

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

On this the 19<sup>th</sup> day of April 2018 the City Council of the City of Corinth, Texas met in a Workshop Session at 5:30 pm at the Corinth City Hall, located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

**Members Present:**

Bill Heidemann, Mayor  
Scott Garber  
Don Glockel  
Lowell Johnson  
Joe Harrison, Mayor Pro-Tem  
Sam Burke

**Members Absent:**

None

**Staff Members Present:**

Bob Hart, City Manager  
Kimberly Pence, City Secretary  
Barbara Cabbage, Interim Planning & Development Director  
Kevin Tyson, Lt. Corinth Police Department  
Jason Alexander, Economic Development Director  
Mack Reinwand, City Attorney  
Mike Brownlee, City Engineer

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**CALL TO ORDER FOR WORKSHOP:**

Mayor Heidemann called the meeting to order at 5:30 pm.

1. **Discuss Regular Meeting Items on Regular Session Agenda, including the consideration of closed session items as set forth in the Closed Session agenda items below.**

**CONSENT ITEM #4 Discussion:**

Consider and act on minutes from the March 15, 2018 Regular Session.

**Councilmember Glockel** – The Lake Sharon project, I recall Mr. Harrison asking the question on the west side, the wall for the west side of that subdivision and the answer came back from staff, I think, was that the sound wall for FM 2499 would suffice. I don't believe it's the same wall there. The sound wall stops just about even with the dam on the south side, there's no sound wall on the west side of where I think this subdivisions going in on the west side of Lake Sharon.

**Bob Hart, City Manager** – What page are you on?

**Councilmember Glockel** – Page 93. That's just the beginning of it, I don't think the rest of it is unless I missed it. There's no stringing holder that I can see.

**Barbara Cabbage, Interim Planning & Development Director** – I'm not sure what the minutes say, but because it does abut to Lake Sharon it will require a screening wall.

**Councilmember Glockel** - Lake Sharon? Or FM 2499?

**Barbara Cabbage, Interim Planning & Development Director** – Both of them actually.

**Councilmember Glockel** – There was some discussion about Lake Sharon, but the question is that I recalled is: What are we going to do on the west side and the answer came from staff, that the sound wall for 2499 with suffice. There is no sound wall. Are they planning on putting one up?

**Barbara Cabbage, Interim Planning & Development Director** - If there's not a sound wall, they don't have to put up a sound wall, but they do have to put up a screening wall. They, being the developer.

**Councilmember Glockel** – When we talked about it, it wasn't in. How do you do that?

**Barbara Cabbage, Interim Planning & Development Director** – That's a requirement with the subdivision regulations is for them to put a screening wall up on the perimeter of any collector, above street or a residential subdivision.

**Councilmember Glockel** – But when we approved it, we didn't approve it with a wall on the west side.

**Barbara Cabbage, Interim Planning & Development Director** - The wall didn't have anything to do with the planned development.

**Councilmember Glockel** – ok, thank you.

**CONSENT ITEM #8 Discussion:**

Consider and act on the abandonment by Ordinance of the temporary grading easement being described and depicted in Exhibit "A" (the "Temporary Grading Easement") and attached to the proposed Ordinance. This abandonment shall extend only to the Temporary Grading Easement title and interest that the City Council may legally and lawfully abandon. The permanent easement acquired by the City pursuant to Cause NO. PR-2009-00932 in the Probate Court of Denton County, Texas and recorded as Doc No. 2010-27633 in the Deed records of Denton County, Texas is not impacted by this Ordinance and all rights pertaining thereto are retained by the City of Corinth.

**Councilmember Burke** – Am I correct that we don't have any planned use for that wall?

**Bob Hart, City Manager** – No, in most of those you have when the construction is over, those things typically are vacated. For whatever reason, it didn't get vacated on this one.

**Councilmember Burke** – Just cleaning up the language.

**Bob Hart, City Manager** – Yes sir.

**PUBLIC HEARING #10 Discussion:**

TO HEAR PUBLIC OPINION REGARDING A REQUEST BY THE APPLICANT, ROBERT P. GARZA, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER NANCY REED, FOR A ZONING CHANGE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE NO. 13-05-02-08 AND PLANNED DEVELOPMENT ORDINANCE NO. 07-03-01-05 BY REVISING THE LAND USE REGULATIONS AND

DEVELOPMENT STANDARDS ON PROPERTY LEGALLY DESCRIBED AS TRACT 1 BEING 3.189 ACRES SITUATED IN THE L. YOUNG SURVEY, COUNTY ABSTRACT 1451 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

**Councilmember Harrison** – City Manager, in this item we're only discussing the site plan associated not with the access off of Post Oak, right? In item #10?

**Bob Hart, City Manager** – Item #11 is where you're going to discuss the access. #10 is from the old planned development which called for a strip center and so what they're wanting to do is a strip center and the daycare in a separate building. The office making an "L" shape, but that's what they're amending, the sight plan that's been in place since 1987.

**Councilmember Harrison** – Clarification, we are eliminating use for a drive through for a coffee shop. Is that what we're doing?

**Barbara Cabbage, Interim Planning & Development Director** – Correct, that is one of them.

**Councilmember Harrison** - But all the other uses, as permitted, on page 186, exhibit C, which is the neighborhood shopping areas and it identifies all those uses that are authorized in this planned development if we really know what we're doing here.

**Barbara Cabbage, Interim Planning & Development Director** – There were three uses that we eliminated from this. One was the drive through associated with the coffee shop, one was the Savings and Loan, and the other one was a veterinary clinic. There was another one, a convenience store with gas service and we eliminated the gas service.

**Councilmember Harrison** – In item #10, we follow our procedure and that we would put a sign on a property to advise what we were doing, and zoning, that we were going to have a public hearing. We did that ten days prior to the submittal, then we also advertised it in the newspaper 16-30 days and that was in the Denton Record Chronicle. Then was there any other requirement that we should have given to anybody else...in the neighborhoods?

**Barbara Cabbage, Interim Planning & Development Director** – Yes, sir. We go on our GIS program and it provides a buffer of 200 feet from the property that is in question and provides addresses and mailing information. We send out letters of the Public Hearing to them. For the P & Z meeting.

**Councilmember Harrison** – And you sent out approximately?

**Barbara Cabbage, Interim Planning & Development Director** – 31.

**Councilmember Harrison** – And how many responses did you get?

**Barbara Cabbage, Interim Planning & Development Director** – I got 4 letter back before the P & Z meeting and at the P & Z meeting, there was one other person in the audience in opposition that was within that 200 feet. Garrett puts together a great map and it tells me exactly how much of each parcel adds up to what. We would need 2.8 acres total of opposition in order to get us the 20% to require a super majority.

**Councilmember Harrison** – The other question I had on platting and final platting and whatever, does that ever come to the Council?

**Barbara Cabbage, Interim Planning & Development Director** – Back in 2013 when the Unified Development Code was approved, we took the platting preliminary final replat. Unless the applicant didn't

like P & Z's recommendation or P & Z's motion on it, then they could appeal to City Council, otherwise their decisions was the final decision on that.

**Councilmember Harrison** – So the Council, looking at this, if we had a question about a wall or we had a question about a detention pond, that would not be proper to address in any form that we have or what?

**Mack Reinwand, City Attorney** – I think tonight would be the appropriate time to talk about those types of issues. If you have any concerns or questions about site plans or anything else, this would be the opportunity to do that.

**Councilmember Harrison** - So you'll have a chance to address that.

**Barbara Cabbage, Interim Planning & Development Director** – Associated with this ordinance, these detailed site plans are not part of the ordinance to be approved but what they are is for your information to use those to look and see what is associated with the development that's being proposed. But all of that information is a part of the project. You can see what they're proposing and it's a perfect time frame.

**Councilmember Harrison** - We're only discussing the Lighthouse portion now not the second phase or are we discussing both phases?

**Barbara Cabbage, Interim Planning & Development Director** – We're discussing the whole entire project. The site plan, the landscape, and the lighting is not a part of the detail but those regulation standards are written in that ordinance. As well as the used you were just talking about.

**Councilmember Burke** – Could somebody translate the staff recommendation for me? Like what deceleration lanes look like.

**Mike Brownlee, City Engineer** – We're talking about the subdivision waiver now. They submitted the traffic impact analysis with the first and middle and they were showing it odd way. With the new median opening further north on Post Oak and another one on lot 2 on the south. They had a future driveway in the middle and we made some comments on that and said the location of the driveway doesn't guarantee the placement for a driveway. Phase 1 and the 2<sup>nd</sup> cutout do not trigger a full blown traffic study, they do not trigger the need for any deceleration lanes or anything like that.

When Phase 2 develops it will be real crucial that the third ROW also gets built with it and we'll have to look at the impacts of whatever use that is because we don't know what that's going to be right now. There was a lot of concern about traffic out there that exists and a lot of concern about the daycare going to do to it. The threshold analysis didn't really trigger anything as far as this sight is going to be a major generator that justifies a full blown traffic study with the possibility of doing deceleration lanes or something else. That's kind of where we are. They got through the door based on the things they are proposing and the scenario they're proposing and they met the staff recommendation of adding a second drive line on Post Oak. That would reduce that U-turn conflict. Also, taking the north drive even busier than it would have been because I see only full access driveway that would have been. I feel like the design they submitted is adequate to serve the site without doing the deceleration lane or anything else. It's not going to improve the traffic on Post Oak, it's not going to make it any worse.

**Councilmember Burke** – I apologize, the terminology, I want to make sure I understand it. Staff does not support including the elimination of vehicle stacking, what are you talking about?

**Mike Brownlee, City Engineer** - That's part of the board, it's a separate conversation than the subdivision waiver, it's part of the key ordinance it's a separate action. One of the comments from the first review was the design didn't include "stacking" you know, off the street. The purpose of that would be so cars don't stick out in the street. The applicant proposed that we eliminate that requirement and we don't feel good about doing that. It doesn't mean we're going to impose it, but we're not going to eliminate it without

studying the full impact of the final design. It probably will require some staffing internally, develop suspenders, make sure we don't have issues, backing up on Post Oak.

**Barbara Cabbage, Interim Planning & Development Director** – The stacking is a subdivision regulation and I'm not really comfortable and historically we try not to put subdivision regulations in with the zoning ordinance. If the applicant decides to go that route there is a process, the major subdivision waiver that could eliminate the stacking. The PD ordinance is really not the proper place to do that.

**Councilmember Burke** – Does the PD ordinances proposed eliminate the stacking?

**Barbara Cabbage, Interim Planning & Development Director** -The PD ordinance, the way it's written, yes that's what it does. My recommendation is to take that out of the ordinance.

**Councilmember Burke** -So what they've asked for would eliminate that, which is ordinarily a subdivision regulation. You don't recommend us doing that, but if we don't want to do that we need to amend what they've proposed.

**Barbara Cabbage, Interim Planning & Development Director** - Correct.

**Councilmember Burke** – Ok. I'm just not visually understanding where the deceleration lane would be.

**Mike Brownlee, City Engineer** – There is none proposed at this time based on the land uses that have been presented. The three driveway configuration, two on Post Oak and the third one added on Robinson.

**Councilmember Burke** – Does that deal with your concerns that you wouldn't recommend a deceleration lane?

**Mike Brownlee, City Engineer** – There's no room for that.

**Councilmember Burke** – That's what I'm thinking if I understand what a deceleration lane is.

**Barbara Cabbage, Interim Planning & Development Director** – They would have to totally reconfigure their site.

**Councilmember Burke** – Deceleration lane isn't really something you're saying is a reasonable alternative, it's not feasible.

**Barbara Cabbage, Interim Planning & Development Director** – We don't know that. I think that is what Mike said before was that without looking at it we really don't know.

**Mike Brownlee, City Engineer** – You have a short taper, a very small stack. People not knowing how to handle it. It wouldn't be a good thing.

**Councilmember Burke** - The way this is worded, it made me think that maybe you had thought about it and were recommending it.

**Mike Brownlee, City Engineer** – We have two subdivision waivers tonight, one of them I am saying yes we're going to do this, not on this one. We're talking about another one tonight too. So you might have been reading the background on the other one at the intersection of 35 and Post Oak. That one, yes, a deceleration lane absolutely crucial.

**Councilmember Burke** – No, I'm reading the right one.

**Mike Brownlee, City Engineer** - We're not advocating a deceleration lane.

**Mayor Heidemann** – You're on eleven, right?

**Councilmember Burke** – Yes, it starts with Children's Lighthouse and then Staff Recommendation. I just wanted to make sure I understood what the options were and you don't think a deceleration lane would be a do able workable alternative. So as far as what's feasible, the deal with the traffic concerns, they have proposed it and this is about all we can do?

**Mike Brownlee, City Engineer** – I think it's the best.

**Councilmember Glockel** – Is the P & Z's recommendation in there somewhere?

**Barbara Cabbage, Interim Planning & Development Director** – Yes sir. It was on the website, we usually do one after the P & Z meeting before the minutes, we update what they motioned and I can make copies for all of you.

**Councilmember Glockel** – Can you just tell me what the recommendation was?

**Barbara Cabbage, Interim Planning & Development Director** – The recommendation for the major subdivision waiver for the 2<sup>nd</sup> driveway on Children's Lighthouse being 29' closer to the intersection, it's 171' from the intersection and the requirement is 200', they recommended approval on that. As far as the ordinance, they recommended approval on that and take out that section about stacking.

**Councilmember Harrison** – So you go back over to the letter that they sent. It's attachment 193 & 194. It talks about the TIA, that was the thing you were addressing, it reads here that the TIA completed, evidentially it requires the three entrances.

**Mike Brownlee, City Engineer** – The first one they did. Both phases together, they only had two driveways and I was concerned the third one would never make it.

**Councilmember Harrison** – So the city is requiring the third access?

**Mike Brownlee, City Engineer** – We're requiring that they account for both phases, fully developed, with all traffic generated and analyze it on that basis which requires the phase 1, two driveways and phase 2 they will have to add one additional driveway. This half point could possibly trigger some improvements but likely not because I'm hoping the density readings will be lower not higher.

**Councilmember Harrison** – So when phase 2 comes in will that generate a traffic survey?

**Mike Brownlee, City Engineer** – We'll do the same thing.

**Councilmember Harrison** – On phase 2 if it generates a traffic survey, would that cause something different to occur than what we're doing right now?

**Mike Brownlee, City Engineer** – It shouldn't unless the intensity of the use changes dramatically.

**Councilmember Harrison** – Could it say that you only need two entrances?

**Mike Brownlee, City Engineer** – Probably not. They weren't that far away from the Children's Lighthouse. If they add a third use to it. There are three different criteria's, they'll at least trickle one of them. Either 1000 cars a day or one busy driveway at peak hours. It's hard to say really.

**Councilmember Harrison** – On the median cut, where we cut the trees down in the median, I assume somebody maintains that now, I assume they're doing work out there right now, so consequently if this is

approved and you do all the construction on the median, so all the work they've put in there is gone? Who's going to pay for all this? The applicant?

**Mike Brownlee, City Engineer** – Yes.

**Councilmember Harrison** – It's not the city?

**Mike Brownlee, City Engineer** – No, not unless you all decide you want to do that. It's for them so it would be at their cost. They donate the asset back to the city, just like a water/sewer line.

**Councilmember Harrison** – They're going to do it and donate it back to us? And fix the sprinkler systems?

**Mike Brownlee, City Engineer** – Yes, and repair the sprinklers.

**PUBLIC HEARING #12 Discussion:**

TO HEAR PUBLIC OPINION REGARDING AMENDING THE CITY OF CORINTH COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE ORDINANCE NO. 13-05-02-08 INCLUDING SECTIONS 2.07.03 AND 2.07.04 BY AMENDING USES PERMITTED, USES PROHIBITED, USES PERMITTED BY SPECIFIC USE PERMIT AND CONDITIONAL DEVELOPMENT STANDARDS RELATED TO INDUSTRIAL, COMMERCIAL, OFFICE, RETAIL, AND RESIDENTIAL LAND USE CATEGORIES.

**Councilmember Harrison** - What are we correcting? What are we changing? Do you want us to review it and make changes to whatever you're submitting?

**Bob Hart, City Manager** – We want you to review it. This is also listed as item #5 on the workshop to review it. When we talked about this 6-8 months ago, you all had asked for this to be brought back in a series of workshops and public hearings before you took any action on it. So this is beginning that process. Barb will go through that. If we could wait until item #5 on the workshop. All you have tonight is a public hearing, there is no action to be taken.

**BUSINESS AGENDA #15 Discussion:**

CONSIDER AND ACT ON AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF CORINTH, TEXAS, BY AMENDING CHAPTER 71, STOPPING, STANDING AND PARKING, BY MODIFICATIONS TO SECTION 71.02, PARKING DESIGNATIONS FOR PORTIONS OF PUBLIC RIGHTS-OF-WAY, PROHIBITING PARKING, STANDING, AND STOPPING ALONG PORTIONS OF INTERSTATE HIGHWAY 35 SERVICE ROAD (STEMMONS FREEWAY), PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**Councilmember Harrison** – That includes other than 35, right? Doesn't this ordinance include all these other?

**Mack Reinwand, City Attorney** – Those are already in your ordinances, this is just adding 35 to that list that already existing.

**2. Discuss the proposed Lynchburg Creek Master Drainage Plan Study.**

**Bob Hart, City Manager** – This is an issue that we've discussed over that last several months, we had one other workshop. It comes out of the study that we've been doing, the reconfiguring the flood plain

modifications along Lynchburg Creek. If you'll recall that preliminary study is now at FEMA under technical review but it did identify areas that would be a concern, assuming that FEMA adopts all of these changes. We don't see any reason why they're not. In order to anticipate the need for the repairs and do that on a timely basis. When I say on a timely basis, is the next round of applications, through the state funding program is in January, which means we have to have a study done, have it in place by the September/ October time frame so we can put together an application for funding in this next fiscal year. That's the reason for making an amendment and to do the study to help in that response. We've been working with Jones/Carter and they're here to be able to talk through what would actually be looking at in terms of drainage improvements.

**Councilmember Harrison** - If we're going to do this and somebody is going to be punching little flags all over everywhere in there study or whatever they're going to do, I still say that we need to tell the citizens in the area, give them a handout or some kind of notification that we're going to be over doing something. Rather than surprise them one day, everyone over there with the little flags, they're going to ask why. I think we need to take a step forward and tell the areas that are over there what's going to happen, what possibly could happen. It could affect you. I think it's prudent on our part as a city.

**Bob Hart, City Manager** - Absolutely, and we agree with you. We've got some residents from some of these areas that are here tonight and we've met with them in advance of this as well.

**Mark Olivan, Jones/ Carter** - I'm with Matt McCombs with Evan Ray. We've been in Texas for over four years, based in Houston. They got some drainage issues down there. We adapt to figuring those things out. We've had an office in North Texas for over 20 years in Plano. We have about 35 people in our office currently and we have all these different specializations in our Plano office, we'll be serving you from there. There is quite some history and background with this project with the current update to the FEMA maps that is being done, with carpeted programming working with space through COG. There is some new information that's coming out of those models that says that there's going some additional properties in the flood plain. In addition to that I think there's some known drainage issues in this watershed and so we came five or six weeks ago, met with Mike and the City Manager here just to talk about what could be done to pre-empt those new maps that are coming out to find some solutions for the problems that are going to be coming up. Briefly going through the scope that's in the contract there, just how we're going to approach this problem, a lot of analysis obviously, we have to collect some data. We'll be collecting information from the city, from previous studies, existing studies that are going on, previous letters and map provisions, additional maps, 90's plans, a lot of information from the city to start gathering a baseline of what currently exists out there today. We'll be doing some infield assessments, we won't be doing any topo surveys so we won't have crews out there in the neighborhoods, any field crews. Hopefully, no stakes, no paint, no glass no pens out there. We will be some personal observations, walking the neighborhoods and the creek areas that we can get to.

**Resident** - Does that include talking to the residents? Or the residents that live along these culverts?

**Mark Olivan, Jones/ Carter** - If we're out there looking at some field and a person stops and asks us.

**Resident** - There's nothing like first-hand observations, people that have lived there a long time have witnessed and gone through some of the flooding and erosion and what have you.

**Mark Olivan, Jones/ Carter** - To me, that is part of the available data, if there is record of complaints and issues then yes, that is the type of information we want to gather. It makes our job a little bit easier to get out there when we know what we're looking for rather than a needle in a haystack if we know of X number of locations we can focus on those and at least look at those first. But there are the flood problem areas, the areas that are going to be a concern based on new FEMA mapping. There are other areas that the system in general not necessarily related to the flood plain, but how the water gets there and we'll be looking at those as well. As was mentioned before, pursuing some options for grant funding to help fix the issues that are identified. The delivery will be a report and recommendations, kind of a master plan for the watershed



identifying different projects, what their cost might be and it just uses a planning tool. There are three primary areas of concern and three areas we'll be focusing on to look at alternatives to solving the issue with the flood plain. On the aerial on the left, is the area that is most recently been, based on the new models, going to be put into the flood plain, that's one of the areas we'll be looking to creatively come up with some solution and ideas around that area, I think that area is also part of the City's center future development you have planned there so trying to incorporate that into a master plan for the whole water shed as well.

System issues that I've mentioned for a water shed, to do the master drainage plan for the water shed we identify any possible thing that might need to be fixed. That could be a broken head wall, it could be erosion areas that may be starting to encroach on private property that you want to get fixed before it becomes a problem. There could be neighborhoods that have bar ditch and driveway culverts that are filled up, have no capacity, identify things like that and maybe clean culverts that are starting to have some scouring erosion around them as well. It could become a problem identifying those types of things that need to be incorporated into a master drainage plan for the water shed. So as I said, the delivery will be a master drainage plan to use as a planning tool, we'll have alternatives for the various flood plain issues whether it's off detention, channel improvements things like that that will help alleviate flood plain concerns. We'll also have cost and alternatives for improvements to make on any system. Supporting documentation, we'll have cost benefit analysis and then recommend a phasing plan to move forward in the CIP type of fashion. With that, we are available for any questions you might have.

**Councilmember Harrison** – The start of this project will be up in Amity Village, that circle on your left hand side. We have discussed it with the people on downstream side, but have we discussed it with Amity Village and those 150 homes?

**Mike Brownlee, City Engineer** – No.

**Bob Hart, City Manager** – They'll be looking at all three circles, the third circle to the right is where we have walked some of that area with the residents and that's what we've communicated back.

**Councilmember Burke** – What will be necessary, say there are going to be some costs, will there be alternative solutions proposed? And cost estimates?

**Mark Olivan, Jones/ Carter** – Yes.

**Councilmember Burke** – How far will those cost estimates be from where they would be biddable for projects?

**Mark Olivan, Jones/ Carter** – We won't be developing construction plans to bid with the master drainage plan. They'll be enough detail that we can get what we feel will be accurate costs. We will talk about various alternatives, we're not going to price everything but we'll sit down with staff and talk about two or three options for this specific area, what we think is the most feasible, what's the most cost effective, what gives us the most bang for our buck. Then we'll price that out with as much detail as we can. There will not be construction plans associated with that to go to bid.

**Councilmember Burke** – I think you say that in the contract, that would be additional work.

**Mark Olivan, Jones/ Carter** – That would become a design project rather than a model.

**Councilmember Burke** – At that phase you would be doing the grant request as well.

**Mark Olivan, Jones/ Carter** – Yes, we would have more detail to submit for a grant application.

**Councilmember Burke** – Is the process that you request the grants before you get the construction plans or do you do them together?

**Mark Olivan, Jones/ Carter** – It depends on the specifics of the grant but sometimes you can submit it in advance so you don't spend the money to design things if the grant gets denied and others require a little more detail with the grant applications.

**Mayor Heidemann** – For us to submit the grant, the data you're going to collect here and the estimated costs, will that be what we use in submitting the grant?

**Mark Olivan, Jones/ Carter** – That's my understanding. I believe that's the case.

**Mark Olivan, Jones/ Carter** – It depends on which grant you're after but part of what we were going to do after we determine what the various alternatives for the various locations we were going to say this project looks like it would be a good fit for this grant if we want to pursue this project we'll pursue this grant with this project and that would provide X match on your funds for that project.

**Councilmember Burke** – From this point to a point where we have implemented a solution, what kind of time line are we talking about?

**Mark Olivan, Jones/ Carter** – If I understood the time line for the grants it would be well before January to make that submittal, we have a primary schedule and the end of contract those are not sequential days. A lot of those tasks are overlapping.

**Councilmember Burke** – I'm not trying to pin you down specifically, but I'm just trying to think like on budget cycles. At the point we're at now, then we'll have some alternatives then we'll probably request some grants and then depending on what we get we'll do construction plans and start a project. Are we two years from there?

**Bob Hart, City Manager** – We want to do the application in January, that's the schedule we're trying to operate with. Which means that, we'll get this part of the study done and depending on the grant criteria we'll either go immediately to design to get ready for a grant or we'll include that in the application. Either way when we're working on this upcoming budget, we'll include match funds for those potential grants and design money if that's needed. The idea is to get that into the January application cycle. January 2019. They do these grant cycles every year, so it's 2019 or 2020, we want to get it into 2019.

**Mark Olivan, Jones/ Carter** – We'll be far enough into the project that we'll be able to give good estimates on if you want to include some things in the next budget year.

**Resident** - This study, will it encompass the scope which would be like a 500 year flood? 1000 year flood? Or specifically in my vocabulary it would be like an 8-inch rainfall within 24 hour period or a 12-inch rainfall?

**Mark Olivan, Jones/ Carter** – The models that we'll be dealing with are with the FEMA map specifically. Those are based on existing floods. So in order to challenge the flood plain maps and get people out of the flood plain, we have to deal with the same flows that FEMA is working with. That's what would get you or any person out of the flood plain is dealing directly with apples to apples comparison with the models that FEMA uses.

**Resident** – Do you know what those are currently?

**Mark Olivan, Jones/ Carter** – 100 year.

**Councilmember Burke** – The 100 year, I believe, is 9.6 inches in 24 hours.

**Mike Brownlee, City Engineer** – It depends on the time and concentration. It could go up higher, even 11.5 inches.

**Councilmember Glockel** – The FEMA study, they did the preliminary study and I thought the last time we met we weren't going to knock on doors until we knew for sure what FEMA was going to recommend, we don't have that.

**Bob Hart, City Manager** – We don't have that yet but we do have enough information, we're going to wait until we get further along in the technical review. But what's going to happen is they'll finish that up sometime. So what's going to happen is when all that becomes public information, all the final decisions have been made, then what we're trying to do is be ahead of this so that we can go out and say here's what the new maps are and you're in the flood plain and here's what our proposed fixes are. We're trying to stay on the cycle so that all of that comes together roughly at the same time.

**Councilmember Glockel** – We're not predicting what FEMA is going to say. We have some hard data that's saying Amity Village is going to be added to the flood plain?

**Bob Hart, City Manager** – Yes.

**Mike Brownlee, City Engineer** – This is their model, we're using their model.

**Councilmember Glockel** - When that group came in, they wouldn't say for sure this is what was going to happen.

**Mike Brownlee, City Engineer** – All the updated hydrology and all the survey, picking up the detention ponds that have been put in. It's the most up to date model that exists.

**Bob Hart, City Manager** – They're not going to say anything until all the technical reviews done. Legally they can't go out and say this is going, but we know based on the data that's what we're going to see at the end of the day.

**Councilmember Glockel** – This leads into, what someone said earlier, are you going to talk to people? You go to Amity Village and I live in Amity Village and you come knock on my door and I go to try and buy flood insurance because I'm now in a flood plain which I'm technically not yet. Is that true? That would be a true statement?

**Bob Hart, City Manager** – I can't you exactly when the timing is going to be but that's what we're going to be watching for because we don't want to go off and say something. It's not going to match with FEMA. It's a little bit tricky of exactly what day or what week that's going to happen, but we're watching all of this. The number one concern that we have is, when that data is released, for public review and comment, that we want to be in a position to say this is what's available, here's our solution, and here's how we're going to address it. Otherwise, we come out there tell you you're in the flood plain and then we'll say now we'll go back and study it, but I don't want to wait until January 2020 to go off and try to get funding assistance. We want to be in a position in January 2019 to do that.

**Councilmember Glockel** – You know I'm going to be upset because I don't want to go to my insurance company and buy insurance and it's not in a flood plain, but if it floods I'm going to be upset because you haven't done something and you're saying we know what the end result is going to be. I was just remembering what they said last time which was basically it was preliminary and they were going to come back with a final disposition where these locations were. Some came out, some went in.

**Mike Brownlee, City Engineer** – It's only preliminary and it hasn't become the regulated map.

**Councilmember Glockel** – If we go back and say those houses are the two that came out, we say oh you're not in the flood zone anymore, what happens if they flood?

**Mike Brownlee, City Engineer** – There are people that aren't in the flood plain that are flooding.

**Councilmember Glockel** – I'm talking about people that are in the flood plain today, by these maps, the couple of locations that are coming out of the flood plain by the new proposal.

**Mike Brownlee, City Engineer** – It's just a model.

**Councilmember Glockel** – it is just a model, if it's not your house that's flooding.

**Mike Brownlee, City Engineer** – I understand but what we're trying to do is make it better for everybody whether they're in the flood plain or not in the flood plain. The model gives us a tool, it gives us guidelines to go by. Any improvement will help anybody whether they are in the flood plain.

**Councilmember Glockel** – I understand the intent, I'm just being the devil's advocate. I'm just saying that FEMA said this is my gospel yet, we're taking action to resolve these problems already. That's a good thing.

**Mike Brownlee, City Engineer** – It's not regulated.

**Councilmember Glockel** – It's not regulated, FEMA has not declared these people are in or out of the zone, officially.

**Mike Brownlee, City Engineer** – Officially, right.

**Councilmember Harrison** – On the downstream side, when you get to our city limits going east and Shady Shores and Lake Dallas, will we just get to the city limits and put up a barrier and say we stopped? Are we going to work hand in hand with the downstream communities?

**Bob Hart, City Manager** – We're going to communicate with Shady Shores and Lake Dallas and keep them informed. But, we're going to take care of Corinth. We'll give them the heads up on what's happening.

**Mike Brownlee, City Engineer** – When any of these improvements to be approved by FEMA, they would have to look at the conditions upstream and downstream, you have to match the downstream conditions, in other words you couldn't increase the flooding downstream. We wouldn't by virtue of our gain wouldn't be their loss.

**Councilmember Burke** – And visa versa, right?

**Mike Brownlee, City Engineer** – Right.

### 3. Discuss Wayfinding Signs for home builders and public facilities.

**Bob Hart, City Manager** – In your packet, on pages 18, 19, and 20, are these wayfinding signs. You see some of them in Little Elm and in Lake Dallas. What I wanted to do is find out what you think about placing these within Corinth and advertising home builders and that helps us from code enforcement standpoint of trying to eliminate the bandit signs that you see a lot on the weekends. These signs typically, we can bring in companies that can do these signs, there's no cost to the city on doing them. The home builders buy the panels and they are installed and that's how those things are financed. The issue is whether

you'd want to see those here or not, if you do, we'll starting working with one of the sign companies to put that in place. If not, we'll go onto something else.

**Councilmember Harrison** – Are they successful where they're at?

**Bob Hart, City Manager** – Yes.

**Councilmember Harrison** - You say there is no cost to us but if you got town, library, parks, town hall, are we going to pay for that?

**Bob Hart, City Manager** – No, that's part of the benefit we get in permitting the signs to be here.

**Councilmember Harrison** – We only have 3 home builders building here so they're going to subsidize this? When they leave, do they take their signs with them?

**Bob Hart, City Manager** – The sign company owns it and when all the homebuilders are gone, presumably the signs will be taken down and go away.

**Mayor Heidemann** – They maintain them?

**Bob Hart, City Manager** – They maintain them, yes.

**Councilmember Glockel** – Where will they position them?

**Bob Hart, City Manager** – We haven't even worked with them on that. What they do is come in and work with the staff and then work with the homebuilders. You're in placing locations to help direct traffic to where the subdivisions are and at those locations we direct them to some of the public facilities. Generally what you do it direct them to parks, city hall, police, fire, schools and the high school football stadium.

**Councilmember Johnson** – I guess they would be in the public right-of-way then?

**Bob Hart, City Manager** – Yes sir.

**Councilmember Harrison** – Are they lit?

**Bob Hart, City Manager** – No.

**Councilmember Johnson** – We can write our ordinance so that they will go away after or their converted to something that we can do something with them after the home builder is gone.

**Bob Hart, City Manager** – It wouldn't be an ordinance, it would be the contract that we did with the company and when we could include that provision. I've seen these go in and I've never seen a community where it's built out and they go away so I don't know what happens.

**Councilmember Johnson** – I know they look good in Little Elm. Who maintains those, the sign company?

**Bob Hart, City Manager** – Yes sir.

**Councilmember Burke** – Are we creating a 1<sup>st</sup> Amendment issues, would we have to let other people do this?

**Mack Reinwand, City Attorney** – There was a thing with a case that came out a few years ago, cities looked at it and they usually put some ordinance language in there to really tailor this down to try to avoid

that issue. And we may need to do that, put an actual ordinance provision in place just to make sure we're ok.

**Councilmember Burke** – And you're fairly comfortable with that?

**Mack Reinwand, City Attorney** – Yes, I think we can do it.

**Councilmember Burke** – Like not knowing the tentative consequences.

**Mack Reinwand, City Attorney** – Right.

**Councilmember Harrison** – Do you really think you're going to preclude bandit signs with real estate?

**Bob Hart, City Manager** – No, but the towns that do these tell me that they do help reduce them.

**Councilmember Glockel** – They look a whole lot like the signs that we're been trying to lobby against. Lake Dallas, for instance, back in a time when they 1<sup>st</sup> came out they were pretty high for the businesses. The hardware store, Bob McDonald, I went to him less than two months ago, you go south on Shady Shores Rd. towards the post office and it says Hardware Store-south. You come out of the post office going north and it says Hardware Store-north on the same sign but on opposite sides. About a year before that, right at the administration building for the school at Shady Shores and Swisher it said Hardware Store-right, to take a right on Main St. So you take a right on Shady Shores and take a right on Main St. that puts you right back on Dallas Dr. heading north and it brings you right back. The same business on two signs, I don't know if they ever fixed the last one, they did fix the first one. These in Lake Dallas don't look that great to me, are they the same in Little Elm?

**Councilmember Johnson** – There's a drawing of them in Little Elm. And Georgetown is on the list.

**Councilmember Glockel** – Lake Dallas is not on the list.

#### **4. SAFER Application briefing (Due April 28<sup>th</sup>)**

**Bob Hart – City Manager** – They've come out with the grant schedule, the SAFER grants are due on the 28<sup>th</sup>. The plan would be what we've talked about, we'll apply for 9, I would expect us to accept 6, but trying to keep all of our options open. The funding cycle should come around the first part of September and at that point we'll need to make a decision on how many to accept and depending on all the other circumstances with the contract, we'd recommend somewhere 0, 6, or 9. We don't get locked into that at the application stage, we get locked in at the acceptance stage and I would think that's going to happen probably in the September time frame.

**Mayor Heidemann** – Before our budget is approved, right?

**Bob Hart, City Manager** – It should. I know this can drive you crazy trying to anticipate, they don't do everything around our schedule. We'll just make the best judgement call that we can and talk about it at that time.

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

**Bob Hart, City Manager** – Councilmember Harrison, this is back a year before I started.

**Barbara Cabbage, Interim Planning and Development Director** – I don't have a power point, I was going to go with the documents that you have in front of you and the city's website. Also in your packets you probably have a zoning map and a land use map. I don't expect us to get too far tonight, it's more of, as Joe said he wasn't really sure what the intention of this was. Actually, the use chart on the website is really hard to read, it's the only thing about the unified development code on the website that's not my favorite. The legend here coincides with your charts and everything you see on here that's in green with a P is permitted by right. If there is no color, it's not permitted within the zoning districts listed in the columns. S is specific use permit within that zoning district and associated with that use. The blue is that it's permitted but there's conditional development standard associated with it. We just went through the cell tower application that last meeting we had and you saw there was several pages of conditional development standards associated with it of what the applicant needed to do in order for use to even consider his cell tower. This is the best part of this on the City's website.

What we'd like to do is we would like to look at all these uses and we've been proactive over the last few years, since 2013, when a situation came up, there were the payday loans and we acted fairly quick on those. Batch plant, firewood sales and a couple of others, all of those were permitted by specific use permit and associated with conditional development standards. There's a few items that we've discussed over the last 5 years that have come up. The most recent one is schools and the school on 35. Up until 2013 the City of Corinth did not allow schools in any type of commercial or industrial zoning district. For whatever reason that was approved and we can see some of the downside allowing that on 35. One of those that has come up is massage parlors, massage parlors are not what they used to be, like tattoo parlors they've changed a little bit. Should there still be some regulations associated with them? I would think so. I don't think we talked about this earlier, computer and chip manufacturing, I don't know that's something we need to leave in our ordinance. We don't have enough space, about 100 acres you would need to some type of development like that.

I know that Farmers Market has been one that we've talked about before that is very popular in other cities and I think that we really need to consider how we can allow that to be allowed in some areas somehow. One of the places I actually was looking at over the weekend was the old Cattle Company site, which I thought would be a perfect place to do a temporary set-up if whoever was wanting to do it could get their permission. There's no building, they're no parking but it would be easy for someone to look at that and make it work. We had something with an agricultural use that came up with Combs Coffee, they actually looked at taking the property at the corner, the north, southeast corner of Shady Shores and North Corinth Street and doing a greenhouse, it wouldn't be something the public would come to, it would not meet any of our standards but it would be cool to have that type of self-sustainable coffee growing greenhouse there. I don't know of any other area in the Metroplex that has something like that. We've talked before about hotel/motel restrictions/regulations that we wanted to add in conditional development standards. One that has come up, in the last year, was hospitals. Maybe look at that a little bit closer and maybe break it down a little bit more and see what we can come up with. I think the first thing we want to do is to have everybody look at this.

We would love public input on what uses the public would think would be appropriate as well that maybe we're just not seeing. We have a general business, we have a general office, we don't have a general service. Every service that we have in here is specific, if a massage parlor came in, it would not be allowed. Massage Envy came in quite a while back, they came in under the spa because they offered other services. Lately we have had one that came in, they have been in a lot of the malls around the country, they do only foot massages, and they are wonderful. But per our ordinance, they would not be allowed, either that is something you would want to allow or you wouldn't. And I think it would depend on where you would allow it. I didn't think we would do this in one workshop because there are so much associated with it, but I do think that it's important to go through the list and everybody goes around to the different malls to the different strip centers and you know what you see there that you like. Not necessarily the brand but the

type of use. I think that would be something that we would need to look at. Make a list and then provide that and I can put that together for the next workshop and we can go over that with everybody.

**Councilmember Johnson** – So you're basically looking for a bucket list of everything we think, usage for everything we think would work so we can build this into code, the UDC, so there won't be any problem with interpretation or misinterpretation. Do you want us to do something like this would be a good use in this area for this type of industry?

**Barbara Cabbage, Interim Planning and Development Director** – Yes. If you look at your use chart, and you look at your zoning map, and we can even go further when we come back and look at the future land use maps and see which of those districts uses would be appropriate in those districts so it all goes together.

**Councilmember Johnson** – When is our next discussion on this?

**Barbara Cabbage, Interim Planning and Development Director** – That would be up to you. If we can do it at the next workshop if you think that's enough time to put something together to go over the list and the map and have a discussion. I know we've talked about this before and this wasn't something that was going to be done in one or two sessions. There's a lot. I think this is very important, things change, the markets change. In the 1987 ordinance it had Savings and Loan, I think Bank will cover all that now.

**Mayor Heidemann** – Can we all have our summaries sent to her before the next session so we can have another workshop? Okay, it's targeted. Mr. Hart will you put it on the next workshop? And everybody will submit their recommendations.

**Councilmember Garber** – Can we also provide possible permitted uses that we would like "not" to see?

**Barbara Cabbage, Interim Planning and Development Director** – Please.

**Councilmember Harrison** – Barb made a good point, we'd love to have the public comment on some of this stuff. The only other way I could think of is go to the Homeowners Associations, we have 13 in the city and go right back to them and say hey would you do this? Ask their management company to have their citizens have a comment and send it to us.

**Barbara Cabbage, Interim Planning and Development Director** – That would be easy to do. To send this document out to the Homeowners Associations and for them to pass it to their residents.

**Councilmember Harrison** – I don't care if you send it to churches, schools or anybody else. We're all part of the communities.

## 6. Discuss the Regional Transportation Council position.

**Bob Hart, City Manager** – The appointments to the RTC is done every couple of years. Currently our representative is the Mayor Pro-Tem in Denton and you have a Councilmember as an alternate. When they divide this area up in terms of the Cities that are represented, we're in with Denton, Sanger and Lake Dallas. So you have to get the support of some of these other cities to do that. The question is whether you'd want to throw somebody up her and put them in the mix for debate. We'd have to go back and talk to Sanger, Lake Dallas, and Denton on dealing with this. But if someone was interested in doing it and we could get into the mix on that. I didn't know if there was any interest in that.

**Councilmember Harrison** – The problem we run into on that is that 128,000 people compared to our 20,000 and that's why there are two people from Denton on it.

**Bob Hart, City Manager** – I think though that we could make a run at an offer.



**Councilmember Harrison** – Denton’s not going to give it up so you need to go for an alternate.

**Bob Hart, City Manager** – One of you 6 have to do it.

**Councilmember Garber** – What’s the time commitment Bob?

**Bob Hart, City Manager** – It’s a full day monthly. A day and a half monthly. And it’s going to be down at COG in Arlington. People, I guess, they spend 2 or 3 days a month on it. It’s kind of hard to be employed.

**Mayor Heidemann** – I do have one other one that I need, on the executive board on COG. I’ve been asked to apply for it and would be more than willing to serve there but one of the requests was is that I poll the Council here to make sure you’d be willing to support that.

**Councilmember Johnson** – I’m glad you’re doing it. Enjoy.

**There was no Closed Session during the Workshop Session.**

**CLOSED SESSION**

The City Council will convene in executive (closed session) to consider any matters regarding any of the above listed agenda items as well as the following matters pursuant to Chapter 551 of the Texas Government Code:

**Section 551.071.** Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; (2) and/or 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 conflicts with chapter 551.

**Section 551.072.** To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- a. Purchase Right-of-way at 2101 Lake Sharon Blvd.

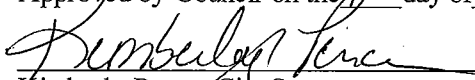
After discussion of any matters in closed session, any final action or vote taken will be in public by the City Council. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not.

RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON CLOSED SESSION ITEMS.

**ADJOURN:**

**Mayor Heidemann adjourned the meeting at 6:58 pm.**

Approved by Council on the <sup>15<sup>th</sup></sup> day of June, 2018

  
Kimberly Pence, City Secretary  
City of Corinth, Texas

