

On this the 27th day of August, 2018, 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, 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**

Brian Rush  
Bruce Hanson  
Marc Powell  
Dwayne Zinn  
Wade May

**Members Absent**

Breien Velde  
Chuck Mills

**CALL TO ORDER**

Meeting was called to order by Brian Rush at 7:00PM

**INVOCATION**

Invocation was delivered by Marc Powell

**PRESENTATION**

**PRESENTATION ITEM**

1. Presentation of Director's Report

Helen-Eve Liebman, Planning and Development Director, gave Director's Report. This was the first ever Director's Report. Corinthian Park Townhomes Planned Development was unanimously approved. UDC Use Chart amendments were unanimously approved. There will be a joint City Council and Planning and Zoning Commission on October 15<sup>th</sup>. November and December meeting are both moved up a week due to holidays.

**BUSINESS AGENDA**

**BUSINESS ITEM**

2. Consider and act on Minutes from the July 23, 2018 Planning and Zoning Commission Regular Session meeting.

**Motion made** by Dwayne Zinn to approve the minutes as presented

**Motion seconded** by Marc Powell

**5-0 All in favor:**

Ayes:	Brian Rush, Bruce Hanson, Marc Powell, Dwayne Zinn, Wade May
Nays:	None
Not Voting:	None
Absent:	Breien Velde, Chuck Mills

**MOTION TO APPROVE THE MINUTES AS PRESENTED CARRIES**

## **PUBLIC HEARING AND BUSINESS AGENDA**

### **PUBLIC HEARING:**

TO HEAR PUBLIC OPINION REGARDING THE PECAN CREEK SUBDIVISION REPLAT OF THE REMAINDER OF LOT 7A, BLOCK 1, BEING 0.589 ACRES IN THE W. GARRISON SURVEY, ABSTRACT NO. 1545, CITY OF CORINTH, DENTON COUNTY, TEXAS. (THIS SITE IS LOCATED ON THE SOUTHWEST SIDE OF I-35E, SOUTH OF POST OAK DRIVE.)

**Public Hearing Opened at 7:03PM**

**Lori Levy, Senior Planner**, presented the item. This was a request to replat the remainder of lot 7 Block A of the Pecan Creek subdivision. This is an infill lot between Christian Brothers and Independent Bank. It is surrounded by development and has a variable width portion from which TxDOT has taken right of way for I-35. The property is zoned for neighborhood commercial. The applicant is providing connection from Christian Brothers utilizing an access easement and fire lane easement. The proposal meets all of the requirements of the subdivision ordinance and all construction requirements. Staff recommends approval subject to the applicant adding the recordation information for the newly dedicated 24' Fire Lane and Access Easement to be connected to the existing 24' Fire and Access Easement after being filed as a separate instrument or showing this 24' Fire Lane and Access Easement as being dedicated by this plat prior to the Replat being filed with Denton County.

**Doug Weaver, Project Engineer, G&A Consultants**, presented on behalf of the applicant. He stated that the site does not have direct access to I-35 and must get access through the Christian Brothers parking lot. The applicant attempted to negotiate access with Independence bank over an extended period but was not able to reach an agreement. The current zoning at the property is PD-6 with the subdistrict of Neighborhood commercial. The appendix C cited in the easement has not been filed and a new document must be created to supersede this document. Property will feature neighborhood services such as donut shop, coffee shop, dry cleaner and a Tai Kwon Do studio.

**Wade May** asked how the grade change from Christian Brothers will be addressed. He also asked if the site has a substantial grade.

**Doug Weaver** answered that a 4' tall wall is provided. The front is only dropping about 4% while the back is about 8%. The site has a 7-8% grade.

**Dwayne Zinn** asked if the grading is causing the looping to not line up with the existing grade.

**Doug Weaver** replied that it is not. He stated that TxDOT has only given Right-of-Way to this owner and not the adjacent owners. He cannot develop in this Right-of-Way. The owner currently has no plans to connect to the bank.

**Dwayne Zinn** asked for clarification on why the Northwest corner has an off set in the easement and the North to South property line is radiused from this point.

**Doug Weaver** stated that these are entered as access easements and do not have to be fire lanes. He stated that he will correct alignment of lines on property which appear to be offset.

**Public Hearing Closed at 7:20 PM**

**BUSINESS:**

3. Consider and act on the Pecan Creek Subdivision Replat of the remainder of Lot 7A, Block 1, being 0.589 acres in the W. Garrison Survey, Abstract No. 1545, City of Corinth, Denton County, Texas. (This site is located on the southwest side of I-35E, south of Post Oak Drive.)

**Marc Powell** asked if the fire lane is the Instrument C.

**Lori Levy** confirmed that this is correct.

**Bruce Hanson** asked if it is required that the easements be lined up.

**Lori Levy** stated that it is not required but the radii must be present.

**Motion made** by Bruce Hanson to approve the replat subject to the applicant adding the recordation information for the newly dedicated 24' Fire Lane and Access Easement to be connected to the existing 24' Fire and Access Easement after being filed as a separate instrument or showing this 24' Fire Lane and Access Easement as being dedicated by this plat prior to the Replat being filed with Denton County.

**Motion seconded** by Marc Powell

**Bruce Hanson** stated that it seems like common sense that the easements would need to align and that he hopes that this will be corrected even though it is not a requirement.

**Lori Levy** stated that it will line up with the new alignment but they are working within existing conditions at this time.

**5-0 All in favor:**

Ayes:	Brian Rush, Bruce Hanson, Marc Powell, Dwayne Zinn, Wade May
Nays:	None
Not Voting:	None
Absent:	Breien Velde, Chuck Mills

**MOTION TO APPROVE THE REPLAT SUBJECT TO THE APPLICANT ADDING THE RECORDATION INFORMATION FOR THE NEWLY DEDICATED 24' FIRE LANE AND ACCESS EASEMENT TO BE CONNECTED TO THE EXISTING 24' FIRE AND ACCESS EASEMENT AFTER BEING FILED AS A SEPARATE INSTRUMENT OR SHOWING THIS 24' FIRE LANE AND ACCESS EASEMENT AS BEING DEDICATED BY THIS PLAT PRIOR TO THE REPLAT BEING FILED WITH DENTON COUNTY CARRIES**

**PUBLIC HEARING:**

TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT, PETER KAVANAGH, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER, NORTH CENTRAL TEXAS COLLEGE, FOR A SPECIFIC USE PERMIT TO ALLOW A VERIZON CELLULAR TOWER AND EQUIPMENT ON AN APPROXIMATELY 384 SQUARE FOOT LEASE SPACE OUT OF AN APPROXIMATELY 34.33-ACRE TRACT OF LAND SITUATED IN THE M.E.P. & P.R.R. CO. SURVEY, ABSTRACT NO. 915 AND MORE PARTICULARLY DESCRIBED AS NORTH CENTRAL TEXAS COLLEGE ADDITION, NO. 2, LOT 1R, BLOCK A, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (THIS PROPERTY IS LOCATED ON THE NORTH

CENTRAL TEXAS COLLEGE CAMPUS, NORTH OF WALTON ROAD, EAST OF N. CORINTH PKWY).

**Public Hearing Opened at 7:25PM**

**Lori Levy, Senior Planner**, presented the item and gave background information. The entire NCTC campus is zoned industrial. A 125' cellular tower is proposed to be concealed within a flag pole. The installation will include ground level cellular equipment and maintenance equipment. The installation will match the building facade. Access to the site will come from a newly dedicated 12' access road connected to the existing parking lot on campus.

**Peter Kavanagh, Zone Systems**, presented on behalf of the applicant, representing both NCTC and Verizon Wireless. Following the rejection of a previous proposal for a cellular tower at the site, Mr. Kavanagh worked with city staff to a better location. The original site was rejected in part because it was too close to the street and may have adversely impacted future development. The current design calls for the flag pole to be operated by the college. The college anticipates future development and believes that this location will not adversely affect future development. Mr. Kavanagh explained the current Verizon coverage area and the effects of new tower. Mr. Kavanagh presented a site plan and aerial photo of the site. He stated that the tower will be large enough to provide room for another carrier to operate inside of the pole as well. He showed location of existing towers in city, of which there are 4. He showed images of existing flag pole type towers for reference.

**Wade May** asked if there is lighting on the pole.

**Peter Kavanagh** responded that tower lighting is designated on the site plan and will have lights shooting up onto the pole.

**Bruce Hanson** asked for confirmation that the pole is 125' and asked if there was discussion with the FAA.

**Peter Kavanagh** replied that his firm has completed an aerospace study including all facilities in the area and made the determination that the applicant is not required to notify FAA.

**Allan "Butch" Honse, 1634 Oak Ridge and 3150 Walton, Corinth**, spoke in opposition to the tower stating that this is third time he has seen presentation and it has been denied previously.

**Public Hearing Closed at 7:41 PM**

**BUSINESS:**

4. Consider and act on the Specific Use Permit (SUP) to allow a Verizon Cellular Tower and Equipment on an approximately 384 square foot lease space out of an approximately 34.33-acre tract of land situated in the M.E.P. & P.R.R. Co. Survey, Abstract No. 915 and more particularly described as North Central Texas College Addition, No. 2, Lot 1R, Block A, in the City of Corinth, Denton County, Texas. (This property is located on the North Central Texas College Campus, north of Walton Road, East of N. Corinth Pkwy).

**Lori Levy**, state that staff recommends approval subject to the applicant providing a report from a professional structural Engineer in the State of Texas and adding the recordation information for all new access and utility easements on the Site Plan and providing staff with copies of those instruments at the

time of the building permit application. She also stated that this is a different site and a different type of tower from the previous application.

**Bruce Hanson** asked Lori to elaborate on the previous application.

**Lori Levy** responded that the previous proposal located the tower directly off of Walton Drive and did not provide a lot of the required information. The previous application would have impeded development on this site.

**Bruce Hanson** asked what type of antennae was previously proposed.

**Peter Kavanagh** stated that stated that the previous application was not for a flag pole but was enclosed. Mr. Honse has a tower on the adjacent property but is not structurally sound enough to hold the equipment.

**Dwayne Zinn** asked the location of the access easement.

**Lori Levy** showed him this location.

**Bruce Hanson** asked if this is a recommendation or a final action.

**Lori Levy** stated that it is a recommendation.

**Motion made** by Bruce Hanson to recommend approval of the Specific Use Permit, subject to the applicant providing a report from a professional structural Engineer in the State of Texas and adding the recordation information for all new access and utility easements on the Site Plan and providing staff with copies of those instruments at the time of the building permit application.

**Motion seconded** by Marc Powell

**Bruce Hanson** stated that this is a superior location to what was previously proposed because it is more centered and less obtrusive.

**5-0 All in favor:**

Ayes:	Brian Rush, Bruce Hanson, Marc Powell, Dwayne Zinn, Wade May
Nays:	None
Not Voting:	None
Absent:	Breien Velde, Chuck Mills

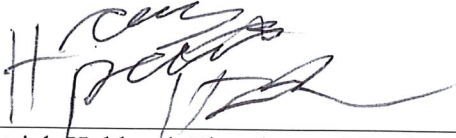
**MOTION TO RECOMMEND APPROVAL OF THE SPECIFIC USE PERMIT,  
SUBJECT TO THE APPLICANT PROVIDING A REPORT FROM A PROFESSIONAL  
STRUCTURAL ENGINEER IN THE STATE OF TEXAS AND ADDING THE  
RECORDATION INFORMATION FOR ALL NEW ACCESS AND UTILITY  
EASEMENTS ON THE SITE PLAN AND PROVIDING STAFF WITH COPIES OF  
THOSE INSTRUMENTS AT THE TIME OF THE BUILDING PERMIT  
APPLICATION.**

Regular Session Adjourned at 7:49 PM.

MINUTES APPROVED THIS ~~29th~~ DAY OF September, 2018.  
24th



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Brian Rush, Planning and Zoning Commission Chairman



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Patrick Hubbard, Planning and Zoning Commission Secretary