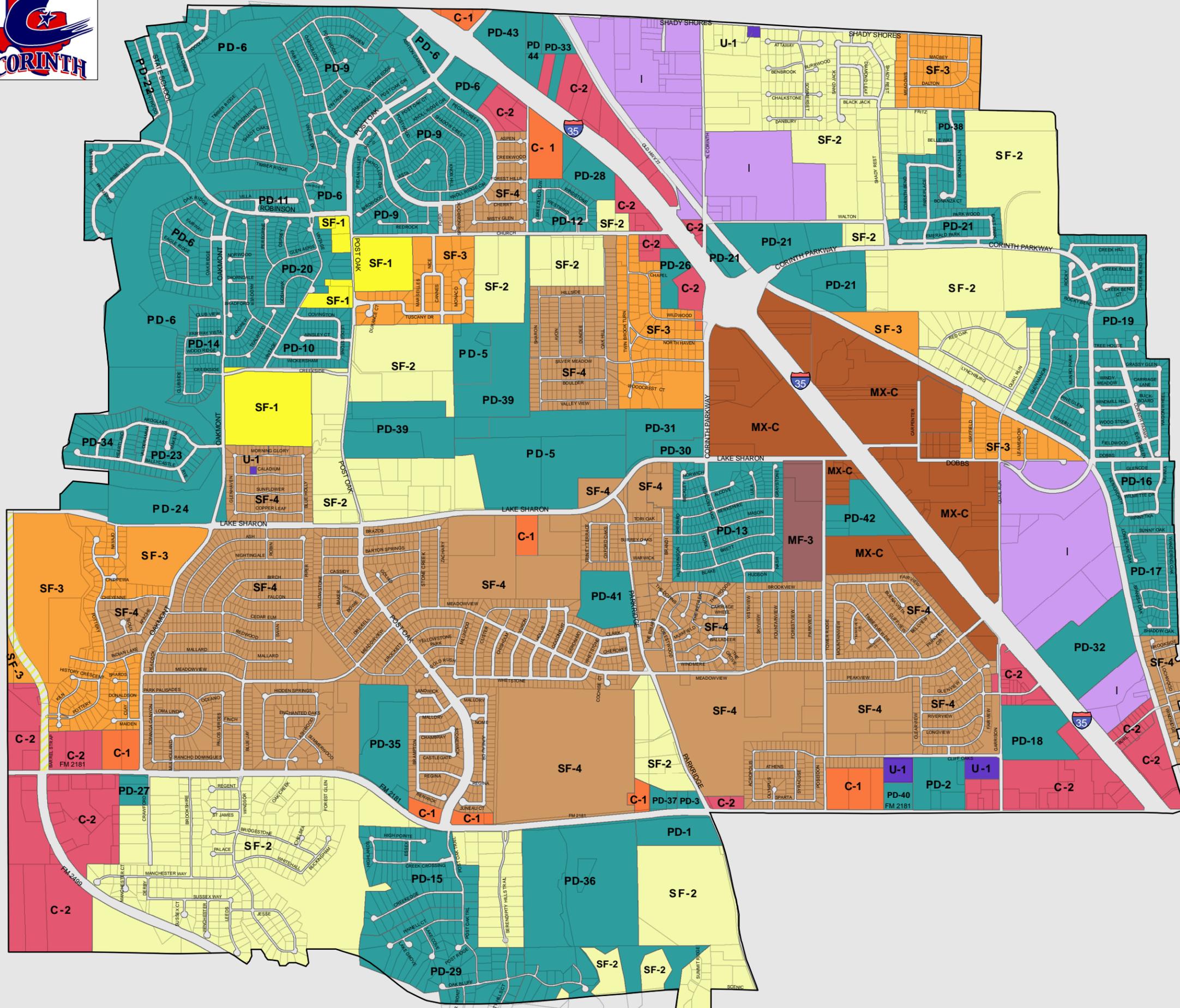
PECAN CREEK CIR

KNOLL RIDGE DR





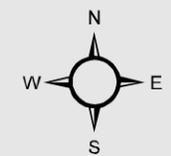
City of Corinth Zoning Map



Legend

Zoning Districts

- Future FM 2499
- C-1 Commercial
- C-2 Commercial
- C-3 Commercial
- I Industrial
- MF-1 Multi-Family Residential
- MF-2 Multi-Family Residential
- MF-3 Multi-Family Residential
- MHD Modular Home District
- MX-C Mixed Use Commercial
- PD Planned Development
- SF-1 Single Family Residential
- SF-2 Single Family Residential
- SF-3 Single Family Residential
- SF-4 Single Family Residential
- U-1 Utility





Corinth Dominos 1-dv1.jpg

Corinth Dominos Lighting Study | Francis Commercial | 20-Apr-16



Corinth Dominos 1-dv2.jpg

Corinth Dominos Lighting Study | Francis Commercial | 20-Apr-16