

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

On this August 22, 2016, The Planning and Zoning Commission of the City of Corinth, Texas, met in a Regular 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

Members Absent:

Marc Powell
Breien Velde

CALL TO ORDER, INVOCATION

The Regular Session Meeting of the Planning & Zoning Commission of the City of Corinth, Texas, was called to order by Brian Rush at 7:10 p.m. Mr. Rush delivered the invocation.

CONSENT AGENDA

1. Consider and act on Minutes from the July 25, 2016 Planning and Zoning Commission Regular Session.

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

SECONDED by Mr. Zinn

3-0. All in favor.

Ayes: Bruce Hanson, Dwayne Zinn, Brian Rush
Noes: none
Absent: Marc Powell, Breien Velde

MOTION TO APPROVE CARRIES

2. TO HEAR PUBLIC OPINION REGARDING A REQUEST BY THE APPLICANT RICHARD FRONTERHOUSE, WITH GLENN THURMAN, INC., AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER FIRST TEXAS HOMES, INC., FOR A SPECIFIC USE PERMIT (SUP) TO ALLOW A “TEMPORARY CONCRETE BATCH PLANT” ON PROPERTY ZONED PLANNED DEVELOPMENT (PD) SF-4, SINGLE FAMILY RESIDENTIAL DISTRICT ON APPROXIMATELY 2.5 ACRES OUT OF A TOTAL 25.75 ACRES LEGALLY DESCRIBED AS LOTS 1-30, BLOCK A; LOTS 1-11, BLOCK B; LOTS 1-10, BLOCK C; LOTS 1-10, BLOCK D; LOTS 1-10, BLOCK E AND LOTS 1-17, BLOCK F, VALENCIA ADDITION BEING 25.752 ACRES SITUATED IN THE BUFFALO BAYOU, BRAZOS AND COLORADO RAILROAD COMPANY SURVEY, ABSTRACT NUMBER 153 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. THIS PROPERTY IS LOCATED ON THE NORTH SIDE OF F.M. 2181, WEST OF POST OAK DR.

PUBLIC HEARING opened at 7:21 PM.

Ms. Levy gave an overview of the request—a batch plant on 2.5 acres, needed to pour the concrete for the streets in the Valencia subdivision. The applicant is requesting a two week time frame for the operation of the batch plant. She said the other alternative would be to have concrete trucked in and would last about 30 days—and increased traffic. The height is 20 feet tall with a 10 foot chain-linked fence around it. The applicant is meeting all of the City requirements. Ms. Levy also said they have applied for a permit from the Texas Commission on Environmental Quality (TCEQ)—but that the City’s requirements are a little more restrictive than the TCEQ’s.

Mr. Richard Fronterhouse, from Flatland Environmental, said he began in the business in 2001. The TCEQ permit is enforced by the Environmental Protection Agency (EPA). He said he'll have a diesel engine on site, the same size as a tractor trailer. He said the redi-mix plants create a lot more dust than a batch plant. The sand and gravel piles will be watered to reduce dust. All chemicals will be stored in a sealed container. He said they are estimating five to seven days of actual batching. He also said if they are denied there will be 300 to 400 dump trucks that will be on site—and if the dump trucks are forced to truck in the concrete in very hot weather, the product becomes more brittle. The City will be liable for the product once the performance bonds run out. And more dust and traffic would be added.

David Seymour, 3204 Summerwood, opposed.

Phil Shelp, 2101 FM 2181, opposed.

Marilyn Mays, 2101 FM 2181, opposed.

Carmen Bagette, 2205 Yellowstone Ln., opposed

Heidi Dillon, 2207 Yellowstone Ln., opposed

Virginia Holt, 3500 Buckingham Dr., neither in support of or opposed to

Brenda and Karen White, 2213 Yellowstone Park Ln., opposed

Richard Mickle, 3209 Brampton Dr., opposed

Mr. Hanson asked if this will be the only requested batch plant for this project. Mr. Fronterhouse answered yes.

Mr. Hanson asked about the start and stop time for the operation of the batch plant. Mr. Fronterhouse answered 7AM to 6PM Monday through Friday, and 8AM to 2PM on Saturday—and he is willing to work with the City on those hours.

Mr. Hanson asked about the possible effect on the drainage plan. Mr. Fronterhouse said he expects no change on the plan, and that the goal is 100% containment of any storm water. Mr. Hanson also asked what happens to the ground when the plant is removed. Mr. Fronterhouse said the ground and grade is returned to what it was prior to the batch plant operation.

Mr. Zinn asked if the applicant can clarify the difference between a cement plant and a batch plant. Mr. Fronterhouse said cement plants are often located far from residential areas. The batch plant mixes sand, gravel, water, and a couple of chemicals. He also said he cares for public health.

Mr. Hanson asked about the start and stop times. Ms. Levy said normal construction times are 7AM to 9PM, seven days a week—and that the applicant is proposing reduced hours.

Mr. Zinn asked if this tract drains towards 2181. Mr. Brownlee answered yes.

Mr. Rush asked about the time frame of the Specific Use Permit. Ms. Levy said she recommends adding an additional two weeks in case of weather issues.

Mr. Hanson asked if this is a recommendation only. Ms. Levy answered yes.

PUBLIC HEARING closed at 7:50 PM.

- 2a. Consider and act on a Specific Use Permit (SUP) to allow a “Temporary Concrete Batch Plant” for approximately two weeks on property zoned Planned Development (PD) SF-4, Single Family Residential District on approximately 2.5 acres out of a total of 25.75 acres being 25.752 acres legally described as Lots 1-30, Block A; Lots 1-11, Block B; Lots 1-10, Block C; Lots 1-10, Block D; Lots 1-10, Block E and Lots 1-17, Block F, Valencia Addition being 25.752 acres situated in The Buffalo Bayou, Brazos and Colorado Railroad Company Survey, Abstract Number 153 in the City of Corinth, Denton County, Texas.

MOTION made by Mr. Hanson to recommend approval of the temporary Specific Use Permit (SUP) subject to the TCEQ (Texas Commission on Environmental Quality) permit approval, and subject to the expiration of the SUP on the 30th day after a building permit is issued.

Mr. Hanson said this seems to be the lesser of the way things go—a far better solution than several hundred roller trucks.

SECONDED by Mr. Zinn

3-0. All in favor.

Ayes: Bruce Hanson, Dwayne Zinn, Brian Rush
Noes: none
Absent: Marc Powell, Breien Velde

MOTION TO RECOMMEND APPROVAL CARRIES

3. TO HEAR PUBLIC OPINION REGARDING A REPLAT OF DATCU-CORINTH ADDITION, LOT 1, BLOCK A, BEING A TOTAL OF 5.6 ACRES LEGALLY DESCRIBED AS ALL OF LOT 1, BLOCK A IN THE J.B. THETFORD SURVEY, ABSTRACT NO. 1308, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (THIS PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF I-35E AND WILDWOOD DR.)

PUBLIC HEARING opened at 7:51 PM.

Ms. Levy gave a brief overview of the replat request—which is being done to account for a portion of a water line easement being abandoned, along with additional easements being dedicated.

Mr. Lee Allison, Allison Engineering, said that during construction, lines were found where they were not supposed to be.

PUBLIC HEARING closed at 7:56 PM.

- 3a. Consider and act on Lot 1, Block A of the DATCU-CORINTH Addition Replat being a total of 5.610 acres legally described as all of Lot 1, Block A, Datcu-Corinth Addition in the J.B. Thetford Survey, Abstract Number 1308, in the City of Corinth, Denton County, Texas.

Ms. Levy said staff is recommending approval as presented.

MOTION made by Mr. Zinn to approve the replat as presented.

SECONDED by Mr. Hanson.

3-0. All in favor.

Ayes: Bruce Hanson, Dwayne Zinn, Brian Rush
Noes: none
Absent: Marc Powell, Breien Velde

MOTION TO APPROVE CARRIES

4. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT/PROPERTY OWNER ANTHONY SWARTZ OF OXFORD 2181, INC., FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION FROM RETAIL TO MIXED USE WITH RESIDENTIAL ON APPROXIMATELY 10.275 ACRES OF LAND LEGALLY DESCRIBED AS LOT 1R, BLOCK 1, TALLAL ADDITION, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

PUBLIC HEARING opened at 7:59 PM.

Ms. Levy said this and the next items are companion items and would like to cover them together.

Ms. Levy gave an overview of the request—changing the land use on the site to MX-R (mixed-use with residential). The development will have 240 multi-family units, with 7,700 square feet of retail on the ground floor of buildings three and four—and a total of five buildings on the site. The building height will be four stories, tuck-under garages, and 9,000 square feet of open space along with a retention pond and a hardscape trail.

Mr. Marc Tolson, with Arrive Architecture Group, presented the request to the Commission. He said his firm also designed The Boulevard apartment complex. He said the site is too far from I35 to be just commercial, and too close to I35 to be single family residential and his design achieves a good balance.

PUBLIC HEARING closed at 8:15 PM.

- 4a. Consider and act on an amendment to the Comprehensive Plan Future Land Use Designation from Retail to Mixed Use with Residential on approximately 10.275 acres of land legally described as Lot 1R, Block 1, Tallal Addition, in the City of Corinth, Denton County, Texas. (This property is located on the north side of F.M. 2181, and the east side of S. Garrison Rd.)

Ms. Levy said staff is recommending approval.

Mr. Hanson asked if this request was denied, the zoning would also have to be denied. **Ms. Levy** answered yes.

MOTION made by **Mr. Zinn** to recommend approval as submitted.

SECONDED by **Mr. Hanson**.

Mr. Hanson said this is a reasonable change in the comprehensive plan—and mixes in some retail capabilities.

3-0. All in favor.

Ayes:	Bruce Hanson, Dwayne Zinn, Brian Rush
Noes:	none
Absent:	Marc Powell, Breien Velde

MOTION TO RECOMMEND APPROVAL CARRIES

5. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT/OWNER ANTHONY SWARTZ OF OXFORD 2181, INC. FOR A ZONING CHANGE FROM C-2 COMMERCIAL DISTRICT TO PLANNED DEVELOPMENT (PD) MX-R MIXED USE WITH RESIDENTIAL DISTRICT WITH MODIFIED DEVELOPMENT STANDARDS ON APPROXIMATELY 10.275 ACRES OF LAND LEGALLY DESCRIBED AS LOT 1R, BLOCK 1, TALLAL ADDITION, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

PUBLIC HEARING opened at 8:17 PM.

Ms. Levy said the developer has worked with staff on adding additional amenities and that this is project would be a good addition to the City—and that staff is recommending approval.

Mr. Zinn asked about the property to the north and if a landscaping buffer is required. Ms. Levy said there is some give and take on this project and that there is already landscaping in place already—and they are proposing a screening wall.

Mr. Hanson asked if this project was just high density residential, without the commercial aspect, would they still have to do the landscape buffer. Ms. Levy answered yes, that was a challenge due to the ordinances requiring buffers for straight multi-family and straight commercial. They have tried to merge the requirements the best could.

Mr. Hanson asked if this is primarily a residential change with some commercial added to it. Ms. Levy answered yes.

PUBLIC HEARING closed at 8:25 PM.

5a. Consider and act on a zoning change from C-2 Commercial District to Planned Development (PD) MX-R Mixed Use with Residential District on 10.275 acres of land legally described as Lot 1R, Block 1, Tallal Addition, in the City of Corinth, Denton County, Texas. (This property is located on the north side of F.M. 2181, and the east side of S. Garrison Rd.

Ms. Levy said this will be going to City Council on September 15.

Mr. Hanson asked about requiring the site plan in place for MX-R. Ms. Levy said yes, all of the plans submitted are attached to this request, but, for the building permit site plan process, they will have to come back to Planning and Zoning and City Council. The request tonight is for the zoning site plan process.

MOTION made by Mr. Hanson to recommend approval of the request subject to the City Council approval of the companion comprehensive planned amendment request.

SECONDED by Mr. Zinn.

3-0. All in favor.

Ayes:	Bruce Hanson, Dwayne Zinn, Brian Rush
Noes:	none
Absent:	Marc Powell, Breien Velde

MOTION TO RECOMMEND APPROVAL CARRIES

6. TO HEAR PUBLIC OPINION REGARDING THE FINAL PLAT OF COSERV ADDITION LOT 2R AND 5R BEING A REPLAT OF COSERV ADDITION LOT 2 AND LOT 5 AS SHOWN ON THE PLAT RECORDED AS DOCUMENT NUMBER 2012-201 PRDCT IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located at 7701 IH 35E.)

PUBLIC HEARING opened at 8:27 PM.

Ms. Cabbage gave an overview on the plat request from COSERV. She said all of the construction documents meet the City's requirements.

Mr. Justin Lansdowne, G&A Consultants, gave a brief explanation on the plat request. Lot 5 will be divided and make that part of Lot 2R.

PUBLIC HEARING closed at 8:31 PM.

- 6a. Consider and act on the final plat of CoServ Addition Lot 2R and 5R being a replat of CoServ Addition Lot 2 and Lot 5 as shown on the plat recorded as document number 2012-201 PRDCT in the City of Corinth, Denton County, Texas.

MOTION made by Mr. Zinn to approve the final plat of Lots 2R and 5R as presented.

SECONDED by Mr. Hanson

3-0. All in favor.

Ayes: Bruce Hanson, Dwayne Zinn, Brian Rush
Noes: none
Absent: Marc Powell, Breien Velde

MOTION TO APPROVE CARRIES

7. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT JUSTIN LANSDOWNE, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER DENTON COUNTY ELECTRIC COOP (COSERV) FOR A ZONING CHANGE FROM I, INDUSTRIAL TO PLANNED DEVELOPMENT I (PD I) ADDING A TOWER/ANTENNA AND OUTSIDE STORAGE AS PERMITTED USES ON PROPERTY LEGALLY DESCRIBED AS 47.847 ACRES BEING LOT 2 AND A PORTION OF LOT 5 OF THE COSERV ADDITION IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located at 7701 S. Stemmons Frwy.)

PUBLIC HEARING opened at 8:33 PM.

Ms. Cubbage gave a presentation on the request. The base zoning is Industrial and has been since 1973. The applicant is requesting outside storage and an antenna as permitted uses. She said the landscaping plan meets the outside storage area. The rezoning is 47+ acres. They are also adding 243,000 square feet of storage to the existing 414,000—which equals 34% of storage coverage on the site. They are asking for a maximum of 35% of storage coverage.

Ms. Cubbage said staff recommends that any future tower/antenna request come through a planned development amendment. And staff recommends approval of the request.

Mr. Lansdowne gave a presentation on the zoning request. He said COSERV moved to Corinth in 1984. Their number of customers has grown, and this request will help them meet the demand.

Jerome Radake, 2503 Kenilworth, neither in support of or opposed to

PUBLIC HEARING closed at 8:45 PM.

- 7a. Consider and act on a zoning change from I, Industrial to Planned Development I (PD I) adding Tower/Antenna and Outside Storage as permitted uses on property legally described as 47.847 acres being Lot 2 and a portion of Lot 5 of the CoServ Addition in the City of Corinth, Denton County, Texas.

Ms. Cubbage said she noticed the photometric plan exceeds the limitations on the east side of the side, and that Mr. Lansdowne will fix that prior to City Council.

Mr. Hanson asked where the wall is going to be in relation to the sidewalks on Corinth Parkway. Ms. Cubbage said—there will be the road, a grassy area, the sidewalk, trees, and then the wall.

Mr. Hanson asked about the site plan requirements for this request. Ms. Cubbage said she wanted the site plan attached to help with the placement of future development at the site—to clarify the location.

Mr. Hanson asked if staff has a specific language in mind for the planned development amendment process.

Ms. Cubbage said they could add something under 12 in Section 13—page 11 of 13 in the ordinance—Exhibit C. Land Use Regulations.

MOTION made by Mr. Hanson to recommend approval of the planned development as submitted with the following addition: of Section 13 on page 11 of 13 for the COSERV Planned Development I Development District, Request for Future Additional Towers/Antennas shall be required to amend the planned development through the planned development amendment process.

SECONDED by Mr. Zinn.

3-0. All in favor.

Ayes: Bruce Hanson, Dwayne Zinn, Brian Rush

Noes: none

Absent: Marc Powell, Breien Velde

MOTION TO RECOMMEND APPROVAL CARRIES

8. Consider and act on a the site plan on 47.847 acres being Lot 2R CoServ Addition in the City of Corinth, Denton County, Texas.

Ms. Cubbage said staff recommends approval if the planned development is approved.

Mr. Zinn asked if this request goes on to City Council. **Ms. Cubbage** answered yes.

MOTION made by Mr. Hanson to recommend approval of the site plan subject to the correction of the lighting plan to conform with the rules in the planned development.

SECONDED by Mr. Zinn.

3-0. All in favor.

Ayes: Bruce Hanson, Dwayne Zinn, Brian Rush

Noes: none

Absent: Marc Powell, Breien Velde

MOTION TO RECOMMEND APPROVAL CARRIES

RECESS from 9:10 PM to 9:19 PM.

9. TO HEAR PUBLIC OPINION REGARDING REQUEST FROM THE PROPERTY OWNER, SWISHER @ I-35 CORINTH LP FOR A ZONING CHANGE FROM C-2, COMMERCIAL TO PLANNED DEVELOPMENT C-2 (PD C-2) ON PROPERTY LEGALLY DESCRIBED AS ACRES BEING A PORTION OF LOT 1, BLOCK A, SWISHER 35-E ADDITION IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located on the north bound IH 35E frontage road north of Swisher and south of Burl St.)

Mr. Zinn recused himself from this agenda item.

PUBLIC HEARING opened at 9:21 PM.

Ms. Cubbage gave a presentation on the zoning change request. She said the proposed base zoning is C-2—storage units are proposed for the new use. The only way to allow storage units for this site is through the establishment of a planned development. Within the land use regulations, they are providing for an increased height and number of stories—four stories, forty feet in height. The future land use designation is Commercial, which is consistent with mini storage. Approval is at the discretion of the Commission.

Mr. Chris Anderson, Provident Realty Advisors, gave a presentation on the zoning change request. He said he is only requesting three stories with a height of 40 feet. He has done several self-storage businesses in the past and they have become very retail-oriented. The rest of the site in front of the existing hotel is being chopped up for restaurants. The building will be mostly masonry with some stucco at the top, for accents. He said the access to Burl Street will be gated and would be just for emergency access. There will be 1,500 to 2,500 square feet of retail space for boxes, tape, and moving blankets. The building will be manned during general business hours only—but will have the capability to lockdown automatically.

Ronald Hill, 3310 Windridge Ln., opposed

Daniel Martinez, 3303 Windridge Ln., opposed

PUBLIC HEARING closed at 9:27 PM.

- 9a.** Consider and act on a zoning change from C-2, Commercial to Planned Development C-2 (PD C-2) on property legally described as 3.2882 acres being a portion of Lot 1, Block A, Swisher 35-E Addition in the City of Corinth, Denton County, Texas. (This property is located on the north bound IH 35E frontage road north of Swisher and south of Burl St.)

***No action was taken on item # 9 due to the board not sitting in a quorum. A Planning and Zoning Special Meeting is tentatively scheduled for September 12, 2016 to address this agenda item.**

- 10.** TO HEAR PUBLIC OPINION REGARDING THE FINAL PLAT OF SWISHER 35-E ADDITION, LOTS X1, X2, 2A, AND 4-10, BLOCK A, BEING 10.307 ACRES AND BEING A REPLAT OF SWISHER 35-E ADDITION, LOTS 1 AND 3, BLOCK A, RECORDED IN DOC. NO. 2009-44 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located at on the northeast corner of IH 35E and Swisher Road.

Mr. Zinn recused himself from this agenda item.

PUBLIC HEARING opened at 9:27 PM.

Ms. Cabbage said the current plat is three lots, the proposed plat would be 11 lots—two of which are detention. Lot 9 is the proposed area of the storage building. She said the developer and City Engineer have worked together on resolving some issues. Mr. Mike Brownlee, City Engineer, said the Panda Express plans along with the rest of the site seem to work okay. All of the major comments have been addressed, and Mr. Brownlee feels comfortable with the engineering plans at the site.

Ronald Hill, 3310 Windridge Ln., opposed

Daniel Martinez, 3303 Windridge Ln., opposed

PUBLIC HEARING closed at 9:40 PM.

- 10a.** Consider and act on the Final Plat of Swisher 35-E Addition, Lots X1, X2, 2A, and 4-10, Block A, being 10.307 acres and being a replat of Swisher 35-E Addition, Lots 1 and 3, Block A, recorded in Doc. No. 2009-44 in the City of Corinth, Denton County, Texas. (This property is located at on the northeast corner of IH 35E and Swisher Road.)

***No action was taken on item # 10 due to the board not sitting in a quorum. A Planning and Zoning Special Meeting is tentatively scheduled for September 12, 2016 to address this agenda item.**

ADJOURN

Meeting adjourned at 9:41 PM.

MINUTES APPROVED THIS 12th DAY OF September, 2016.



Brian Rush, Planning and Zoning Commission Chairman



Nathan Abato, Planning and Zoning Commission Secretary