



**MINUTES**  
**PLANNING & ZONING COMMISSION**  
**REGULAR SESSION**

**Monday, January 23, 2023, at 6:30 PM**

**City Hall | 3300 Corinth Parkway**

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On this, the 23<sup>rd</sup> day of January, the Planning & Zoning Commission of the City of Corinth, Texas, met in Regular Session at the Corinth City Hall at 6:30 P.M., located at 3300 Corinth Parkway, Corinth, Texas.

**Commissioners Present:**

Chair Alan Nelson  
Vice Chair Mark Klingele  
Rebecca Rhule  
Adam Guck  
Bradford Harrold

**Commissioners Absent:**

KatieBeth Bruxvoort

**Staff Members Present:**

John Webb, Director of Development Services  
Michelle Mixell, Planning Manager  
Miguel Inclan, Planner  
Matthew Lilly, Development Services Coordinator

**A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT**

Chair Alan Nelson called the meeting to order at 6:31 PM.

**B. ESTABLISH VOTING MEMBERS AND DESIGNATE ALTERNATES**

Commissioners Guck and Harrold were designated as voting members.

**C. PLEDGE OF ALLEGIANCE**

**D. CONSENT AGENDA**

1. Consider the approval of minutes for the Planning & Zoning Commission Special Session held on December 12, 2022.

Motion to approve consent agenda by Commissioner Guck, seconded by Commissioner Bruxvoort.

Motion passed unanimously: 5-for, 0-against.

**E. BUSINESS AGENDA**

2. Consider and act on a Site Plan for the redevelopment of  $\pm 5.363$  acres to permit the construction of a  $\pm 13,290$  square foot, one-story automotive service building, located within the boundaries of both the City of Corinth and the City of Denton at 5000 S I-35E. Case No. SPC22-0008: Classic CDJR Service Building.

Miguel Inclan, Planner, provided Staff's presentation to the Commission and gave the recommendation that the proposal be approved as presented with the added stipulations.

Chair Nelson asked how building inspections would be coordinated with the City of Denton.

Inclan replied that the City of Corinth will defer to the City of Denton on building and construction inspections due to the majority of the site being located within the limits of the City of Denton, but that the utility and fire line relocations in the City of Corinth were reviewed by the City Engineer and Fire Marshall.

Birk Ayer, Ayer Design, gave a presentation on behalf of the Applicant.

Chair Nelson asked what setbacks and screening are being required in the landscape buffer along the southern boundary line adjacent to the residential properties.

Ayer explained that there is an existing 6-foot masonry wall and evergreen screening along the entirety of the fence line that will be preserved. Additionally, a new 6-foot concrete wall between the proposed service building and existing residences with additional deciduous and evergreen trees being planted in the buffer. He stated that there will not be an outdoor speaker system or outdoor music and he elaborated on the services that will be provided in the building along with the building layout.

Chair Nelson asked if the elevation change represented in the renderings was accurate and if so, would the proposal require cutting into the hill on the southwest side.

Ayer confirmed that the renderings are accurate and some additional grading will need to take place to accommodate the project.

Chair Nelson asked if more right-of-way would be ceded to TX-DOT in front of the Mazda Dealership.

Ayer confirmed that TX-DOT will be acquiring additional right-of-way in this location.

Vice-Chair Klingele asked if there will be any light standards for the buildings, specifically on the backs of buildings, in addition to the tall-light standards provided.

Ayer explained that they did perform a photometric study to ensure that no lighting spilled across the property line.

Commissioner Guck asked if the Applicant had an estimate on how the volume will increase with the proposed expansion.

Ayer replied that he did not have this information but that the proposed improvements should enhance circulation within the site.

Chair Nelson stated that this item did not require a public hearing but asked if any residents would like to speak.

Melvin Locklear, 1602 Oakhollow Dr, expressed concerns with additional car dealership expansions in the City and asked what direction the City would be moving in going forward in terms of automotive uses.

Chair Nelson asked if the land along I-35E from the subject property to Corinth Pkwy was zoned to permit automotive uses.

Inclan explained that the existing zoning for the subject site is for automotive use but that no additional land along the interstate was specifically zoned or intended for automotive uses.

Commissioner Rhule made a motion to recommend approval of Case No. SPC22-0008 Classic CDJR Service Building subject to the approval of the site plan by the City of Denton and the approval of the plat by the City of Corinth. Seconded by Commissioner Harrold.

Motion approved unanimously: 5-for, 0-against

3. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on a rezoning request by the Applicant, Homeyer Engineering, Inc., to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code of the City, from MX-C Mixed-Use Commercial to a Planned Development with a base zoning district of MX-C Mixed-Use Commercial, to accommodate a proposed expansion of the Destiny RV Resort, on approximately ±18.96 acres located at 7100 S I-35E. Case No. ZAPD22-0005 – Destiny RV.

Inclan provided Staff's presentation and gave a brief recap of the zoning change request since the item was tabled at the previous meeting. He pointed out how the Applicant has addressed the Commission's concerns and recommended that the item be approved as presented subject to the RV Park definition being amended.

Chair Nelson asked if the PD Design Statement would be reverting back to the RV Park definition as shown in the UDC.

Inclan confirmed this.

Helen-Eve Beadle, HE Planning & Design, gave a presentation on behalf of the Applicant. She explained that the RV park would be adding a 3-year maximum stay and would be requiring customers to vacate the park for 30 days following the maximum stay period. Additionally, the 30-day minimum stay was removed to allow for shorter stays on rare occasions. She stated that they had removed the 12-year maximum age for RVs and would instead be monitoring vehicles based on their age and condition going forward. She stated that the applicant had provided the requested census of current licensees at the park and that the number of service calls performed during 2022 in the park was comparable to surrounding residential subdivisions. She explained the Applicant's stance that they did not feel it was their responsibility to replace the residential fencing along the southern property boundary and that they felt preserving the existing tree buffer between the park and the school was preferable to removing trees and installing a wooden fence.

Chair Nelson asked for the Applicant to explain why the 30-day minimum stay was removed and why there was not a maximum stay.

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Beadle explained that a maximum length of stay was provided, and it is 3 years. She further explained that often customers leave before their 30-day lease is up and that they would like to accommodate customers for one or two weeks in these instances.

Commissioner Rhule asked what the average length of stay in days at the park was.

Beadle replied that she did not have that information at the time but that they had provided the census of licensees as requested.

Commissioner Rhule asked how the Applicant is verifying that lots are being occupied and not simply used as RV storage.

Beadle stated that park management will be regulating the RV stalls and see that park rules are followed.

Commissioner Rhule asked how many clients would be grandfathered into the existing regulations with no maximum stay.

Beadle replied that everyone currently at the park would be grandfathered into the proposed agreement.

Commissioner Rhule asked if the RV park performed criminal background checks.

Beadle replied that given the park is a lodging use, they do not perform background checks.

Commissioner Rhule asked what the Applicant is doing to be a good neighbor to the surrounding properties.

Beadle replied that they work with surrounding property owners to meet their needs and requests.

Commissioner Rhule asked what the Applicant is doing proactively to be a good neighbor.

Beadle stated that the park is a good community and aside from the proposed improvements, management seeks to ensure that rules are followed, and proper conduct is maintained.

Commissioner Rhule asked if the Applicant would reconsider replacing the fence along the southern border, particularly along the school boundary, given that they have agreed to replace the fence on Tower Ridge.

Beadle explained that the fence along Tower Ridge would only be replaced if a majority of the fence is determined to need repair, and that the fences along the southern property line are owned and maintained by the Fairview residents. She stated that the fence between the school and the park was determined to be unnecessary due to the existing tree line and was not required by zoning.

Commissioner Rhule asked what the policy in the park was toward crime.

Beadle replied that it was her understanding that there was a zero-tolerance policy towards crime in the park and any offenders would be asked to leave.

Commissioner Harrold asked if the 12-year or newer policy for RVs would be self-managed.

Beadle confirmed that this would be self-managed.

Commissioner Harrold asked if the Applicant knew what percentage of the licensees have a 12-year or older vehicle.

Beadle stated that she did not have this information.

Chair Nelson stated that he felt that the 3-year maximum stay was lengthy for a lodging use and that it was his understanding that additional discussion or language added to ensure that the park operates uniformly, with the proposed regulations applying to both the new and existing portions of the park. He expressed that the video of the southern fence line was helpful visually and that many of the fences appeared to be in good condition. Given that only a few of the fences appeared to be in poor condition, he asked if the Applicant would be splitting the costs of any new fences with the adjoining property owners.

Beadle explained that the fencing along the southern property line was solely within the property of the Fairview residents and would not be replaced by the Applicant.

Chair Nelson asked if there was any consideration for excluding the grandfathered clause.

Beadle explained that in the previous year the park had 37% of its lots overturn with only 17% of licensees having been at the park over 4 years.

Chair Nelson clarified that he did not necessarily want to see the park turnover all at one time but felt that the community would benefit most by applying the maximum length of stay to the whole park and creating more opportunity for turnover.

Beadle stated that she understood the Commissions concern but that the Park has been operating without the proposed regulations for several decades and that turnover has not been a problem.

Vice-Chair Klingele stated that he was confused with the phrasing of the community and wanted clarity on whether the park was lodging or for residence. He explained that it was understanding, as the Chair had stated before, that they had determined at the previous meeting that any new regulations would apply to the entirety of the park.

Beadle stated that the park is lodging in that it is a campground and that she apologized if anything had been misunderstood at the previous meeting, but that no decisions had been made at that time. She explained that they had been asked to investigate and look into several things and that the current proposal is what the Applicant had decided on.

Vice-Chair Klingele clarified that he understood that the park has been operating as is for several decades, but that he felt the definition being proposed was unable to properly apply to the park, which he sees as having both lodging and residential uses.

Brett Fugman, Destiny, stated that the park will be improving the area along the frontage road, adding detention, and installing sidewalks along the I-35E service road and Tower Ridge Dr. He explained that the annual turnover in the park is 37%, with 17% of licensees having been there over 4 years and only 3 people have been there since 2009, two of them being staff. He reiterated that the park is a close-knit community and that he is willing to put in the necessary investment to improve the site. He stated that the proposed development will be positive for licensees, for the City, and for surrounding residents.

Chair Nelson asked if the Applicant would be willing to add minimum or maximum permitted sizes for RVs, restricting to Class A and Class C vehicles and allowing only 26-foot or larger fifth wheels and trailers.

Fugman stated that self-management on the maintenance of vehicles has worked well for the park in the past, and that he would like to discuss this further with his manager before committing to anything, but that the proposed 52 new stalls are designed and intended for 45-foot Class A RVs.

Chair Nelson stated that he believed by bringing in higher-end RVs to the park would ensure that the overall quality of the park was increased.

Fugman explained that this was potentially true but that less expensive vehicles would not reduce the quality. He stated that he was willing to adhere to new business regulations set by the City, but that his main goal was to see that his proposal of 52 new stalls be achieved.

Commissioner Harrold asked how the regulations enumerated in the planned development standards would be enforced down the line.

Fugman stated that he was not trying to skirt any of the regulations and that he was more than happy to provide any information, such as a rent roll, to the City in the future.

Inclan clarified that the requirement of a minimum RV age in the park was removed to accommodate renovated older models.

Commissioner Rhule asked if there had been any communication with the school and if so if they had any input.

Incan stated that the school would have been notified as a property owner within 200 feet.

Chair Nelson opened the Public Hearing.

Melvin Locklear, 1602 Oakhollow Dr, stated that he was not for or against the rezoning request but felt that this proposal was not following the 2040 Comprehensive Plan and was further expanding automotive uses in the City. He asked if there was an occupancy tax for those staying in the park and stated that the total amount of taxes collected by the City in 2022 was \$4,000. He stated that if nothing else, they should hold off on the proposal until the I-35 E service road is improved.

Don Wilson, RV Park licensee, explained that he considers the Destiny RV Park as his home base so that he can visit his grandchildren. He stated that licensees pour a lot of money into the community and that he considers everyone in the park as residents rather than licensees. He explained that it is a zero-tolerance community for breaking park rules and that the park is a great community.

Judy Ragland, RV Park resident, explained she works at the park part-time and that they verify RVs visiting the park are the correct age. She stated that anyone who is bad for the community is asked to leave and that this is a problem that comes up in any community.

Greg Shappa, 2713 Skyview Dr, stated that many other RV parks in the area are poorly kept, but that he has never had any problems with Destiny RV Park. He felt that the deceleration lane is a great idea and that the overall proposal is a great improvement for Corinth. He stated that his only problem with the park is that the licensees don't pay property taxes for staying at the park.

Chair Nelson closed the Public Hearing.

Chair Nelson stated that he had concerns with the lack of guidelines regulating the park moving forward, particularly regarding the length of stay, and that he was not comfortable at the present time to put forward a motion for approval and instead suggested that the item again be tabled.

Commissioner Guck that he felt that they had made some progress since the previous meeting, but that additional language needed to be added to differentiate between short-term and long-term stays.

Commissioner Harrold agreed with the previous statements and that he would like to see background checks conducted at the park.

Director Webb informed the commission, if they were going to table the item, to make a motion to continue the public hearing and table the item to the next meeting so that the item would not have to be readvertised.

Vice-Chair Klingele asked if it would be possible to conduct a Workshop Session prior to the next Regular Session.

Webb stated that they could hold a Workshop Session but that the Commission needed to provide specific direction to the Applicant on what they wanted to see addressed, as it is uncommon to continue to table an item.

Commissioner Guck made a motion to continue the public hearing and table the item to the February 27<sup>th</sup> meeting. Seconded by Commissioner Rhule

Motion passed unanimously; 5-for, 0-against.

4. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on a rezoning request to amend the boundary of PD-51, as adopted by Ordinance No. 20-12-17-41, by removing approximately ±13.577 acres referred to as Tract 2 from PD-51, generally located on the north side of Walton Drive, west of Victory Way, and south of Orion Place. Case No. ZAPD22-0011 – PD-51 Boundary Amendment.

Michell Mixell, Planning Manager, gave a presentation on behalf of Staff and explained that this item is a companion piece to the Village Square Multi-Family Planned Development rezoning request. She explained that Tract 2 of PD-51 was created as a place holder until such time that a detailed concept was proposed.

5. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on a rezoning request by the Applicant, Carleton Companies, to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code of the City, from PD-51 (Tract 2 of current PD-51) – Planned Development with a base zoning district of MF-3 Multifamily Residential, to a new Planned Development with a base zoning district of MF-3 Multifamily Residential, to accommodate a proposed multifamily development, on approximately ±13.577 acres located on the north side of Walton Drive, west of Victory Way, and south of Orion Place. Case No. ZAPD22-0007 – Village Square at Corinth.

Mixell continued her presentation for the companion rezoning request and explained the proposed multi-family project. She pointed out the proposed changes from the existing multi-family zoning and gave the recommendation that the proposal be approved as presented.

Chair Nelson asked if the proposal would contain a mixed-use element.

Mixell stated that the Applicant had included language at the recommendation of Staff to permit 1,500 square feet of retail space along Walton Drive or Street A that could accommodate a café or small shop.

Chris Martino, HEDK Architects, gave a presentation on behalf of the Applicant and broke down the specifics of the proposed planned development. He stated that the proposed amenities included a pool, dog park, and a landscaped trail running around the exterior of the development. He stated that the facades would consist of quality materials and their goal was for the development to maintain its appearance for a number of years.

Chair Nelson asked how the courtyards in Phase 2 were going to be landscaped.

Martino stated that the courtyards had not yet been fully designed, but that he imagined one of the courtyards would be utilized as a pool area.

Chair Nelson asked where the retail area would be located.

Martino stated that it was his understanding this would be in Phase 2, likely adjacent to the club.

Chair Nelson asked if there would be any public parking for the retail area.

Martino stated that parallel parking will be provided along Walton Dr and head-in parking along the private street.

Commissioner Guck asked if recess materials were being counted towards the façade percentages.

Martino explained that these recesses did not count toward the façade percentages and consisted of cementitious siding resembling wood. He stated that these balconies would be recessed behind walls and not visible from the street view aside from the front face.

Commissioner Guck stated that facing Agora Dr., he would prefer for the recessed cementitious siding to be replaced by masonry materials.

Chair Nelson asked what section of the development the colored rendering was depicting.

Martino explained that this rendering represented the main entrance off of Walton Dr into Phase 1.

Commissioner Guck asked if the Applicant had considered any other recess materials, specifically on the corners of buildings along Walton Dr.

Martino stated that he does not believe the siding in the recesses would be overly visible from the Agora Park given that there was another property between the development and the park.

Commissioner Rhule asked if the parking garage would be visible from any side of the development.

Martino stated that the garage would be fully enclosed, and the top level would not be visible from the surrounding area.

Chair Nelson asked if the entrance to the parking garage was on the north side.



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Martino stated that the garage would have two entrances with one on the north side off of Orion Place and one on the east side off of the private street.

Chair Nelson asked if the garage would be open to visitor parking in addition to residents.

Martino explained that the lockable gate would be set back further into the garage to allow for visitor parking but that they had yet to determine how much visitor parking would be provided.

Chair Nelson opened the public hearing for items 4 and 5.

Melvin Locklear, 1602 Oakhollow Dr, stated that he is against the proposal, he does not want more apartments in the City, and that he feels the proposal does not meet the 2040 Comprehensive Plan.

Greg Shappa, 2713 Skyview Dr, stated that he feels there are currently enough apartments in the City, he believes the frontage road going southbound on I-35 will not be able to accommodate this many new residents, and that any proposal should be held off until after the TX-DOT improvements are completed.

Mike King, 2610 Zachary Dr., stated that he was unhappy with the amount of new multi-family developments being approved in the City, that he was looking into the legality of the land the City of Corinth had recently sold, and he read off a list of the recently approved multi-family units.

Mark Clyburn, 3325 Ithaca St., explained that he is buying a house in Walton Ridge and was unaware of the proposed multi-family development until recently. He stated that he believes that this project will damage his property value, that the development will have parking issues, and that he feels there needs to be a boundary between the apartments and the single-family houses.

Kelly Clyburn, 3325 Ithaca St., stated that she has an issue with this proposed development being so close to her house, they had not received a notice of the zoning change as the future property owners, and raised concerns with parking and screening.

Chair Nelson closed the Public Hearings.

Commissioner Rhule asked what the options were if the Commission was to not approve the rezoning request.

Mixell explained that if the request was not approved, both the boundaries of PD-51 and the existing zoning would remain unchanged but reiterated that when PD-51 was approved in 2020, Tract 2 had been zoned for multi-family use.

Chair Nelson pointed out that the proposed parking ratio is greater than the approved parking ratio for PD-51 Tract 2.

Mixell confirmed this was the case and explained that the city center was envisioned as a transit-oriented district that would hopefully in the future be served by a DCTA transit stop.

Commissioner Rhule asked if Staff could explain what was envisioned for the future city center district.

Mixell pointed out the development and improvements that had been envisioned for the city center in the 2040 Comprehensive Plan.

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Commissioner Rhule stated that she sympathized with the issue of the openness between the single-family homes and the multi-family development and was trying to reconcile the issue or come up with a solution.

Commissioner Guck asked what the current proposed boundary was between the development and the single-family homes.

Mixell explained that the Applicant will be providing vegetative screening along the eastern property boundary and that Buildings 3 and 4 of Phase 1 were setback 50 feet from this boundary. Along the northern boundary where there is a shorter setback, the Applicant will be providing shade trees.

Commissioner Rhule stated that she could see multi-family tenants parking along Victory Way in the single-family development.

Chair Nelson asked if Phase 1 would only be served by surface parking.

Mixell stated that the majority of parking in Phase 1 would be surface parking with some tuck-under parking.

Chair Nelson asked how many units were proposed for Phase 1.

Mixell stated that 236 units were proposed.

Chair Nelson asked if the proposal met the Comprehensive Plan.

Mixell confirmed that the proposal met the Comprehensive Plan.

Commissioner Rhule made a motion to recommend approval of the rezoning request to amend the boundary of PD-51, as adopted by Ordinance No. 20-12-17-41, by removing approximately ±13.577 acres referred to as Tract 2 from PD-51, generally located on the north side of Walton Drive, west of Victory Way, and south of Orion Place. Case No. ZAPD22-0011 – PD-51 Boundary Amendment. Commissioner Guck seconded the motion.

Commissioner Harrold stated that he was concerned with amount of traffic the development would generate and that it may become problematic without the proper infrastructure in place.

Commissioner Guck stated that the proposal would increase the parking ratio from what was previously approved.

Motion passed unanimously; 5-for, 0-against.

Commissioner Rhule stated that she had concerns with the proposed number of parking spaces and the boundary between the proposed development and single-family houses.

Chair Nelson agreed with Commissioner Rhule's concerns. He stated that he felt that the amount of new multi-family developments in the City was very rapid, but that all of this conformed with what was envisioned in the 2040 Comprehensive Plan. He stated that he felt the current proposal for the subject property was a good offer.

Commissioner Harrold reiterated his concerns with traffic congestion and infrastructure.

Commissioner Guck stated that he would like to have more information regarding the proposed public street along the west side of the development and estimates on the increases in traffic.

Director Webb explained that the Applicant will be constructing Street A which will then become a public street, and the City would oversee the improvements on Walton Dr, the construction of Main St., and the expansion of North Corinth St. to Corinth Pkwy. He stated that Staff believed traffic would be fine along these and surrounding roads and that TX-DOT improvements to the service roads and the underpass at Lake Sharon Dr will ease traffic at these locations.

Commissioner Guck asked if on-street parking along these streets would pose additional traffic problems.

Webb explained that based on research of parking in other cities, the ratio of 1.7 parking spaces per dwelling unit has been sufficient. He stated that he feels the vast majority of multi-family residents will park in the surface parking and garages within the development for convenience and safety.

Chair Nelson asked what the Applicant's target market was for the apartments.

Kim McCaslin, MR Development, explained that they will be providing 1- and 2-bedroom apartments targeted primarily at singles and married couples.

Commissioner Guck asked to see further clarification on what the nature of the development would look like.

Webb stated that the proposal was a multi-story multi-family development but was unsure what specific information Commissioner Guck was asking for.

Commissioner Guck asked if the proposal were approved if the development would be constructed as depicted in the provided concepts.

Webb confirmed that the concepts and design standards would become part of the PD ordinance and would bind the development to adhere to these standards.

Commissioner Guck asked for clarity on the retail element of the proposal.

Webb stated that any retail use would be very minor, as it is restricted to a maximum of 1,500 square feet, and it was at the Applicant's discretion as to whether the retail use would even be part of the development.

Chair Nelson made a motion to make a recommendation to City Council to approve Case No. ZAPD22-0007 Village Square PD as presented. Commissioner Rhule seconded the motion.

Chair Nelson, Vice-Chair Klingele, Commissioner Rhule, and Commissioner Guck voted in favor of the motion. Commissioner Harrold voted in opposition of the motion.

Motion Passed: 4-for, 1-against.

## **F. DIRECTORS REPORT**

Webb commended Chair Nelson on his presentation to the City Council the previous Thursday regarding the Planning and Zoning Commission. He stated that Staff would be working to schedule a Workshop Session for Destiny RV prior to February 27<sup>th</sup> and that the February meeting would have one new public hearing item in

addition to the item tabled that night. Lastly, he informed the Commission that Commissioner Thornton had tendered his resignation from the Planning and Zoning Commission earlier that day due to work conflicts and that the City Council would be working to fill the empty seat.

Commissioner Guck asked if it would be possible for an alternate to move up to a voting member.

Webb explained that this was at the City Council's discretion but that historically the Council would elevate an alternate to a voting member and then bring in a new member as an alternate.

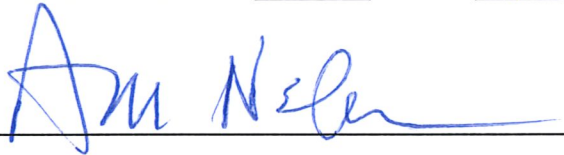
**G. ADJOURN REGULAR SESSION**

The regular session was adjourned at 9:12 PM.

**H. ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 9:12 PM.

MINUTES APPROVED THIS 27 DAY OF FEB, 2023.

A handwritten signature in blue ink, appearing to read "Alan Nelson", is written over a horizontal line.

Alan Nelson, Planning and Zoning Commission Chairman