



PLANNING & ZONING COMMISSION

Monday, February 28, 2022 at 6:30 PM

City Hall | 3300 Corinth Parkway

MINUTES

A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

Chair Wade May called the meeting to order at 6:30 P.M.

A quorum was present.

Commissioners Present: Chair Wade May, Vice Chair Cody Gober, KatieBeth Bruxvoort, Rodney Thornton, Alan Nelson, Rebecca Rhule.

Commissioner Absent: Billy Roussel, III

B. ESTABLISH VOTING MEMBERS AND DESIGNATE ALTERNATES

Commissioner Nelson was designated as a voting member and Commissioner Rhule was designated as an alternate.

C. PLEDGE OF ALLEGIANCE

D. 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.

1. Consider and act upon approval of minutes from the Planning & Zoning Commission Meeting held on January 24, 2021.

Commissioner Nelson made a motion, seconded by Commissioner Bruxvoort to approve the consent agenda.

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

E. BUSINESS AGENDA

2. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on an amendment to the City of Corinth Comprehensive Plan "Envision Corinth 2040," adopted by Ordinance No. 20.07-16-22 and amended by Ordinance No. 20-12-17-40, to amend the Future Land Use & Development Strategy Map by changing the designation of Lots 1-11, Lake Vista Business Park Subdivision located on the northside of Lake Sharon Drive (*formerly Dobbs Road*), east of I-35, and west of Mayfield Circle, from the Mixed-Residential Place Type to the Office/Employment Place Type. (CPA21-0001)

Michelle Mixell, Planning Manager, introduced the item to the Commission.

The purpose of the proposal is to reclassify approximately 6 acres along Lake Sharon Drive (formerly known as Dobbs Road), which includes 11 lots, for it to be consistent with the existing zoning, and that there is a companion zoning case item.

She informed the Commission that the area proposed to be reclassified was developed for Industrial use in 2013, but the zoning and future land use designation changed.

She stated that the Office/Employment Place Type to the south would be extended to include the area in the proposed Comprehensive Plan Amendment.

She stated that one lot is already under construction, and that Lots 8-11 are included in an application for mixed commercial/office space.

She added that the Office/Employment Place Type is consistent with what the Applicant for the companion zoning case is proposing.

She recommended approval of the Comprehensive Plan Amendment as presented.

Mike King, 2610 Zachary Lane, stated that he represents many residents of the community who are concerned with the type of growth that is coming to the City. He is disappointed that the Comprehensive Plan was created during the pandemic, and that a landowner with land under potential development was a member of the recommending body. He asked when the commercial construction would stop. He stated that the Commission would be hearing a lot more from him.

Chair Wade May closed the public hearing.

Vice Chair Gober made a motion, seconded by Commissioner Thornton to approve the item.

Motion carried unanimously 5-yes; 0-no

3. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on a rezoning request by the Applicants, John Lugenheim (Owner), and, Dan Kelleher and Kurt North (Developers) 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, on approximately ±2.2 acres located within the Lake Vista Business Park Subdivision on the north side of Lake Sharon Drive (*formerly Dobbs Road*), east of I-35, and west of Mayfield Circle. (Case No. ZAPD21-0003 – Lake Vista Business Park Lots 8-11)

Michelle Mixell, Planning Manager introduced the item to the Commission.

Ms. Mixell informed the Commission that the existing zoning of MX-C is being maintained as the base zoning district with modifications.

She provided design details of the Future Land Use Category of Office/Employment that would need to be approved prior to this rezoning to be approved.

She presented key elements of the site, including the number of lots to be included, site access, the shared parking concept which accounts for flex space and retail/restaurant uses, building façade materials, unified sign plan, and setback departures requested.

She provided a summary of the departure requests included in the Planned Development Design Statement.

She provided a summary of the neighborhood meeting .

Chair Wade May opened the public hearing.

Dan Kelleher, Applicant, and Ban Alali, Consulting Architect, presented their proposal to the Commission.

Mr. Kelleher spoke that their goal is to have a nicer mix of uses, and not have noxious uses such as auto repair.

Ms. Alali provided renderings of the proposed elevations and how they relate to the proposed uses.

Mr. Kelleher explained the purpose behind the overhead glass doors and provided more details on their business models and target client base.

Mike King, 2610 Zachary Drive, stated that he met with the Corinth Police Chief and retired Fire Chief and stated that they had concerns about response times. He questioned how the public hearing notifications are completed. He stated that they understand growth, respect growth, and are concerned about the type of growth coming into the City.

Chair Wade May closed the public hearing.

Commissioner Thornton asked about the dumpsters and whether they would be enclosed and with gates.

Ms. Alali responded that there are two dumpsters proposed and they will be enclosed per the City standards. She mentioned that the proposed dumpster locations were reviewed by the waste collector company.

Ms. Alali responded that they will have a gate and the Site Plan approval process will show the gates.

Commissioner Nelson asked how the overhead doors relate to the head-in parking.

Mr. Kelleher stated that most deliveries will be done by smaller trucks, not a full-size tractor trailer.

Commissioner Gober asked about the proximity of the overhead doors to the parking spaces.

Mr. Kelleher responded that aesthetically the doors would be more attractive and that it would help with visual appeal and that they will take his concerns regarding proximity to parking into account.

Commissioner Bruxvoort asked if this was also for ventilation and increasing access.

Commissioner Gober added that when that is the case there is a larger distance between the doors and parking spaces.

Mr. Kelleher responded that they will add bollards to increase safety.

Ms. Rhule asked if they have a functioning example.

Mr. Kelleher responded that the location in Frisco does not have a retail component but that he has another project in Little Elm that is similar to this proposed product.

Commissioner Thornton asked about the parking safety.

Mr. Kelleher reiterated that they would be installing bollards.

Commissioner Rhule asked if the Applicant is willing to follow staff's recommendation for landscaping.

Mr. Kelleher responded in the affirmative.

Chair Wade May asked about the impact of future work of Lake Sharon Drive to the Traffic Impact.

Director John Webb responded that the site is already zoned commercial and that the proposal is a less intense development than what is allowed today and that the expected impact is lesser than what a traditional office development would generate.

Chair May asked whether once the parkway was completed through that area if one could expect the same amount of traffic as the part of Corinth Parkway near City Hall.

Mr. Webb responded that there would be more east-west traffic, but it would depend on the ultimate buildout of the area.

Chair May asked to clarify the public hearing notification process.

Mr. Webb stated that the City exceeds state law requirements and provided specifics of the notification methods.

Chair May asked if this property was already developed for commercial use.

Mr. Webb answered in the affirmative.

Commissioner Bruxvoort made a motion, seconded by Commissioner Thornton, to approve as presented with the stipulations presented by Staff and the additional stipulation that they add protective measures for parking spaces in front of the overhead doors.

Motion carried, 4-yes; 1-no.

Yes: Bruxvoort, May, Nelson, Thornton

No: Gober

4. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on a request to amend the zoning classification from SF-4 Single Family Residential (detached) to a Planned Development with a base zoning district of SF-4 Single Family Residential (detached), on an approximate ±9.65 acres generally located on the south side of Lake Sharon Drive, east of Parkridge Drive, north of Tori Oak Trail and the northern terminus of Brandi Lane, and west of Beckley Court and the western terminus of Alcove Lane. (Case No. ZAPD22-0001 – Taylor Estates)

Miguel Inclan, Planner, introduced the item to the Commissioners.

Stephen Davis, Taylor Duncan, introduced his firm to the Commission and the project to the Commission.

Mr. Davis provided highlights of the proposed development including a landscape buffer of 20 feet in width on Lake Sharon and 15 feet wide on Parkridge, and trees to be planted in the bottom of the detention pond.

Mr. Davis mentioned the existing stub-outs to the neighboring subdivision and provided the price of the homes of mid-400s to high-500s.

Mr. Davis stated that they are happy to comply with the staff stipulations.

Morgan Strauss, 3010 Alcove Lane, stated that she lives outside of the 200 ft area notified and that she has no objection to the development but objects to the connection. She stated that opening that street will bring added traffic to a street that isn't wide to begin with. She stated that they would create an easy bypass to avoid the traffic circle. She also expressed concern that new developments are not being required to build parks.

Mike King, 2610 Zachary, gave kudos to the staff for a wonderful presentation. He appreciated the clarification on the public hearing notification methods but stated he will look to see if the ordinance needs to be addressed to expand the 200 foot area. His concern is access to Alcove Lane and the park dedication situation.

Christy Clark, 2400 Beckley Court, stated she lives within 200 feet of the property, and has concern about her kids and other kids who use the streets to play and has concerns with the number of people using the streets to access the park. She stated that she wants development that makes people want to stay.

Robert Anderson, 2413 Beckley Court, stated that he did not understand what was being proposed until he saw the presentation. He expressed concerns with the proposed lot dimensions and packing more houses in there. He stated that he has lived in his house for 21 years and that Alcove has been a dead-end safe spot. He is imagining what will happen when that road opens. He is concerned about how close the back of the home is to his home.

Rebecca Romskog, 2820 Lake Sharon Drive, stated that she has lived there 24 out of her 26 years of life and that she understands that growth is normal. She stated that she is an educator and is concerned about the impact of the roundabout. She stated that she spends 15 minutes sitting in her car trying to leave her driveway and she stated that a roundabout will not fix that. She stated that she lives at the bottom of the hill and that the new speed limit will increase speeders. She lives with a high schooler and is concerned when he walks down Lake Sharon Drive. She stated that they've had to add concrete to her mailbox to keep it in place. The property is right on her property line and will lose trees that have been on her property forever.

Richard Robe, 3107 Mason Avenue, asked what for the reason new developments are not adding parks. He expressed concerns about the traffic on I-35E service road worsening. He also expressed concerns about opening Alcove Lane and the reduced front setback for large trucks.

Chair May closed the public hearing.

Commissioner Thornton asked to confirm if the garage would not be in front of the building, and that the setback would be 20'.

Stephen Davis responded that the 20' setback is standard for new developments. He stated that he understood the need for the City to visit the front setback and that requiring a full setback would result in a lower floor area and lower quality of development.

Commissioner Rhule asked if there was no willingness to meet in the middle to amend the setback to 25' to address the concerns that also create friction between neighbors.

Craig Malan, Kimley-Horn, stated that they were looking into worst case scenarios and that there is 21 and a half feet from the garage door to the sidewalk, and that ADA requires 3 feet of clearance. He stated that he understands the concern but that it would be the exception to the majority.

Davis stated that the willingness isn't the issue but rather the ability to do and that doing so would swallow the building envelope.

Commissioner Gober stated that he was focused on the 10' rear setback and asked if the proposed homes would have a covered patio and whether the back wall of the house would be 10' from the property line.

Jamie Mitchell, Gehan Homes, stated that some homes may have a patio and that the 10' is maximizing the pad. She stated that they are anticipating these to be all two-story homes.

Chair May asked if these lot dimensions would result in smaller yards than the average home.

Ms. Mitchell stated that it would depend on the chosen floorplan, but the landscaping would be there, that this would be an upscale neighborhood with large houses, and that carries a trade-off.

Chair May stated that his understanding is that the millennial-type customer prefers a smaller sized lot. He asked if they have similar projects.

Ms. Mitchell stated that their median priced home is 550k and there are a variety of individuals who want homes with lower maintenance.

Commissioner Gober asked why some residential lots appeared to be crossed out with an x.

Mr. Malan stated that this was to signify that they are nonstandard pads.

Chair May asked if there was any thought to the park and trail dedication.

Mr. Malan responded that generally the way the ordinance is written did not make it practical for a neighborhood of this size to have an isolated dedicated park and that the size of the lot did not trigger dedication.

Commissioner Bruxvoort stated that she lived in a neighborhood with a dedicated greenspace and asked if that was something that could be included into the development. Malan stated that they certainly can do that in the detention area.

Chair May asked staff to elaborate on the roundabout.

Mr. Inclan provided safety benefits of roundabouts and stated that traffic flow is not impeded.

Chair May asked about the purpose of stub-outs.

John Webb responded that this subdivision was designed with the intent to be extended, otherwise they would be cul-de-sacs. From a staff standpoint, two points of access are required for public safety access, and that the expected traffic generated will use Lake Sharon Drive.

Commissioner Rhule commented on her experience with roundabouts and how one roundabout in Colleyville is a breeze.

Commissioner Rhule asked about the date of the traffic study.

Craig Malan responded that the traffic study was done in November.

Commissioner Rhule asked if the City consults with police and fire on new developments.

Mr. Inclan responded that the city has a Development Review Committee which reviews all development application, and the committee includes members from the Fire and Police Departments.

Vice Chair Gober asked about ownership of the existing nearby park.

Members of the public present provided background on the park's ownership and management.

Commissioner Nelson expressed concern about lots with larger building footprints with little open space and asked if the lots near Alcove Lane could be used for open space instead.

Mr. Inclan responded that staff would not be in support of closing access to Alcove Lane.

Mr. Webb informed the Commission that it is their prerogative to make any recommendations to City Council as they see proper.

Vice Chair Gober made a motion to recommend approval as presented. An amendment was offered by Commissioner Thornton to add a stipulation to provide a specified additional green space. Vice Chair Gober amended his motion to include Commissioner Thornton's amendment.

Commissioner Thornton seconded the motion.

Motion carried, 3-yes; 2-no.

Yes: May, Gober, Thornton

No: Bruxvoort, Nelson

5. Conduct a public hearing to consider testimony and make a recommendation on a proposed repeal and replace text amendment to the City's Unified Development Code (UDC), Subsection 2.09.02 Tree Preservation including purpose, scope, definitions, applicability, exemptions, Tree Removal Permit, Mitigation Requirements (replacement rates and preservation credits), Protection Measures at Time of Construction, Protection and Maintenance after Development, and Administration of Tree Fund. (ZTA20-0001- Tree Preservation).

Michelle Mixell, Planning Manager, presented the item to the Commission.

Ms. Mixell described the background of the tree preservation ordinance amendment including the workshops conducted with City Council, development pressures on undeveloped parcels, and the City Council directives as to what the City's goals are for tree preservation.

Ms. Mixell provided an overview of the Council directives, including a "sliding-scale" approach, establishing an administrative review process, and to find a balance between environment and development interests.

Ms. Mixell provided key elements of the ordinance including purpose; scope; definitions; applicability and exemptions.

Ms. Mixell explained key definitions for terms such as mitigation, heritage tree, protected tree, among others, with examples of existing trees within Corinth.

Ms. Mixell provided a detailed explanation of proposed replacement rates for protected trees removed, based on the type of development including existing occupied single-family and two-family lots being mostly exempt, platted-single family development lots granted certain exemptions, and vacant undeveloped land and land to be developed being subject to the sliding-scale for replacement rates.

Ms. Mixell then explained the proposed menu of credit options with various credit rates based on the size of healthy protected trees preserved in a site, which would be applied to reduce the overall mitigation rate for a new development, with the purpose of encouraging tree preservation.

Ms. Mixell stated that the proposed amendment complies with the Comprehensive Plan's calls for integrating design and character of all elements that create the built environment including a key outcome to increase shade by capitalizing on natural shade provided by existing or proposed trees.

Ms. Mixell recommended approval to City Council with additional review and consideration of the "sliding scale" ratios.

Chair May opened the public hearing.

Sean Alibrando, developer, stated that developers be given the option to choose either the existing or new ordinance if their project is already under development.

Mike King, 2610 Zachary Lane, asked for clarification on whether trees creating a hazard would be exempt.

Staff responded that they would be exempt.

Mr. King then asked what the baseline for counting trees is.

Vice Chair Gober asked for clarification that the baseline is the tree survey.

Staff responded that the Tree Survey is the count and that they are signed and sealed by a Registered Landscape Architect or a Certified Arborist.

Chair May asked if projects under development would be grandfathered as Mr. Alibrando discussed.

Director Webb responded that applications have vesting dates and under the Planned Development process he can ask for a departure from the tree preservation ordinance.

Commissioner Thornton asked if staff had developed a maintenance strategy.

Ms. Mixell responded that there is language written into the ordinance that speaks to a two year timeframe for survivability, and in recent PDs staff has included provisions for maintaining trees in HOA spaces in perpetuity. She also stated that staff is trying to explore resolving the problem of trees being damaged during construction.

Commissioner Nelson asked if staff gets to the point about canopy coverage in the ordinance.

Ms. Mixell responded in the affirmative.

Chair May closed the public hearing.

Commissioner Thornton made a motion, seconded by Commissioner Nelson, to recommend approval as presented.

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

F. DIRECTOR'S REPORT

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

Director Webb informed the Commission that the items discussed in the meeting will be considered by City Council at their March 17 meeting and expressed appreciation for their hard work in advance of the meeting.

Mr. Webb informed the Commission that a development report was included in the packet and asked the Commission to let staff know if they would like to see anything added to the report.

G. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:50 PM.

MINUTES APPROVED THIS 28 DAY OF March, 2022.



Wade May, Planning and Zoning Commission Chairman