



PLANNING & ZONING COMMISSION SPECIAL SESSION AND REGULAR SESSION MEETING - MINUTES

Monday, June 28, 2021 at 6:00 PM

City Hall | 3300 Corinth Parkway

Pursuant to section 551.127, Texas Government Code, one or more Planning and Zoning Commissioners or employees may attend this meeting remotely using videoconferencing technology. The videoconferencing technology can be accessed at www.cityofcorinth.com/remotesession. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting. If you will not be in attendance, you may submit any public hearing questions to Miguel.Inclan@cityofcorinth.com.

A. CALL A SPECIAL SESSION TO ORDER, ROLL CALL, AND ANNOUNCE A QUORUM PRESENT

Chair Brian Rush called the Special Session to order at 6:05 PM.

Commissioners present: Chair Brian Rush, Vice Chair Wade May, Cody Gober, Jennifer Olive, Rodney Thornton, Billy Roussel.

The Commission convened into closed session.

B. PLEDGE OF ALLEGIANCE

C. CLOSED SESSION

The Planning & Zoning Commission will recess into closed session to consider the following matters pursuant to Chapter 551 of the Texas Government Code.

Section 551.071. (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflict with Chapter 551.

Item I 3

D. RECONVENE INTO REGULAR SESSION, CALL REGULAR SESSION TO ORDER AT 6:30 P.M. AND ANNOUNCE A QUORUM PRESENT

The Planning & Zoning Commission reconvened in Regular Session at 6:56 PM.

E. ESTABLISH VOTING MEMBERS AND DESIGNATE ALTERNATES

Commissioner Roussel was designated as the Alternate Member.

F. CITIZENS COMMENTS

In accordance with the Open Meetings Act, the Commission is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments

will be limited to three (3) minutes. Comments about any of the published agenda items are appreciated by the Commission and may be taken into consideration at this time or during that agenda item. All remarks and questions addressed to the Commission shall be addressed to the Commission as a whole and not to any individual members thereof. Section 30.041B Code of Ordinances of the City of Corinth.

Tiffany Sanford, 1305 Ardglass Trail, stated that she is not in favor of the proposed rezoning. She stated that her concern was that the applicant wants this proposal to be treated as a multifamily property. She further stated her concerns are the parking space allotment being insufficient for the development, and that she was concerned about the proposed roundabout being unsafe for students walking in the area.

Theresa Goughan, 1400 Ballycastle Lane, stated that she was less than 200 feet from the development, and stated that she had concerns about traffic generated by this development becoming a danger for children walking to school. She had concerns about the accuracy of the traffic study being done when many people are working from home and students may not be all attending school in person. She stated that this does not fit the surrounding neighborhood, which is a country club neighborhood. She stated that with the dog park being too close to her home would not give her peace. She stated that opening Rye Road would add traffic to the Larkspur subdivision. She asked that something more fitting for a country club neighborhood be placed at the location.

Chris Nader, Valderamma Lane, stated that her biggest concern is that Rye Road not be connected and that their subdivision be left independent. She stated that the people have already invested in the neighborhood and there was no need to cannibalize the existing neighborhood for new residents. She stated that nobody has had any issues getting in and out of the existing neighborhood. She stated that the basic thing the City of Corinth needs to realize is that they already have citizens that purchased in this neighborhood and that this is going to be a problem with traffic in the area.

G. DIRECTOR'S REPORT

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

Director Beadle informed the Commission that the Boards and Committees dinner is scheduled for August 26th.

Applications for P&Z are open, and interviews will be conducted on September 8 & 9. She stated that the Commissioners up for reappointment have been notified.

H. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine and will be enacted in one motion. Should the Chair, a Commission Member, or any citizen desire discussion of any item, that item will be removed from the Consent Agenda and will be considered separately.

2. Consider and act upon approval of minutes from the Planning & Zoning Commission Meeting held on April 26, 2021.

Motion by Vice Chair Wade May, seconded by Commissioner Olive, to approve the minutes of the April 26, 2021 meeting.

Motion carried unanimously: 5-yes, 0-no.

I. BUSINESS AGENDA

3. Conduct a Public Hearing to consider testimony and make a recommendation to City Council on a rezoning request 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 PD 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)

Director Beadle presented the item to the Commission, stating that she would recap the concerns raised in the February meeting and how staff is addressing the concerns.

Ms. Beadle stated that one of the concerns raised is that the proposal does not comply with the comprehensive plan, and presented the development concept statement from the original Oakmont Master Plan approved as an ordinance in 1987, which called for a variety of land uses including multi-family.

Ms. Beadle explained to the Commission that the subject tracts fall under cumulative zoning, and showed the Commission how cumulative zoning permits uses permitted by a lesser-intensive land use in higher-intensity land use districts.

Ms. Beadle provided an overview of the comprehensive planning process in Corinth and the Mixed Residential Place Type identified in the Future Land Use Plan, which permits a range of residential uses including multi-family. She explained that the development is labeled multi-family due to it being a number of units within one single lot. She informed the Commission that staff had reviewed articles by the Wall Street Journal and the Urban Land Institute which identified this type of development as being part of the missing middle-housing options that communities must address to provide housing options for residents.

Ms. Beadle explained to the Commission that the golf course serves as a buffer and that elements from the reading materials provided to the Comprehensive Plan committee are included in this proposal.

Ms. Beadle stated that a Traffic Impact Analysis was commissioned by the City which evaluated the options residents provided. She further stated that the results of the study identified that the current infrastructure supports the Applicant's proposal, and that staff could not recommend options that went against the Unified Development Code, subdivision regulations, and the Comprehensive Plan.

Ms. Beadle stated that should detention be required, four buildings will be eliminated to construct sufficient detention. She informed the Commission that the development would not be permitted to discharge more storm water than what is currently discharged.

Ms. Beadle stated that the school has been zoned for more dense land uses since 1987 and they were informed by mail both in February and for this meeting.

Ms. Beadle informed the Commission that the dog park had been relocated further south from its previous location.

Ms. Beadle showed proposed elevations and architectural elements including roof pitch, facade materials, decorative fencing, in addition to the construction of sidewalks and trails, and the dedication of right-of-way.

Ms. Beadle explained that the roundabout is part of the Master Thoroughfare Plan, and not a part of this development.

Ms. Beadle stated that the developer hosted a series of neighborhood meetings with residents.

Ms. Beadle reiterated that the development complies with the Comprehensive Plan.

Ms. Beadle provided the Commission with the dates the public notifications were published and mailed.

Commissioner Gober asked for an explanation of the level of service E as described in the presentation.

John Lough, Consulting Engineer, explained the ratings system to the Commission, stating that this system is not like the A-F system in school.

Commissioner May asked for more details about the E level of service.

Mr. Lough stated that the level of service is taken from the busiest 15 minutes of the busiest hour of the morning and the evening.

Chair Rush asked if an adjustment was made due to the pandemic.

Mr. Lough stated that they used 2019 data which was the latest available, and that adjustments for growth were made.

Josh Eadie, Development Manager for NexMetro Communities, provided a presentation to the Commission.

Mr. Eadie stated that their target clients are renters by choice, and gave more information on the requirements that clients must meet.

Mr. Eadie provided more information on the profile of the residents of their existing developments.

Chair Brian Rush opened the Public Hearing.

After a considerable amount of comments from the public in person and via videoconference, the Chair closed the Public Hearing.

Commissioner Gober asked Mr. Eadie for clarification regarding the tree count visually represented versus what would be constructed.

Mr. Eadie stated that this is a preliminary concept plan and not a landscape plan. He stated that they will comply with all urban forestry and landscape requirements.

Commissioner Gober asked about the wrought iron fence, stating that his personal opinion would be for an actual brick fence to be built there, because of uncertainty as to the appearance. He stated he preferred a full masonry wall versus wrought iron.

Mr. Eadie stated that they would rather have a wrought iron fence to audit the backyards of the proposed residences to ensure that nothing prohibited is done. He stated that a wrought iron fence is a better maintenance item than a full masonry wall. He stated that masonry columns or pilasters have been requested in other projects and they would be open to do that in this project.

Commissioner Gober asked if all fences in the project would be wrought iron.

Mr. Eadie stated that the fences along the interior and outer streets would be board on board, and the wrought iron fence would be along the 13th hole.

Commissioner Olive expressed concern about the durability of the materials and the appearance.

Mr. Eadie stated that the materials used are quality materials and if there were any concerns about elevations they are open to change them.

Commissioner Olive stated that she believed the siding does not appear characteristic to the area.

Commissioner May asked if any other properties owned by Avilla were next to a golf course.

Mr. Eadie stated that none in Texas but one in Colorado is next to a golf course.

Commissioner May stated that the elevations in the Justin project shown do not mimic the proposed appearance, which is a concern from residents.

Mr. Eadie stated that it was a fair assessment and that materials could change if requested.

Commissioner May stated that expectations are different in this area.

Mr. Eadie stated that the applicant would be willing to change the materials if requested.

Chair Rush asked for clarification on Rye Road and how this would serve this development.

Mr. Eadie stated that this is to assist in circulation in the area, and that it was not entirely necessary for the project, which is why they proposed other options such as closing it or a crash gate. He stated that they stand in the middle in terms of a decision regarding Rye Road.

Commissioner Gober asked City Staff to explain how frequently the existing PD is looked at to ensure that it is still acceptable.

Director Beadle stated that it was zoned in 1987, and property rights and legal challenges would be obstacles to opening existing zoning districts to verify viability. She stated that once an applicant requests zoning and it is approved through ordinance, that is their right.

Commissioner Gober asked if the Traffic Study is available to the public.

Director Beadle stated that the Traffic Study is available as an appendix to the agenda packet published on Friday, and clarified the number of letters of opposition and support.

Commissioner Gober asked Director Beadle to clarify the role of the Commission.

Director Beadle stated that the role of the Commission is to evaluate requests for plats and zoning against the Comprehensive Plan and their role is to provide a recommendation to the City Council. She stated that their recommendations would go to the City Council for review.

Vice Chair May asked when the Unified Development Code was published.

Director Beadle stated that it is a living document, and that sections have been amended. She stated that staff constantly monitors the regulations, new trends, and adopts new standards. She provided the example of adopting the integrated storm water management standards.

Vice Chair May asked for clarification regarding evaluating Planned Developments.

Director Beadle stated that staff does not initiate reviews of planned developments and that zoning applications come from landowners.

Vice Chair May asked why the applicant requested multi-family.

Director Beadle stated that the applicant requested MF-1 zoning for a variety of reasons, stating that the proposed density is less than what is allowed by the MF-1 zoning district.

Vice Chair May asked if anyone could develop multi-family at the site by right.

Director Beadle stated that for the portion designated as neighborhood shopping could be developed into multi-family at 24 units per acre without requiring review by the Commission or City Council.

Vice Chair May asked if the city provides notification to developers about land being available.

Director Beadle stated that the city does not.

Vice Chair May asked about the function of Rye Road.

Director Beadle provided explanation of what factors are considered regarding planning consideration for streets.

Commissioner Olive asked about what are the plans for the intersection of Lake Sharon Drive and FM 2499.

Director Beadle stated that the City has funded its portion, and is working with Denton so they can fund their part of the proposed traffic signal. She stated that TxDOT has approved the traffic signal and it is estimated to be installed in 2 years.

Chair Rush asked the applicant if parking was assigned.

Mr. Eadie stated that parking was not assigned and that every car belonging to a resident would be registered, and that cars belonging to guests would be towed if parked improperly. Mr. Eadie made a mention of gates being installed.

Chair Rush asked the applicant to clarify his comment about gates.

Mr. Eadie stated that gates are not planned for this project but it would be a concession if requested.

Director Beadle stated that it was the city's preference not to have gates and that building a masonry wall as opposed to a wrought iron fence would be detrimental to the existing trees not contemplated to be removed in this plan.

Commissioner Gober asked for clarification regarding visitor parking rules.

Mr. Eadie stated that all cars, even visitors would need to be registered if staying for longer than a day.

Commissioner Thornton asked the applicant about guest registration.

Mr. Eadie stated that all is automated through an app and that guests and vehicles could be registered through the app and that all problems are addressed immediately.

Motion by Commissioner Thornton to deny the proposal.

Motion fails due to lack of second.

Motion by Vice Chair May to approve the application as presented with the material modifications as discussed, with the usage of rock and brick facia with no hardi-board. Seconded by Commissioner Gober.

Motion carried: 4-yes; 1-no

Yes: May, Gober, Olive, Rush

No: Thornton

J. ADJOURNMENT

There being no business before the Commission the meeting was adjourned at 9:35 PM.’

MINUTES APPROVED THIS _____ DAY OF _____, 2021.

Brian Rush, Planning and Zoning Commission Chairman

Helen-Eve Beadle, Director of Planning and Development

Minutes Approved
November 15, 2021

No Signature