



MINUTES
PLANNING & ZONING COMMISSION
WORKSHOP AND REGULAR SESSION

Monday, January 22, 2024, at 6:30 PM

City Hall | 3300 Corinth Parkway

On the 22nd day of January 2024, the Planning & Zoning Commission of the City of Corinth, Texas, met in Regular Session at the Corinth City Hall at 6:30 P.M., located at 3300 Corinth Parkway, Corinth, Texas.

Commissioners Present:

Chair Alan Nelson
Rebecca Rhule
Adam Guck

Commissioner Absent:

Vice-Chair Mark Klingele
KatieBeth Bruxvoort
Crystin Jones
Chris Smith

Staff Members Present:

Melissa Dailey, Director of Development Services
Michelle Mixell, Planning Manager
Miguel Inclan, Planner
Matthew Lilly, Planner
Deep Gajjar, Planner

A. CALL WORKSHOP SESSION TO ORDER AND ANNOUNCE A QUORUM PRESENT

Chair Alan Nelson called the meeting to order at 6:32 PM.

B. WORKSHOP AGENDA

1. Conduct an informal discussion on the city's current platting process and proposed upcoming Unified Development Code amendments pertaining to the process.

Miguel Inclan, Planner, provided a presentation regarding platting procedures and requirements as stated in the City of Corinth Unified Development Code (UDC) and the Texas Local Government Code. He explained that given several conflicts between the UDC and the Local Government Code, Staff would be undertaking measures to amend the UDC to be more in line with state regulations. He stated that as part of these updates, Staff would be proposing that plats be approved administratively moving forward, with only appeals and certain plats requiring a vote by the Planning and Zoning Commission.

Chair Nelson asked what a court ordered subdivision was.

Inclan stated that this was a type of subdivision which could occur due to a divorce or from eminent domain.

Chair Nelson asked if the 30-day shot clock requirement was consecutive days or business days.

Inclan stated that this was not specified in the Local Government Code but that the City had been advised to adhere to a 30 consecutive day timeline.

Commissioner Rhule asked if there was a cap on how many 30-day extensions could be granted.

Inclan stated that there was not a cap in the Texas Local Government Code.

Chair Nelson asked if a plat had ever been submitted that had been approved on the first submittal.

Inclan stated that this happened occasionally but that these plats were often approved with several conditions.

Chair Nelson asked if a building being remodeled on an older unplatted property would be required to be platted.

Inclan stated that he had not encountered this specific scenario in Corinth.

Commissioner Guck asked if there were any pitfalls in regard to unlimited extensions.

Inclan stated that if a scenario arose where a plat was extended excessively, Staff would advise that the plat either be withdrawn or denied. He explained that extension requests would still go before the Commission for approval if the proposed amendments to the UDC were made.

Commissioner Guck asked what the basis for denying a plat would be if an extension request were denied.

Inclan stated that generally an applicant will not ask for an extension unless there are items that need to be addressed in the plat.

Chair Nelson asked how an applicant would resubmit a plat if it were denied multiple times.

Inclan stated that the Applicant would have to resubmit on the designated Plat Resubmittal day as noted in the City's Development Calendar, which is within 15 days of the next Planning and Zoning Commission Regular Session, to be on the agenda for that meeting.

Chair Nelson stated that in his professional experience, the 30-day plat window was tight at times given the required back and forth to make updates to the plat.

Commissioner Guck stated that this issue seemed most easily resolved by extending the window of review for plats.

Inclan stated that Staff's preference was to avoid extension requests given that it becomes more burdensome having to go before the Commission for approval of each extension request, whereas if a plat is denied, the applicant has an unlimited amount of time to make revisions before resubmitting.

Chair Nelson asked what would happen once corrections were made to a plat.

Inclan stated that the Applicant would resubmit the plat for Staff to review and approve or deny.

Commissioner Guck asked that given the shot clock if there were any instances that an extension or denial of a plat had impacted opportunity costs for the developer.

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Inclan stated that Staff's practice to that point had been to approve a plat with conditions rather than recommending denial, but that there had been instances where denying the plat had been the only option.

Commissioner Guck asked if it would be possible to measure the number of lost opportunities so that the Commission could better understand the problem that the proposed amendment would be solving.

Inclan stated that denial of a plat does not stop or hinder development and that the intention of the proposed amendments was to better streamline the overall process.

Commissioner Guck stated that the 30-day shot clock appears to decrease time for due diligence.

Inclan stated the City's recent practice of utilizing the services of an outside consulting engineer for reviews had resulted in Applicant's submitting a better product up front to avoid the associated costs of multiple reviews.

Commissioner Guck asked if they could review the wording regarding the delegation of plat approval to Staff.

Inclan stated the authority for City Council to delegate that approval was expanded in the previous legislative session. He explained that currently minor plats, amending plats, and minor replats could be administratively approved by Staff. He stated that plats currently going before the Commission were generally approved in the consent agenda.

Commissioner Guck stated he felt that the ability for administrative approval should be based on the type of change to a plat, such as a grammatical error, rather than differentiating by the type of plat itself.

Inclan stated that one of the arguments for this amendment was for faster administrative approval in instances where the submitted plat was in good form rather than waiting 30 days for the next meeting of the Commission.

Commissioner Guck stated that he understood this but that he felt the oversight of the Commission was an important tool that should not necessarily be given over.

Chair Nelson asked that they look at one of the plats that was being recommended to be denied so that the Commission could see what kind of comments warranted an extension or denial.

Inclan pointed out some of Staff's comments on one of the plats be recommended for denial and explained that the vast majority of the comments were technical in nature rather than conceptual or related to zoning.

Chair Nelson stated that he did not have a problem with delegating plat approval to Staff.

Commissioner Guck stated that the main issues they were looking at with the proposed amendment were expediency and ease of process. He stated that he would like see examples of projects which were negatively impacted by the 30-day shot clock.

Inclan clarified that the 30-day shot clock was initially implemented by the State to prevent certain cities from arbitrarily denying plats as a means to stop development.

Chair Nelson further clarified that the 30-day shot clock was also implemented to require cities to review a plat in a timely manner rather than taking several months.

Commissioner Guck stated that even if the majority of comments were technical, he was worried that something may come up that has a public impact that the Commission would not have an opportunity to review.

Chair Nelson stated that by the time plats come before the Commission, they have already been reviewed by Engineering, Planning, Public Works, Building, Fire, and Police and that he felt it was unlikely that the Commission would find any major errors that someone else had not already noted.

Inclan stated that restrictions on plats are either required by engineering regulations, FEMA, or zoning regulations and that if there ever arose a situation where the plat was inconsistent with the zoning that the zoning regulations would prevail. He stated that the ultimate purpose of plats is to show what is going to be built, how the development will be laid out, and dedicate easements.

Chair Nelson stated that his main issue with plats was having to plat fire lanes.

Inclan stated that fire lanes are typically platted but that they could also be recorded by separate instrument.

Commissioner Guck asked if an estimate could be provided of how much faster plats could be approved if they could be approved by Staff rather than going before a government body.

Inclan stated that the timing for plat approval would change from case to case. He reiterated that the intention of the UDC amendments was to clarify and streamline the overall platting process.

Chair Nelson stated that almost all plats that are presented to the Planning and Zoning Commission are part of the Consent Agenda and that the Commission was not looking closely at plats as it was.

Inclan stated that only certain replats for residential subdivisions would go before the Commission in the future if the proposed amendments were adopted.

C. ADJOURN WORKSHOP SESSION

Workshop Session adjourned at 7:06 PM.

D. CALL REGULAR SESSION TO ORDER AND ANNOUNCE A QUORUM PRESENT

Chair Nelson called the regular session to order at 7:06 PM.

E. ESTABLISH VOTING MEMBERS AND DESIGNATE ALTERNATES

F. PLEDGE OF ALEGIANCE

G. CONSENT AGENDA

Chair Nelson asked that each consent agenda item be voted upon separately.

2. Consider the approval of minutes for the Planning & Zoning Commission Workshop and Regular Session held on December 11, 2023.

Commissioner Guck made a motion to approve as presented, seconded by Commissioner Rhule.

Motion passed unanimously: 3 for, 0-against.

3. Consider and act on a request by the Applicant, Eagle Surveying, for a Replat of the Classic Mazda Addition Subdivision, being ±5.36 acres located at 5000 South I-35E. (Case No. RP23-0004)

Commissioner Guck made a motion to disapprove Case No. RP23-0004 Classic Mazda Addition due to noncompliance with UDC Subsection 3.03.03.I, Final Plat (Replat) Criteria for Approval, Seconded by Commissioner Rhule.

Motion passed unanimously: 3 for, 0-against.

4. Consider and act on a request by the Applicant, Bill Utter Ford, for a Replat of the Bill Utter Ford Addition Subdivision, being ±17.226 acres located at 4901 South I-35E. (Case No. RP23-0005)

Commissioner Guck made a motion to disapprove Case No.23-0005 Bill Utter Ford due to noncompliance with UDC Subsection 3.03.03.I, Final Plat (Replat) criteria for Approval, seconded by Commissioner Rhule.

Motion passed unanimously: 3 for, 0-against.

5. Consider and act on a request by the Applicant, Skorburg Company, for a Preliminary Plat for the Oak Ridge Park Subdivision, being ±56.129 acres located at 2300 Lake Sharon Drive. (Case No. PP23-0004)

Commissioner Guck made a motion to approve the request for a 30-day extension for Case No. PP23-0004 Oak Ridge Park Preliminary Plat, seconded by Commissioner Rhule.

Motion passed unanimously: 3-for, 0-against.

H. BUSINESS AGENDA

6. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on a request to amend Section 2.10.09.C.2.b. - PD, Planned Development Application and Review of the City's Unified Development Code. Case No. ZTA24-0001 – UDC Amendment

Melissa Dailey, Director of Development Services, explained that this amendment would allow for narrative components of the PD Design Statement to be included in the approved PD Ordinance.

Chair Nelson opened the Public Hearing at 7:11 PM.

Chair Nelson closed the Public Hearing at 7:11 PM.

Commissioner Guck made a motion to recommend approval of Case No. ZTA24-0001 UDC Amendment as presented, seconded by Commissioner Rhule.

Motion passed unanimously: 3-for, 0-against.

I. DIRECTORS REPORT

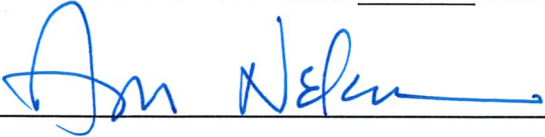
Director Dailey informed the Commission that she did not have a presentation.

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J. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:12 PM.

MINUTES APPROVED THIS 26 DAY OF FEB, 2024.



Alan Nelson, Planning and Zoning Commission Chairman