

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

On this the 14th day of November, 2016, the Planning and Zoning Commission of the City of Corinth, Texas, met in a Special Holiday Session at Corinth City Hall, 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:

Members Present

Breien Velde
Bruce Hanson
Dwayne Zinn
Brian Rush
Charles Mills

Members Absent

Marc Powell

CALL TO ORDER

The Special Holiday Session of the Planning and Zoning Commission of the City of Corinth, Texas, was called to order by Brian Rush at 7:02 p.m. Charles Mills delivered the invocation.

PUBLIC HEARING

1. TO HEAR PUBLIC OPINION REGARDING A REQUEST BY THE APPLICANT RICHARD FRONTERHOUSE, WITH GLENN THURMAN, INC., AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER MERITAGE HOMES OF TEXAS, LLC., 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 0.568 ACRES OUT OF A TOTAL 31.368 ACRE TRACT OF LAND SITUATED IN THE WILLIAM C. GARRISON SURVEY, ABSTRACT NO. 508, THE WILLIAM WILSON SURVEY, ABSTRACT NO. 1383 AND THE D.A. WARE SURVEY, ABSTRACT NO. 1580, CITY OF CORINTH, DENTON COUNTY, TEXAS, AND BEING A CALLED 18.789 ACRE TRACT OF LAND DESCRIBED IN DEED TO MERITAGE HOMES OF TEXAS, LLC, RECORDED IN INSTRUMENT 2015-107509, DEED RECORDS, DENTON COUNTY, TEXAS, TRACTS ONE AND TWO DESCRIBED IN DEED TO MERITAGE HOMES OF TEXAS, LLC, RECORDED IN INSTRUMENT 2015-107059 OF SAID DEED RECORDS AND TRACTS 1-5, DESCRIBED IN DEED TO MERITAGE HOMES OF TEXAS, LLC, RECORDED IN INSTRUMENT 2015-107065 OF SAID DEED RECORDS. THIS PROPERTY IS LOCATED ON THE EAST SIDE OF POST OAK DRIVE, NORTH OF LAKE SHARON DRIVE.

PUBLIC HEARING opened at 7:05 PM.

Ms. Levy presented the request to the commissioners. It is a Specific Use Permit (SUP) request for a concrete batch plant for phase one of the Terrace Oaks residential subdivision. The development was approved at the end of 2014. This is a similar request to the Valencia SUP request. All of the conditional development standards are being met. The nearest distance is 300 feet, and the furthest is 940 feet. Staff is recommending approval with stipulations: a 30 day limit on the permit; returning the site to its original condition; the City will have the ability to revoke the permit if the work is completed prior to the 30 day limit.

Mr. Richard Fronterhouse, with Glen Thurman, Inc., gave a presentation on the SUP request. The batch plant is registered and reviewed with the Texas Commission on Environmental Quality (TCEQ). This plant will have a 10 cubic yard bucket. A water truck will always be onsite and all sand piles will be watered. There will be a 1,000 horsepower diesel generator on site. He is estimating between five and nine days of actual batching. The entire job will be about 9,000 cubic yards.

Greg Gideo, 2450 Post Oak Dr., spoke in favor of the request.

Angela Farrell, 2475 Post Oak Dr., had a question about the wash-off process.

Mr. Fronterhouse answered that there will be a poly-lined wash out pit to collect all wash off from the trucks.

PUBLIC HEARING closed at 7:21 PM.

- 1a. Consider and act on a Specific Use Permit (SUP) to allow a “Temporary Concrete Batch Plant” for approximately thirty days on property zoned Planned Development (PD) SF-4, Single-Family Residential District on approximately 0.568 acres out of a total 31.368 acre tract of land situated in the William C. Garrison Survey, Abstract No. 508, the William Wilson Survey, Abstract No. 1383 and the D.A. Ware Survey, Abstract No. 1580, City of Corinth, Denton County, Texas, and being a called 18.789 acre tract of land described in deed to Meritage Homes of Texas, LLC, recorded in Instrument 2015-107509, Deed Records, Denton County, Texas, Tracts One and Two described in deed to Meritage Homes of Texas, LLC, recorded in Instrument 2015-107059 of said Deed Records and Tracts 1-5, described in deed to Meritage Homes of Texas, LLC, recorded in Instrument 2015-107065 of said Deed Records. This property is located on the east side of Post Oak Drive, north of Lake Sharon Drive.

Ms. Levy reiterated the SUP request—allowing the developer to produce concrete onsite versus having it trucked in.

Mr. Hanson asked Ms. Levy to go over the stipulations again. Ms. Levy answered that staff is recommending approval subject to: the TCEQ approval of the permit; expiration of the SUP on the 30th day after a building permit has been issued; they will be required to return the site to its original condition; and that the SUP may be revoked at the time the work has been completed.

MOTION made by Mr. Zinn to approve the SUP request with staff recommendations.

AMENDMENT SECONDED by Mr. Hanson.

5-0 All in favor:

Ayes: Breien Velde, Bruce Hanson, Dwayne Zinn, Brian Rush, Charles Mills
Noes: None
Absent: Marc Powell

MOTION TO RECOMMEND APPROVAL CARRIES

Mr. Zinn recused himself from the remaining agenda items.

2. Consider and act on a Site Plan for the Panda Express Restaurant to be located on Lot 5, Block A, Swisher 35E Addition in the City of Corinth, Denton County, Texas.

Ms. Cubbage gave a presentation on the site plan request. She said there was an issue with the plat but that has been resolved. Staff is recommending approval of this request contingent on the filing of the plats—filing of the approved plat and then immediately filing an amending plat. The current zoning map allows for this use. She said the applicant is requesting to use a new product called Nichiha which is not on the approved materials list—but the commission is permitted to approve the product if it is shown to be as good a quality as the current masonry requirement. The other request from the applicant is to use a parapet roof instead of the required pitched roof. She said staff does not have a problem with this request.

Mr. Hanson asked about the amending plat process. Ms. Cubbage said that after the approval of the original plat, it was discovered that some of the lots did not comply with the current lot requirements. The developer was willing to amend the plat to ensure compliance for all of the lots.

Mr. Hanson asked if the amending plat will come back to the Planning and Zoning Commission. Ms. Cubbage answered that it will be an administrative decision/approval due to the size of the site not be altered. He also asked if the amending plat has been filed yet. Ms. Cubbage answered no—the developers' agreement has not been completed yet.

Mr. Hanson asked about Nichiha and if City Engineering has review it. Mr. Mike Brownlee said that would be more of a building code issue and would need to be looked at the by the Building Official. Ms. Cubbage said he has looked at it and has no issue with it. The only noncompliance issue with the product is that it is not currently on the approved materials list.

Mr. Mills asked if this material is used on other Panda Express sites. Mr. Eric Abeln, Heights Venture Architects, answered yes, it is a part of their branding.

Mr. Hanson asked about the desire of the masonry requirements—durability or a specific look. Ms. Cubbage said both, and that the Fire Chief is okay with the product as well.

MOTION made by Mr. Hanson to approve the site plan, subject to the filing of the amended plat.

AMENDMENT SECONDED by Mr. Velde.

Mr. Hanson said his only concern is the materials requirement for masonry products and the desire for masonry requirements to look like masonry—and that he is not sure if the intent of the requirement was to allow masonry products that mimic other looking materials. He suggests Council look at this requirement and update accordingly.

4-0 All in favor:

Ayes: Breien Velde, Bruce Hanson, Dwayne, Brian Rush, Charles Mills
Noes: None
Absent: Marc Powell
Recused: Dwayne Zinn

MOTION TO RECOMMEND APPROVAL CARRIES

3. Consider and act on a Site Plan for Arby's to be located on Lot 1R, Block A, Swisher 35E Addition in the City of Corinth, Denton County, Texas.

Ms. Cubbage gave a brief presentation on the site plan request. She said they are meeting and exceeding the City's requirements. There is a small amount of noncompliance with the masonry requirement—the current requirement is 100% class one masonry within residential—and class one does not include stucco. Additionally, it cannot be more than 85% of the same product. The applicant is requesting 100% brick with color variations. They are also asking for a parapet roof. She staff is recommending approval subject to the filing of the plat.

Mr. Hanson asked if there will be separate plat filing documents for each lot. Ms. Cubbage answered no.

MOTION made by Mr. Hanson to approve the site plan, subject to the filing of the amended plat.

AMENDMENT SECONDED by Mr. Velde.

Mr. Hanson asked about the developer exceeding the landscaping requirements. He also said it appears that the building will not be monotonous in color and material in regards to the 400 foot residential adjacency requirement.

4-0 All in favor:

Ayes: Breien Velde, Bruce Hanson, Dwayne, Brian Rush, Charles Mills
Noes: None
Absent: Marc Powell
Recused: Dwayne Zinn

MOTION TO RECOMMEND APPROVAL CARRIES

4. Consider and act on a Site Plan for Popeye's Restaurant to be located on Lot 1R, Block A, Swisher 35E Addition in the City of Corinth, Denton County, Texas.

Ms. Cubbage said this is very similar to the other requests tonight—the only issue being the request of the parapet roof. She staff recommends approval subject to the filing of the plat.

MOTION made by Mr. Velde to approve the site plan, subject to the filing of the amended plat.

AMENDMENT SECONDED by Mr. Mills.

4-0 All in favor:

Ayes: Breien Velde, Bruce Hanson, Dwayne, Brian Rush, Charles Mills
Noes: None
Absent: Marc Powell
Recused: Dwayne Zinn

MOTION TO RECOMMEND APPROVAL CARRIES

5. Consider and act on Minutes from the September 26, 2016 Planning and Zoning Commission Special Session.

MOTION made by Mr. Hanson to approve the minutes.

SECONDED by Mr. Velde.

4-0 All in favor:

Ayes: Breien Velde, Bruce Hanson, Dwayne, Brian Rush, Charles Mills
Noes: None
Absent: Marc Powell
Recused: Dwayne Zinn

MOTION TO APPROVE CARRIES

ADJOURN

Meeting adjourned at 7:53 p.m.

MINUTES APPROVED THIS 12th DAY OF December, 2016.



Brian Rush, Planning and Zoning Commission Chairman



Nathan Abato, Planning and Zoning Commission Secretary