

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

On this the 16th day of April, 2018, 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, 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
Breien Velde
Dwayne Zinn
Marc Powell
Wade May
Chuck Mills

Members Absent

CALL TO ORDER

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

INVOCATION

Marc Powell Delivered the invocation.

BUSINESS AGENDA

BUSINESS ITEMS

1. Consider and act on Minutes from the March 26, 2018 Planning and Zoning Commission Regular Session Meeting.

Motion made by Dwayne Zinn to approve.

Motion Seconded by Bruce Hanson.

5-0 All in favor:

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

MOTION TO APPROVE CARRIES

2. Consider and act on a petition for a Major Subdivision Waiver for relief from the driveway separation distance requirements of the Unified Development Code, Section 3.05.04, Access Management, to allow a separation distance of approximately 171' from the Post Oak intersection for a new driveway. The property is located on 3.017 acres legally described as Tract 1 being 3.189 acres situated in the L. Young Survey, County Abstract 1451 in the City of Corinth, Denton

County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

5 Minute Recess Held

Mike Brownlee, City Engineer, presented on Major Subdivision Waiver. The waiver is for the distance requirements for the middle driveway. Applicant had initially proposed to have the South driveway and the North driveway with the original development. The waiver allows two points of access on Post Oak which would include a median entrance and a right in right out exit. The concern with the original layout is that traffic will have to go completely from the north to the south of the site and because the inclusion of this driveway allows for better traffic flow to and from the site since Robinson Rd would present limited options. Staff supports this waiver.

Mr. Dwayne Zinn asked if the TIA conducted for this recommended three points of access.

Mike Brownlee upon complete buildout of the second site, 3 driveways will be required based on the use.

Bruce Hanson sought clarification that the waiver is for the distance and would this require a traffic study.

Mike Brownlee confirmed that it is to allow for a slightly reduced driveway distance on a right in right out driveway and that the level of the traffic at the site does not warrant a full traffic impact analysis.

Motion made by Bruce Hanson to Recommend Approval as Requested

Motion Seconded by Dwayne Zinn.

Bruce Hanson though there is a standard distance, allowing the driveway would make sense to improve circulation.

Dwayne Zinn pointed out that the distance being waived is not much more than the width of one of the driveways.

5-0 All in favor:

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

MOTION TO RECOMMEND APPROVAL AS REQUESTED CARRIES

3. Consider and act on the Childrens Lighthouse Addition preliminary plat Lots 1 and 2 being 3.192 acres situated in the Levi Young Survey, County Abstract 1451 zoned Planned Development Neighborhood Shopping in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

Barb Cabbage, Interim Director of Planning and Development, stated that the site is part of the Oakmont Planned Development and has been zoned for Neighborhood Commercial since 1987. There are 4 items associated with this property. The Future Land Use Plan designates the property as retail. A traffic threshold worksheet is required and is the tool for determining if a traffic study is required. A preliminary and final plat are required for the property. These are the official maps of the property and contain State, County and City requirements for the plat. Staff recommend approval of both preliminary and final plats with approval contingent upon approval of Major Subdivision Waiver by City Council and that all Engineering comments are resolved.

Dwayne Zinn asked for clarification on what engineering comments are outstanding

Mike Brownlee stated that the project has not completed its final construction documents.

Bruce Hanson asked what specific comments are outstanding.

Mike Brownlee stated that drainage calculations need to be resolved and driveway configuration which may affect the paving plan.

Bruce Hanson asked if approval with conditions would result in conditions needing to be met before filing.

Barb Cubbage responded that all conditions would need to be met and the city will not file the plat until all public improvements are complete and all conditions are met.

Motion made by Bruce Hanson to Approve Subject to the approval of the Major Subdivision Waiver and the Resolution of All Engineering Comments Within 10 Business Days of Council Approval

Motion Seconded by Dwayne Zinn.

5-0 All in favor:

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

**MOTION TO APPROVE SUBJECT TO THE APPROVAL OF THE MAJOR
SUBDIVISION WAIVER BY CITY COUNCIL AND THE RESOLUTION OF ALL
ENGINEERING COMMENTS WITHIN 10 BUSINESS DAYS OF COUNCIL
APPROVAL CARRIES**

Barb Cubbage discussed that this site was part of Planned Development 6 which was completed in 1987 and contains several types of uses including Highway Commercial, Neighborhood Shopping, and Residential. Neighborhood Commercial included several uses such as grocery store, saving and loan, convenience store and gas station. The PD was amended to eliminate certain uses such as gas station, savings and loan, and veterinary clinic. A lot of older ordinances in the city were less residential friendly. The property will meet the city's residential adjacency standards. The property will meet the landscape and tree preservation requirements. Staff recommends taking out on page 10 "No vehicle stacking spaces shall be required for childcare uses" because this is not a zoning issue and should be addressed through another process. In 2007 this property was approved for a large L-shaped strip center that was taller than what has been proposed. Staff also recommend that the approval be made contingent on the major subdivision waiver.

Bruce Hanson asked how it is currently platted and asked if this plat would be dependent on the zoning change.

Barb Cubbage stated that it is not. A preliminary plat is only valid for 2 years and a final plat is only valid for 18 months and will revert to having not plat.

4. Consider and act on the Childrens Lighthouse Addition Lots 1 and 2 final plat being 3.192 acres situated in the Levi Young Survey, County Abstract 1451 zoned Planned Development Neighborhood Shopping in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

Motion Made by Bruce Hanson to Approve Subject to the approval of the Major Subdivision Waiver and the Resolution of All Engineering Comments within 10 Business Days of Council Approval of the Major Subdivision Waiver

Motion Seconded by Dwayne Zinn.

Bruce Hanson clarified that this is the final plat and the Planning and Zoning Commission takes final action but if the project does not move forward then the site will revert to its current state. This will mean that everything will have been completed in the proper fashion.

5-0 All in favor:

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

**MOTION TO APPROVE SUBJECT TO THE APPROVAL OF THE MAJOR
SUBDIVISION WAIVER BY CITY COUNCIL AND THE RESOLUTION OF ALL
ENGINEERING COMMENTS WITHIN 10 BUSINESS DAYS OF COUNCIL OF
COUNCIL APPROVAL OF THE MAJOR SUBDIVISION WAIVER APPROVAL
CARRIES**

PUBLIC HEARING AND BUSINESS AGENDA

PUBLIC HEARING

TO HEAR PUBLIC OPINION REGARDING A REQUEST BY THE APPLICANT, ROBERT P. GARZA, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER NANCY REED, FOR A ZONING CHANGE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE NO. 13-05-02-08 AND PLANNED DEVELOPMENT ORDINANCE NO. 07-03-01-05 BY REVISING THE LAND USE REGULATIONS AND DEVELOPMENT STANDARDS ON PROPERTY LEGALLY DESCRIBED AS TRACT 1 BEING 3.189 ACRES SITUATED IN THE L. YOUNG SURVEY, COUNTY ABSTRACT 1451 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

Public Hearing Opened at 7:45PM

Barb Cabbage explained city public hearing procedures and has stated that the site plan documents for the project will be submitted separately and those provided in the packet are for reference.

Robert Garza, RPGA Architects, spoke as the architect for this project and stated that he is the prototype architect for Children's Lighthouse. The company franchises throughout the country and largely in Texas. The company views itself as a good fit for residential areas because it seeks to serve the local community. This property is a daycare, not a school, and has no peak hours. The parking provided exceeds what market data shows are needed for the use. There are currently only plans to develop the Children's Lighthouse property. The property is a 1 story, pitched roof, 100% stone facility. The peak of the lighthouse structure is about the height of a two story house. The applicant spoke to members of the neighborhood and did not receive negative comments at that time.

Cheryl Locklear, 1602 Oakhollow Dr, did not wish to speak but wrote in opposition of the proposal.

Rick Nash, 1600 Post Oak, spoke against the proposal citing traffic concerns.

Alecia Adams, 1863 Vintage Ct, spoke against the proposal citing traffic, safety, pollution, noise, privacy, and property values.

Tim Feltus, 1855 Vintage Dr, spoke against the proposal citing traffic and noise.

Amy Conine, 1705 Goshawk, spoke against the proposal citing traffic.

Larry Meyes, 6105 Pine Hills Lane, spoke against the proposal citing traffic, noise, visual pollution and property values.

Joseph Norcross, 1511 Pecan Valley Ct., spoke in opposition to the proposal citing traffic, noise, crime and pollution.

Mel Locklear, 1602 Oakhollow Dr, spoke in opposition of the proposal. Noted that this project was placed on the City Council agenda prior to the Planning and Zoning Commission meeting. Mentioned that there are 6 daycare centers in Corinth.

Connie Damley, 1987 Hayden Ln, spoke in opposition of the proposal citing traffic.

Laurie Feltus, 1855 Vintage Drive, spoke in opposition of the proposal citing traffic, property values, crime, pollution, trash, and noise.

V. Patel, 1509 Marina Dr, Denton, TX, spoke as the applicant noting that the site is approved and zoned for the retail and is a high traffic zone which would not be appropriate for a park. Childcare may be the best commercial uses for the area because it involves the least amount of traffic. The retail portion of the property is currently unplanned. Childcare is unlikely to increase crime and pollution.

Public Hearing Closed at 8:18PM

BUSINESS ITEM

5. Consider and act on an ordinance amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code, Ordinance No. 13-05-02-08, as amended and amending Planned Development Ordinance No. No. 07-03-01-05 by revising the Land Use Regulations and Development Standards on property legally described as Tract 1 being 3.189 acres situated in the L. Young Survey, County Abstract 1451 in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

Barb Cabbage stated that two driveways are required per development code and answered questions.

Bruce Hanson asked if the property already has a PD ordinance and when it was approved. He asked if the daycare use and retail use has been existing since 1987. If so, he asked what has changed.

Barb Cabbage responded that it was approved in 1987 and has been zoned neighborhood commercial since that time. A strip center was approved at the site in 2007. The applicant and the city are not adding any uses that are were not already allowed. The daycare use and retail has been permitted since 1987. In this case, an existing detailed site plan has been replaced with a conceptual plan. In addition, some uses have been eliminated such as gas station, savings and loan and veterinary clinic. The current plan well exceeds the standard requirements for residential adjacency.

Marc Powell sought clarification that the current proposal actually takes away rather than adding uses. Which is correct.

Bruce Hanson asked if they could build the daycare without a change.

Barb Cabbage stated that they could not because the 2007 ordinance contained a specific detailed site plan but a daycare center could be included in that strip if it was built how it was previously approved. In

addition, if they built to that approved ordinance, they would be subject to less stringent landscape requirement and build a larger structure.

Chuck Mills asked if anybody who had reviewed the plans for the property would have been able to have seen that the site was planned for commercial use. This is correct.

Motion Made by Bruce Hanson to Recommend Approval As Presented

Motion Seconded by Marc Powell.

Bruce Hanson stated that public comment indicates that most of the commenters are opposed to retail and even the daycare. He noted that these items are already permitted under the existing ordinance. He also noted that the council reviews this request regardless of the Planning and Zoning Commission recommendation. He asked for clarification on stacking requirements.

Barb Cabbage explained that stacking is part of the subdivision ordinance and not usually part of zoning.

Mike Brownlee stated that stacking is the required distance for cars to fit in queue. The proposed revision would allow staff to determine whether this is necessary.

Barb Cabbage provided the location of the stacking provision in the ordinance.

Motion Made by Bruce Hanson to Amend Motion to Recommend Approval to Strike from the Recommendation No. 1 No Vehicle Stacking Spaces Shall Be Required for Childcare Uses Under Developmental Regulations

Motion Seconded by Marc Powell.

5-0 All in favor:

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

MOTION TO AMEND MOTION TO RECOMMEND APPROVAL TO STRIKE FROM THE RECOMMENDATION NO. 1 NO VEHICLE STACKING SPACES SHALL BE REQUIRED FOR CHILDCARE USES UNDER DEVELOPMENTAL REGULATIONS CARRIES

Dwayne Zinn asked if other interest has been made in developing this tract.

Barb Cabbage stated that, over time, several developers have proposed to construct multifamily housing. This has not been supported.

5-0 All in favor:

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

MOTION TO RECOMMEND APPROVAL AS AMENDED TO STRIKE FROM THE RECOMMENDATION NO. 1 NO VEHICLE STACKING SPACES SHALL BE REQUIRED FOR CHILDCARE USES UNDER DEVELOPMENTAL REGULATIONS CARRIES

PUBLIC HEARING

TO HEAR PUBLIC OPINION REGARDING AMENDING THE CITY OF CORINTH COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE INCLUDING SECTIONS 2.07.03 AND 2.07.04 BY AMENDING USES PERMITTED, USES PROHIBITED, USES PERMITTED BY SPECIFIC USE PERMIT AND CONDITIONAL DEVELOPMENT STANDARDS RELATED TO RESIDENTIAL, NONRESIDENTIAL, AND SPECIAL ZONING DISTRICTS AND LAND USES.

Public Hearing Opened at 8:20PM

Barb Cubbage explained that the city has been reactive in proposing changes to the use chart through amendments. This proposal is to provide a full review of the Use Chart for amendments. This item is intended to be a casual discussion. She discussed scheduling the May meeting to coincide with the May City Council meeting.

Michael Smith, 4008 Waverly Rd, expressed concern about a proposed zoning change at the Northeast Corner of Quail Run and Corinth Parkway.

Josh Carson, 4010 Waverly Rd, wrote in opposition of item 6.

Public Hearing Closed at 8:27PM

BUSINESS ITEM

6. Consider and act on amendments to the City of Corinth Comprehensive Zoning Ordinance being a part of the Unified Development Code including Sections 2.07.03 and 2.07.04 by amending Uses Permitted, Uses Prohibited, Uses Permitted by Specific Use Permit and Conditional Development Standards related to Industrial, Commercial, Office, Retail, and Residential land use categories.

Bruce Hanson asked for clarification on the purpose of this item.

Barb Cubbage explained that the item is to allow the Planning and Zoning Commission to propose changes to the uses that are allowed in each district and that this type of public hearing is required prior to City Council comment.

Brian Rush suggested that the commission recommend a meeting with City Council to discuss changes.

Dwayne Zinn asked if the documents in the packet are proposed or just copies of the current ordinance and if tabling this item would postpone the City Council's hearing.

Barb Cubbage stated that the documents in the packet are copies of the current ordinance.

Bruce Hanson stated that the commission was not given much time to develop proposals.

Brian Rush asked to clarify what the priority level of this item.

Dwayne Zinn asked if proposed changes would inherit the dimensional regulations of the district that they are added to if they are added.

Barb Cubbage stated that she would like to complete this amendment by June which would place another hearing for this item in May and stated that the development standards of a district would apply to any use added to them.

Motion Made by Bruce Hanson to Recommend Holding a Workshop With The City Council to Hold a Discussion of Uses Within Zoning Districts.

Motion Seconded by Breien Velde.

Dwayne Zinn discussed time and place for the meeting

Barb Cabbage discussed basing it on the availability of the DRC Room and Council Work Session Room.

5-0 All in favor:

Ayes: Brian Rush, Bruce Hanson, Breien Velde, Dwayne Zinn, Marc Powell,

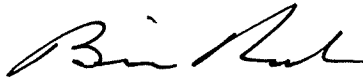
Nays: None

Not Voting: Chuck Mills, Wade May

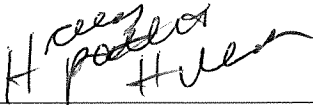
**MOTION TO RECOMMEND HOLDING A WORKSHOP WITH THE CITY COUNCIL
TO HOLD A DISCUSSION OF USES WITHIN ZONING DISTRICTS CARRIES**

SPECIAL SESSION ADJOURNED at 9:03PM

MINUTES APPROVED THIS 25th DAY OF JULY ^{May}, 2018.



Brian Rush, Planning and Zoning Commission Chairman



Patrick Hubbard, Planning and Zoning Commission Secretary