



**** PUBLIC NOTICE ****

**NOTICE OF THE CITY OF CORINTH
PLANNING AND ZONING COMMISSION
REGULAR SESSION**

**MONDAY, FEBRUARY 22, 2021 AT 6:30 P.M.
AT CITY HALL – 3300 CORINTH PARKWAY
AND VIA WEB CONFERENCE MEETING**

**The City of Corinth is operating at Level Yellow status regarding COVID-19 and
Public Meetings are to follow CDC guidelines and Governmental Declarations.**

City Hall will be open to the public.

Information on how to access and participate in the video conference is provided below.**

MINUTES

I. CALL TO ORDER, ROLL CALL AND ANNOUNCE A QUORUM PRESENT:

Chairman Brian Rush opened the meeting at 6:30 P.M.

Present: Chairman Brian Rush, Vice-Chair Lindsey Baker, Rodney Thornton, Cody Gober, Jennifer Olive, Billy Roussel, Wade May.

A. Establish voting members and designate alternates.

The Commission designated the following members as voting members: Chairman Brian Rush, Vice-Chair Lindsey Baker, Rodney Thornton, Cody Gober, Jennifer Olive.

Alternate Members: Billy Roussel, Wade May

II. PLEDGE OF ALLEGIANCE:

III. CONSENT AGENDA:

A. Consider and act upon approval of minutes from the Planning and Zoning Commission Meeting held on January 25, 2021.

Motion by Commissioner Gober, seconded by Vice-Chair Baker to approve the minutes

Motion carried unanimously 5-yes;0-no

IV. PRESENTATIONS:

A. "Director's Report" on City Council meeting items from the preceding City Council meetings and other relevant information.

Director Beadle presented her report. She informed the Commission of the approval of Ashford Park, the cancellation of the Agora town hall meeting, and reminded the Commission of the upcoming Joint City Council and Boards meeting.

V. AGENDA:

- A. Consider and act upon a Preliminary Plat for Lots 1-17, Lot 1x, Lot 2x, Block 1 of the Tower Ridge Single Family Addition, being ±3.691 acres of land situated in the E. Marsh Survey, Abstract Number 833, within the City of Corinth, Denton County, Texas. The property is generally located at 3100 Tower Ridge Drive. (PP21-0001 Tower Ridge Addition)

1. Staff Presentation

Miguel Inclan, Planner, presented the item to the commission. Inclan provided background information regarding the zoning designation. Inclan stated that the plat review process identified several deficiencies that had to be corrected as a condition of approval. He provided a brief overview of the deficiencies and informed the Commission that the process precluded staff from asking or receiving corrections due to the state mandated 30-day deadline. Should the plat be approved, then the developer moves into the next step of the process which is design of infrastructure improvements.

Mr. Inclan recommended approval of the item subject to the conditions in the development report, the plat document, and conditions stated at the meeting.

2. Applicant Presentation

Scott Scherer, representing the applicant, stated that he was present to answer any questions the Commission may have.

Vice-Chair Baker asked staff if there was a way for the discrepancies do not continue in future plat applications before a plat is brought before the Commission.

Mr. Inclan responded that the state mandate virtually ties the hands of staff, and that with the way the ordinance and state law are written, this pattern will be common. He stated that the deficiencies being corrected is a condition of approval and that the applicant must resubmit a corrected plat for reconsideration.

3. Take Action

Motion by Vice-Chair Baker, seconded by Commissioner Thornton to approve the preliminary plat subject to the conditions mentioned by staff.

Motion carried unanimously 5-Yes;0-No

- B. Conduct a Public Hearing to consider testimony and make a recommendation to City Council on a rezoning request by the Applicant, NexMetro Communities, on behalf of the owner, Endeavor Energy Resources, LP, to amend the zoning classification from PD-6 Planned Development District, Ordinance No. 87-12-17-24, for Two Family Garden Homes and PD-24 Planned Development District, Ordinance No. 99-12-16-45 for Two Family Garden Homes, Townhomes, and Neighborhood Shopping to a Planned Development District with a base zoning district of MF-1 Multi-Family Residential, on approximately ±24.595 acres of land within the A.H. Serren Survey, Abstract No. 1198 and the B. Merchant Survey, Abstract No. 800, City of Corinth, Denton County, Texas. The property is generally located at the northwest corner of Lake Sharon Drive and Oakmont Drive and east of FM 2499. (Avilla Fairways PD ZAPD20-0004).

1. Staff Presentation

Planning Manager Michelle Mixell presented the item to the Commission. She explained the location of the site and the adjacent properties. She explained to the Commission that an existing legal settlement

exempts the site from certain tree preservation requirements which would apply to this and any other future development on the subject property. She stated that Rye Road stub-out ends at the property line.

Ms. Mixell explained the existing zoning at the site includes two zoning districts, PD-6 and PD-24, which permit a two-family garden home subarea, a townhome/condominium sub-area, and neighborhood commercial area.

She explained that these sub areas permit density as follows: the two-family garden home sub-area permits 6.5 dwelling units per acre and two story residential. The townhome area provides for 10 dwelling units per acre with two stories permitted. The neighborhood commercial has a hierarchical use and permits medical uses, retail, and multifamily of up to 24 dwelling units per acre with minimum square footage of 500 square feet. She stated that all this is permitted by right, meaning the City cannot enforce any additional requirements upon the site at this time.

Ms. Mixell explained how this proposal fits into the comprehensive plan, as this area is proposed for the Mixed Residential Place Type. She stated that the project provides a unique product type, with 215 dwelling units, all of one story, for a density of nine dwelling per acre. The proposed density falls in line with the Comprehensive Plan's outlined density of 6 to 10 dwelling units per acre for the Neighborhood Commercial place type. She further outlined the unit description, with 30 duplex cottages, totaling 60 1-bedroom units, 87 2-bedroom units, and 68 3-bedroom units.

Ms. Mixell further stated that the applicant will construct Rye Road from the northern terminus at the Larkspur subdivision to Lake Sharon Drive. She provided details on private recreation such as activity nodes, pool and spa, dog park to meet the private recreation requirements. She also stated the applicant will construct a 10' sidepath along Lake Sharon Drive and extensive landscape buffers. She described the fencing/screening proposed for the property.

She summarized the project stating that these were one story units, with different roof pitches and elevations, extensive setbacks, the construction of Rye Road and the sidepath along Lake Sharon Drive.

Ms. Mixell stated that the applicant organized a neighborhood meeting where 20 residents attended. She stated that the application is in compliance with the comprehensive plan, the master thoroughfare plan, and the active transportation plan. She provided the date of publication of the public notice in the Denton Record-Chronicle and the date personal notices were mailed to property owners within 200' of the subject property boundaries. She stated that staff has received seven letters of opposition from property owners within 200' of the subject property boundaries.

Ms. Mixell stated that staff recommends approval as presented with the request that staff be granted the ability to work with the applicant to address comments as noted in the attachments and supporting documents in the staff report prior to the City Council hearing on March 18. She noted that due to the extreme weather event, additional fine tuning of the application was not possible, but that the application as presented by staff is in good form for action at the present meeting.

2. Applicant Presentation

Josh Eadie, NexMetro, introduced the company and the concept to the Commission. He stated that the concept is one-story cottage homes for lease. He provided the screening and approval criteria to the Commission, including income, credit and background screening. He provided a profile of the demographics of the residents of their other projects.

Mr. Eadie provided details of the unit count, parking, and rent pricing for each type of unit. He also provided the recreation amenities offered at their developments. He also provided examples of what could be built at the present site by right under the current zoning.

Mr. Eadie provided details on floodplain and detention, stating that they do not anticipate the need to construct detention on the site. Mr. Eadie provided the elevations proposed by the developer. Mr. Eadie stated that his team looked at the Comprehensive Plan and the Mixed Residential Place Type when designing their project.

Mr. Eadie clarified that no oil and gas activity would occur on the site after development.

Mr. Eadie stated that there will be a tree buffer between the property and the golf course and the roofline of the proposed units will not be visible.

Mr. Eadie stated that there are no public incentives or any type of public tax benefits from this project.

Commissioner Gober asked about the masonry percentage on the renderings provided by the applicant.

Mr. Eadie replied that hardi-plank is considered masonry.

Commissioner Olive asked about the garage elevations and materials used.

Mr. Eadie provided details of the materials to be used.

Commissioner Thornton asked about Rye Road being over a bridge.

Mr. Eadie stated the stub out is at grade.

Commissioner Gober asked if NexMetro has long-term holding plans or if the site will be sold within 20 years.

Mr. Eadie stated that they have sold one development in the Dallas area. He further stated that the typical hold is 5 to 10 years.

Commissioner May asked if the maintenance and upkeep of the site by the developer would include paint and roofing.

Mr. Eadie stated that annual funding is budgeted for maintenance and upkeep such as streets, paint, landscaping and other maintenance responsibilities.

Commissioner May stated that there are concerns about the property falling in disrepair and he felt that the applicant's response was satisfactory.

Vice-Chair Baker asked about what the advertising and outreach from the developer was like.

Mr. Eadie stated that they reached out to the Oakmont West HOA, Oakmont Master HOA and the Larkspur management company and that while they reached out to all entities they could, some calls went to voicemail and he felt they exhausted all options.

Vice-Chair Baker asked if they expected to make changes from the neighborhood meeting.

Mr. Eadie provided examples of changes such as the Rye Road connection, and that this is the fifth iteration of their plan.

Vice-Chair Baker asked if it was possible for oil and gas activity to occur onsite.

Mr. Eadie stated that the well is capped and not active.

Vice-Chair Baker asked staff if the well can be reactivated.

Mr. Eadie stated that he did not have that information.

Commissioner Gober stated that all subdivisions around the subject property are single-family. He asked the developer if single-family residential was not in their plans when they approached the city.

Mr. Eadie stated that this is not something that NexMetro does, and that they sought the MF-1 zoning because it would require the least departures. He stated that it was not possible for Corinth to provide them single-family zoning.

3. Public Hearing

Chairman Rush opened the Public Hearing

David Bradley, address not given, asked how the development line between the development and the golf course will be addressed. He also stated that he had traffic concerns about the property's proximity to the nearby schools. He stated that he believed the area was more fitting for a park area, or a nature center. He further stated that he had lived here for fourteen years, and he was shocked that the area was zoned this way.

Tom Tevis, last name unclear, 2047 Fair Oaks, had three perspectives. He stated that Rye Road's connection caused safety concerns. He stated that he was on the board of Governors of Oakmont and he felt that the property values of the site would tank. He stated that people would not want to buy homes overlooking the proposed development. He stated that the project was good for Corinth, but not at that location.

Gabriel Silva, 1222 Ballycastle, lives across from the proposed development. Stated he was here on behalf of himself and 100 people logged in on zoom at the moment. He stated his concern was about the property value of his home due to this development. He asked if an environmental impact study had been performed. He stated that he was concerned about the Rye Road connection and the access to the golf course by people roaming around. He also stated that his children attend Hawk Elementary and that he had concerns about traffic on Oakmont Drive.

Sean & Mary Hill, 1303 Ballycastle, she stated that the project would affect their values in a very negative way. She was against the Rye Road connection stating that it would become a safety issue. She stated that there were concerns about the mineral lease being reactivated. She stated that Rye Road should be limited to emergency access. She stated that the subdivision would affect the schools due to its proximity to the school. She asked if the powerlines would be visible. She stated that there are properties for sale in the area.

Randy Forest, address not provided, stated he has a selfish reason for not wanting this property. He stated that the area of The Knoll went through a difficult week of five days without electricity, including this morning. He stated that infrastructure in the city needs to be fixed before adding any more to the grid. He

stated that the city did not do a welfare check on residents while the power was out. He asked the commission to take that into consideration.

Joseph Novak, 1302 Ballycastle, he stated that he would be directly impacted by this proposal. He stated that he agreed that this parcel is more fitting for single family development, instead of the cluster of homes. He stated that the grid cannot keep up with what Corinth already has. He stated that he has concerned about Rye Road becoming a way for crime to increase and for people to cut through. He asked about the fencing and screening for the rear of the property, particularly the landscaping. He stated that he does not want to see the rear of rental homes. He stated that the land must be improved site-wise with filling of dirt. He asked why Endeavor is retaining two parcels to the northeast of the site. He stated that he supports the neighbors unanimously in opposing the development. He further stated that he bought to stay here, and now he is considering leaving.

John Maloy, 1632 Oakridge Drive, he understands that the zoning goes back to 1987 and that the would rather see ownership. He would rather see townhomes and condos than rental properties, arguing that owners take orme care of their properties. He stated that the owner of the corner house on Rye Road just bought the property for \$590,000. He stated that he had concerns about traffic and school-children. He thanked the commission for volunteering for their position and stated that they cannot let this happen. He stated that the neighborhood is petitioning against this proposal. He stated that whether 7Eleven or a townhome property, let that be instead of this proposal. He finalized by stating that this development is unnecessary.

Robert Novinski, 2212 Red Rock Drive, stated that all of his concerns have been addressed by previous speakers, especially the last speaker. He stated that a traffic impact study has not been done. He stated that he attended the last town home meeting and was told that a traffic study was already done. He suggested that a traffic study be done before moving forward with this project. He stated that he had concerns about property values, and felt that this is not the right location for this development.

Dale Walker, 1105 Ballycastle Lane, opposed the zoning application by NexMetro development on the basis of lower property values and the viability of project. Stated that the benefits of this project are not mutual to both parties. He stated that the current homeowners will suffer the most. He stated that the trees on the fairway will not provide a screening. He stated that it's a nice project but at the wrong location. He stated there was a mirespresentation about the communications of this project. He stated that there was no communication about tonight's meeting. He asked the commission to take a good look at this. He stated that this is a bad idea.

Chairman Rush read some of the written comments:

Jack Laffoon, 1640 Oak Ridge, who wrote that the proposal is too dense and places a great demand on the infrastructure of the City. He further wrote that the proposal does not contribute to the community as the people are rentals and residents will be transient with no permanent ties. He wrote that the best use of the land would be a public park.

Amy Conine, 1705 Goshawk, wrote that she was against the Oakmon Drive access point and the Rye Road access point. She asked if a traffic study had been completed. The asked if there could be a gate on Rye Road for emergency access.

Totiro Clark II, 1408 Ballycastle Lane, stated that his family put down roots in the area and that he has concerns about property values and the traffic congestion that this would cause. He stated that the population increase would cause a strain on infrastructure in the area.

Rick Nader, 2209 Valderamma Lane, he asked about the number of unrelated people in the units. He asked if a study of water, electrical, sewer, flood and environmental impacts on such a small amount of space.

Linda Bradley, 1404 Ballycastle Lane, stated that the development was disconcerting because the existing schools are directly in the traffic zone. She stated that with traffic entering and exiting the complex will add to the congestion of the most commonly used times of the day. She stated that having an entrance on Oakmont Drive will add to the problem. She stated that seniors desire one story residences and this project does not cater to them. She stated that there are more desirable uses of the land, feeling that every inch of Corinth does not have to be developed. She hoped that the Corinth Planning and Zoning Commission will give more merits to more positive projects.

Teresa Goughan, 1400 Ballycastle Lane, stated that they bought the property as a sanctuary because she has an incurable lung disease. She is stated that she was appalled that the city was considering building so many homes close to the schools and the existing road infrastructure. She stated that infrastructure is not ready for this development. She stated that the internet speed and quality were not the same as in other cities such as Dallas. She stated that it would be difficult for her to do her job with more homes added to the internet infrastructure. She expressed dissatisfaction with the lack of notice by the developer for the first meeting.

David Wood, 1716 Mallard Drive, stated that he has concerns about golf courses and property values and traffic. He stated that children will get hurt or possibly killed if this project moves forward. The increased traffic with stupid people running stop signs, with people peeling out with small children crossing the road. He asked for a moment of silence in honor of children that could be lost due to his project.

Wendy Dixon, 1925 Wickersham Lane, stated that she felt disrespected by the stopping of the previous speaker's time to remember children. She said that what the previous speaker made her cry. She stated that this project is a hazard and cannot imagine if a gas station is built. She asked if there were other opportunities for engagement. She expressed she was sad that this was considered, and that the people of Corinth should have the opportunity to vote on this.

Aaron Petty, 1402 Ballycastle Lane, stated that he opposed the project due to the loss of property value. Stated that his son walks to Hawk Elementary and that he had safety concerns regarding traffic and noise. He stated that he moved in 2004 to the area and that gas drilling was done behind his house and how disappointed he was. Several years later he moved to Oakmont and he was disappointed this was happening now.

Sue Delmark, address not provided, stated that she dealt with a similar situation when she lived near Lantana and opposed it then. She stated that she was opposed to this project.

Lisa Francis Claycome, 1703 Falcon Drive, stated that she opposed the development and that allowing this development would have negative effects on the area, particularly the Corinth water facility and the Lake Sharon floodplain. She stated that this area would have subsoil issues, and allowing urban development in the area would negatively impact the area. She stated that she does not trust the demographic information presented by the applicant.

Laura Trevino, 1306 Maiden Court, stated that not a single resident of the area supports the application. She stated that she questioned the applicant's assertion that there was community support for this development. She had concerns about school overcrowding.

Cindy Greenleaf, 2200 Woods Edge Court, wanted to note that many people want to participate tonight but cannot access the zoom meeting due to capacity issues. She finds the density proposed is unfathomable,

and that there are four to six units per an area of the lot. She expressed that no sufficient notice was provided.

Virginia Holt, 3500 Buckingham Drive, stated that the notice provided is not in line with the twenty-first century. Stated that the area is already affected by upstream development at Oakmont. She stated that 467 parking spaces were a lot of concrete and that with multiple people living in one bedroom units such as college students will increase the traffic. She stated she had multiple concerns about flooding caused by this proposed development downstream. She asked how businesses could be attracted to an area that can be flooded. She stated that homeowners in the community would pay for the aftereffects of this development.

Gregory Klein, 1404 Cheyenne Trail, stated that he performed research and that he could not find positive reviews for any of the developer's projects. He stated that the Council ask for contract clauses to make sure that future owners maintain the area. He stated that he had concerns about tax revenue paid by the property owner.

Erick Fehrenbacher, 1832 Vintage Drive, expressed a lack of confidence in the city to adequately plan for infrastructure and development in the area. He stated that this development is out of character with the surrounding neighborhood.

David Graham, 1310 Ballycastle, stated he just bought his house at the corner of Rye Road and Ballycastle and agreed with the other speakers that this was not a wise decision for the city and the residents of this area. He stated that the area is desirable because of the schools and pays a premium to live in the area. He stated that the percentages of children in those homes will be driven up by the schools. He considered this unfortunate and expressed his opposition to the project.

Michelle del Carpio, 2506 Blue Holly, stated that they were not notified about any meeting in January. Stated that they moved because of the community feel and opposes the project. Stated that current infrastructure cannot sustain development. Stated that adding homes would make current internet slowed. Stated about problem with drainage in the area. Stated she had concerns about traffic.

Chris Foster, 1612 Shadow Crest, stated that his family moved to Oakmont specifically to ensure that his kids could play safely in the neighborhood. Asked how in good conscience could two hundred units be added and not expect Oakmont to become a speed zone like Post Oak has become. Asked how schools would not be overrun by any development. Stated that developer has sold six properties out of the thirtyone nationwide under the Avilla moniker.

Russell and Carla Boone, 1406 Ballycastle, stated that they oppose the project as they would see this project out of their backyard. Stated concerns about safety at the golf course.

Bob Barker, 1314 Ardglass Trail, stated that he could not find information on the city website about this project. He stated that the Planning and Zoning Commission did not connect Rye Road when Larkspur was developed and does not see the need to connect it now. Stated renters do not care about the area. Stated that apartment complex is great but not at this location.

Christian Slovacek, 1306 Ardglass Trail, 6th grader, stated that he uses the area daily and asked to keep the area safe. Frank Slovacek stated that he had concerns about traffic and dangers to children.

John Bourns, 1830 Vintage Drive, stated that he had concerns about traffic. Asked if developer will keep their promise to maintain screening standards. Stated the project is great but not at the location proposed. Stated that nobody had expressed support for the project.

Jennifer Hall, 1810 Andover Lane, stated that she had concerns about her young child being exposed to increased traffic. Stated that overcrowding at schools is a concern.

David Wood, 1716 Mallard Drive, stated that he was a bad golfer and asked the developer relocate the project. He once again asked for a moment of silence.

Andrew Bruxford, 1405 Ballycastle, stated that he is younger than most residents so he would give a different perspective. Stated that his kids walk to school every day. Stated that he and his wife is concerned about the traffic. Stated that a traffic study had not been done and that the developer made a good job selling a negative as a positive. Stated that the developer is passing the buck to the existing homeowners for access purposes. Stated that it is a beautiful piece of property and that the developer is trying to shoehorn something that will not work. Stated that the attendance in person and online shows that the community is paying attention to this. Thanked the Commission for their work.

Mark Jaskulske, 1731 Vintage, stated that he is an educator who works at one of the high schools and is concerned about the safety of the area. Stated that he could not imagine adding 200 plus homes with the associated congestion to the area. Stated that he is piecing his life back together after this week and that infrastructure for existing homes needs to be looked at before adding new homes.

Chairman Rush asked about people being blocked from accessing the meeting on Zoom.

City Attorney answered that this could be addressed in an executive session.

Chairman Rush was concerned about closing the public hearing.

City Attorney stated that the zoom meeting was not at capacity and the public had an opportunity to speak or they could write their comments.

Chairman closed the public hearing.

Commissioner May asked Director Beadle about notifications.

Director Beadle stated that the notifications only go out to properties within 200 feet and that the neighborhood meeting is not a legal requirement.

Commissioner May asked about economic development implications and the use of the term apartments.

Director Beadle stated that this is a new concept. As for the economic development, she stated that density is what needs to exist to attract new businesses. She stated that public input covered that vision and the comprehensive plan reflects the densities needed to achieve that goal.

Commissioner May asked about traffic studies done for Lake Sharon Drive.

Director Beadle stated that she does not have any numbers, and that the thoroughfare plan identified Oakmont as a collector and Lake Sharon as an arterial with these existing zoning. She stated that a traffic impact analysis conducted at the platting stage would likely identify the need for deceleration lanes.

Commissioner May asked if a large percentage of the proposed subdivision's residents would even use Oakmont. Stated that he foresees the residents using the access point at Lake Sharon to access FM 2499. Also asked if zoning information is available online.

Director Beadle stated that zoning map is online but the ordinance is not.

Commissioner May asked Director Beadle to repeat the role of the Commission.

Director Beadle stated that the role of the commission to evaluate applications, plats, zoning cases, and make a recommendation to the City Council.

Director Beadle stated that the staff evaluates all applications against the Comprehensive Plan and existing codes and that staff believes they would reap the benefits of ad valorem taxes.

Commissioner Roussel asked the developer if other sites were explored by the developer.

Mr. Eadie stated that they looked at properties on FM 2181 and on Lake Sharon Drive. Stated that their selection was based on whether it would be the best fit for their development.

Commissioner Roussel asked if the residents would be able to become part of the Oakmont POA.

Mr. Eadie answered that land used for uses other than single family residential are exempt from membership mandates. Residents of this project would need to pay membership fees.

Vice-Chair Baker asked if Council can change the existing zoning or land use designation.

City Attorney stated that any changes would likely require a change to the Comprehensive Plan

Director Beadle asked if Vice-Chair Baker meant a city-initiated rezoning.

Vice-Chair Baker answered in the affirmative. She stated that she does not question the merits of the development application but that she hears the concerns of the residents and agrees to an extent that this location may not be the best for this development.

4. Take Action

Motion by Commissioner Gober to reject the application, stating that it is a great plan but does not see it at this location.

The motion was seconded by Commissioner Olive.

Vice-Chair Baker asked for clarification, that if this Commission votes in favor of the motion to deny, what would be required of City Council to approve it.

Director Beadle stated that it would require an appeal by applicant to go to City Council and would require a three-fourths majority vote to approve.

Commissioner Thornton asked about the petition.

Director Beadle that she would not know unless it is submitted to the City Secretary but that it is not something that would be taken action upon given that the only ones who could formally oppose and trigger the supermajority requirements are the property owners who live within the 200 feet buffer.

Motion to reject the application carried unanimously 5-Yes;0-No

- C. Conduct a Public Hearing to consider testimony and make a recommendation to City Council on a rezoning request by Manhard Consulting on behalf of the owner, Corinth 12 Joint Venture, to amend the zoning classification from C-1 Commercial to a Planned Development, with a base zoning district of MF-3, Multi-Family Residential, on an approximately ±12.554 acres of land legally described as Pinnell Subdivision, Block 1, Lots 16, 17, 18, and an adjacent tract consisting of approximately ±0.436 acres of abandoned right-of-way recorded in County Clerk's File Number 31846, Denton County, Texas Real Property Records. The property is situated in the H.H. Swisher Survey, Abstract 1220, Corinth, Texas and is generally located north of FM 2181, west of Garrison Road, east of Poseidon Drive, and south of Cliff Oaks Drive. (Landmark at Tower Ridge PD ZAPD20-0002)

1. Staff Presentation

Planning Manager Michelle Mixell presented the item to the Commission. She explained that the site is undeveloped and the applicant is seeking to build a multifamily complex with townhomes along the northern property boundary.

Ms. Mixell provided a number of uses that could be built by right on the site currently under the existing C-1 zoning. She stated that the Comprehensive Plan's Future Land Use and Development strategy identifies the site under the Mixed Residential Place Type.

Ms. Mixell explained features of the concept plan and the applicant's proposal, including the number of apartments, townhomes, parking and landscape/open space percentages. She explained that the open space areas included the dog park and a portion of active recreation features around the detention ponds along FM 2181. She also explained there will be landscape buffers along FM 2181 and the portion of Tower Ridge Drive.

Ms. Mixell provided information on the future extension of Tower Ridge with a potential roundabout at Cliff Oaks to be built at some point in the future.

Ms. Mixell stated that the public notice was published on February 6 in the Denton Record-Chronicle and personal notices were mailed to property owners within 200 feet of the subject property. Staff has received two letters of opposition and one in support.

Ms. Mixell stated that staff recommended approval subject to granting the staff the ability to work with the applicant to fine tune the application prior to the City Council hearing on March 18. She stated that comments are generally addressed prior to Planning and Zoning consideration but the extreme weather event prevented that for this case. She stated that the application is in good form to act at the present meeting.

2. Applicant Presentation

Trey Jacobson, consultant, presented the project to the Commission.

Mr. Jacobson stated that the buffering proposed for the project, consisting of townhomes, came out of the City's Comprehensive Plan and that a wall of trees and a masonry fence would provide a buffer.

Mr. Jacobson also spoke on dry, landscaped areas in the front of the proposed project. He stated that there is a distance of 200 feet between the property line to the west and the westernmost apartment building.

Mr. Jacobson provided a 3D rendering of the project, closely resembling the proposed project's built product. He also stated that there are 30 townhomes of 3 bedrooms and 2.5 baths each.

Mr. Jacobson thanked the staff for their input and explored the issues addressed through the neighborhood meetings. He stated that some issues were outside the scope of their work such as traffic on Cliff Oaks.

Vice-Chair Baker asked how the City would obtain the property to extend Tower Ridge all the way through.

Mr. Jacobson stated that this was a City issue and that when it was appropriate, for example, the house is sold, the City may pursue it but that there is no schedule. He asked staff if that was a good representation.

Director Beadle answered in the affirmative.

Commissioner May asked if Tower Ridge would be widened to accommodate the proposed width.

Mr. Jacobson asked that the portion along the subject property would serve up until the intersection with Cliff Oaks.

Commissioner Thornton asked if the wall on the proposed Tower Ridge would come down at a later time.

Mr. Jacobson answered in the affirmative.

3. Public Hearing

Chairman Rush opened the public hearing.

Stacy Schick. 3604 Cliff Oaks, asked about the type of trees that would be used as a buffer along the northern property line.

Chairman closed the public hearing.

Commissioner Olive asked if any home north of the property were two story homes.

Mr. Jacobson answered that all homes are one story.

Chairman Rush asked about the type of trees.

Mr. Jacobson stated that the trees will be part of the list of trees in the city code.

4. Take Action

Motion by Vice-Chair Baker to recommend approval of the zone change to the City Council under the condition that the applicant build the proposed masonry fence along the northern property line before construction commences.

The motion was seconded by Commissioner Gober.

Ms. Mixell clarified that it would be constructed before vertical construction.

Motion carried unanimously 5-yes;0-No.

VI. ADJOURNMENT:

There being no further business before the Commission, Chairman Rush adjourned the meeting at 9:59 P.M.

MINUTES APPROVED THIS _____ DAY OF _____, 2021.

Brian Rush, Planning and Zoning Commission Chairman

Helen-Eve Beadle, Director of Planning and Development

Minutes Approved
April 26, 2021

No Signature