



PLANNING AND ZONING COMMISSION

CITY OF CORINTH, TEXAS

3300 CORINTH PARKWAY, CORINTH, TEXAS

REGULAR SESSION

MONDAY, AUGUST 27, 2018 – 7:00 P.M.



***** PUBLIC NOTICE *****

**NOTICE OF THE CITY OF CORINTH
PLANNING AND ZONING COMMISSION
REGULAR SESSION
MONDAY, AUGUST 27, 2018 AT 7:00 P.M.
CITY HALL – 3300 CORINTH PARKWAY**

CALL TO ORDER, INVOCATION

PRESENTATION

PRESENTATION ITEM

1. Presentation of Director's Report

BUSINESS AGENDA

BUSINESS ITEM

2. Consider and act on Minutes from the July 23, 2018 Planning and Zoning Commission Regular Session meeting.

PUBLIC HEARING AND BUSINESS AGENDA

PUBLIC HEARING:

TO HEAR PUBLIC OPINION REGARDING THE PECAN CREEK SUBDIVISION REPLAT OF THE REMAINDER OF LOT 7A, BLOCK 1, BEING 0.589 ACRES IN THE W. GARRISON SURVEY, ABSTRACT NO. 1545, CITY OF CORINTH, DENTON COUNTY, TEXAS. (THIS SITE IS LOCATED ON THE SOUTHWEST SIDE OF I-35E, SOUTH OF POST OAK DRIVE.)

BUSINESS:

3. Consider and act on the Pecan Creek Subdivision Replat of the remainder of Lot 7A, Block 1, being 0.589 acres in the W. Garrison Survey, Abstract No. 1545, City of Corinth, Denton County, Texas. (This site is located on the southwest side of I-35E, south of Post Oak Drive.)

PUBLIC HEARING:

TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT, PETER KAVANAGH, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER, NORTH

CENTRAL TEXAS COLLEGE, FOR A SPECIFIC USE PERMIT TO ALLOW A VERIZON CELLULAR TOWER AND EQUIPMENT ON AN APPROXIMATELY 384 SQUARE FOOT LEASE SPACE OUT OF AN APPROXIMATELY 34.33-ACRE TRACT OF LAND SITUATED IN THE M.E.P. & P.R.R. CO. SURVEY, ABSTRACT NO. 915 AND MORE PARTICULARLY DESCRIBED AS NORTH CENTRAL TEXAS COLLEGE ADDITION, NO. 2, LOT 1R, BLOCK A, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (THIS PROPERTY IS LOCATED ON THE NORTH CENTRAL TEXAS COLLEGE CAMPUS, NORTH OF WALTON ROAD, EAST OF N. CORINTH PKWY).

BUSINESS:

4. Consider and act on the Specific Use Permit (SUP) to allow a Verizon Cellular Tower and Equipment on an approximately 384 square foot lease space out of an approximately 34.33-acre tract of land situated in the M.E.P. & P.R.R. Co. Survey, Abstract No. 915 and more particularly described as North Central Texas College Addition, No. 2, Lot 1R, Block A, in the City of Corinth, Denton County, Texas. (This property is located on the North Central Texas College Campus, north of Walton Road, East of N. Corinth Pkwy).

EXECUTIVE SESSION

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed session for the purpose of seeking confidential legal advice of the City Attorney on any Agenda Item listed herein.

As a majority of Council Members of the City of Corinth may attend the above described meeting, this notice is given in accordance with Chapter 551 of the Texas Government Code. No official action will be taken by the City Council at this meeting.

ADJOURN REGULAR SESSION

Posted this 24th day of August 2018, before 5:00 p.m. on the bulletin board at Corinth City Hall.



Patrick Hubbard
Development Coordinator/Planning and Zoning Commission Secretary
City of Corinth, Texas.

Corinth City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 940.498-3200 or FAX 940.498-7505 for more information.

BRAILLE IS NOT AVAILABLE

BUSINESS AGENDA ITEM #1



940-498-3200
www.cityofcorinth.com

City of Corinth
3300 Corinth Parkway

Fax: 940-498-3205
Corinth, TX 76208

Memorandum

To: Corinth Planning and Zoning Commission
From: Helen-Eve Liebman, AICP, Planning and Development Director
Meeting Date: August 27, 2018
Re: Director's Report

THE FOLLOWING ITEMS WERE CONSIDERED AT THE AUGUST 16, 2018 CITY COUNCIL MEETING:

Zoning:

- Approved a Planned Development for Corinthian Park Townhomes

Ordinance Update:

- Approved amendments to UDC Sections 2.07.01 Uses Permitted by District, 2.07.03 Use Charts, 2.07.04 Conditional Development, Standards, 2.09.01 Landscaping Regulations, 2.09.03 Vehicle Parking Regulations, 2.09.04, Building Façade Material Standards, 2.10.10 Specific Use Permits, and Section 5.02 Words and Terms Defined

BUSINESS AGENDA ITEM #2

On this the 23rd day of July, 2018, the Planning and Zoning Commission of the City of Corinth, Texas, met in a Regular Session at 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

Brian Rush
Dwayne Zinn
Wade May

Members Absent

Marc Powell
Bruce Hanson
Breien Velde
Chuck Mills

CALL TO ORDER

The Regular Session of the Planning and Zoning Commission of the City of Corinth, Texas, was called to order by Brian Rush at 7:00 PM.

INVOCATION

Dwayne Zinn delivered the invocation.

BUSINESS AGENDA

BUSINESS ITEM

1. Consider and act on Minutes from the June 25, 2018 Planning and Zoning Commission Regular Session meeting.

Motion made by Dwayne Zinn to approve the minutes as presented

Motions seconded by Wade May

3-0 All in favor:

Ayes:	Brian Rush, Dwayne Zinn, Wade May
Nays:	None
Not Voting:	None
Absent:	Bruce Hanson, Breien Velde, Marc Powell, Chuck Mills

MOTION TO APPROVE THE MINUTES AS PRESENTED CARRIES

PUBLIC HEARING AND BUSINESS AGENDA

PUBLIC HEARING

TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT, ALAN NELSON, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNERS, IZMIT BECIRI AND RABIJE BECIRI FOR A ZONING CHANGE FROM PLANNED DEVELOPMENT (PD) SF-A, SINGLE-FAMILY RESIDENTIAL (ATTACHED) TO PLANNED DEVELOPMENT (PD) SF-A, SINGLE-FAMILY RESIDENTIAL (ATTACHED) WITH MODIFIED DEVELOPMENT STANDARDS ON APPROXIMATELY 4.796 ACRES OF LAND SITUATED IN THE M.E.P. & P.R.R.

CO. SURVEY, ABSTRACT NO. 915, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (THIS PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF LAKE SHARON DRIVE AND S. CORINTH PARKWAY).

Public Hearing Opened at 7:03PM

Lori Levy, Senior Planner, presented the zoning case. She stated that this property, located at the intersection of Lake Sharon Dr. and Corinth Parkway, has existing infrastructure in place. This proposal would result in the construction of townhomes and modifies the previous site plan in order to use most of the existing property. This property will feature 54 single family attached units. There are also several common area lots and private streets which will, along with all of their landscaping and amenities, be maintained by a homeowners association that is required to be created for the development. This project also includes 2 proposed detention ponds in common area lots. This is a reduction in the previous number of lots. This plan is for 11.26 dwelling units per acre while the previous plan was for just slightly over 12 units per acre. Staff are recommending approval of this plan as a great transition between the multifamily to the north and the single family detached dwellings to the south that utilizes existing infrastructure with minimal improvements. In addition, this is consistent with the comprehensive plan in that it provides more diverse housing types. This will be a new housing type for the city.

Alan Nelson, Nelson Morgan Architects, presented the zoning case representing the developer. He stated that this is a replat. Plans for the property started as an apartment complex in 2004. In 2006 it was replatted for 58 townhomes. This proposal will reduce the property from 58 down to 54 lots. There are 9 buildings. With the streets that are originally platted, there are 3 accesses. This plan abandons the access nearest to the intersection on Lake Sharon Dr. and maintains only 2 accesses. The proposed plan significantly exceeds minimum landscaping requirements. The plan provides for 6 street lights. The building façade and materials maintain a traditional design intended to be attractive to as wide of a consumer group as possible. The fence on this project is proposed to be approximately 50% masonry and 50% metal. This metal fencing would also be used for interior fences. The size of the property has been reduced from 58 to 54 lots. There will be 12 2-bedroom units and 42 3-bedroom units. There are over 31,000sq/ft of greenspace. The property contains two detention ponds. All interior streets will be privately maintained.

Wade May asked if the full masonry fence would provide a superior noise barrier.

Alan Nelson noted that there are pros and cons with both approaches. The developer is proposing to build rows of red tipped petunias to act as an acoustic buffer.

Wade May asked for a definition of simulated stone veneer.

Alan Nelson stated that it is a concrete material.

Lori Levy stated that it is a masonry product that is allowed by the UDC and is more widely used than stone because actual stone is quite heavy.

Public Hearing Closed at 7:19PM

BUSINESS ITEM

2. Consider and act on a zoning change from Planned Development (PD) SF-A, Single-Family Residential (Attached) to Planned Development (PD) SF-A, Single-Family Residential (Attached) with modified development standards on approximately 4.796 acres of land situated in the M.E.P. & P.R.R. Co. Survey, Abstract No. 915, in the City of Corinth, Denton County, Texas. (This property is located on the northwest corner of Lake Sharon Drive and S. Corinth Parkway).

Lori Levy stated that applicant did meet with HOA with about 20 attendees which were happy with the plan. The zoning will serve as the site plan but the developer will be coming back with a replat at a later date.

Dwayne Zinn asked about the unusable land areas and where the floodplain area is located across the property.

Lori Levy stated that this is language from the original PD and is a standard note but she has not seen any floodplain on the property.

Dwayne Zinn asked if the streets were private streets and if they were previously designated as public streets.

Lori Levy stated that the streets are designated as private streets and that she does not know if they were ever public streets. She stated that the streets meet the paving requirements of public streets. She stated that the streets were never accepted.

Motion made by Dwayne Zinn to recommend approval of the zoning amendment request for the development as presented

Motion Seconded by Wade May

3-0 All in favor:

Ayes:	Brian Rush, Dwayne Zinn, Wade May
Nays:	None
Not Voting:	None
Absent:	Bruce Hanson, Breien Velde, Marc Powell, Chuck Mills

**MOTION TO RECOMMEND APPROVAL OF THE ZONING AMENDMENT
REQUEST FOR THE DEVELOPMENT AS PRESENTED CARRIES**

PUBLIC HEARING:

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, AS AMENDED, SECTIONS 2.07.01 USES PERMITTED BY DISTRICT, 2.07.03 USE CHARTS, 2.07.04 CONDITIONAL DEVELOPMENT STANDARDS, 2.09.01 LANDSCAPING REGULATIONS, 2.09.03 VEHICLE PARKING REGULATIONS, 2.09.04 BUILDING FAÇADE MATERIAL STANDARDS, 2.10.10 SPECIFIC USE PERMITS, AND SECTION 5.02 WORDS AND TERMS DEFINED.

Public Hearing Opened 7:26PM

Lori Levy, Senior Planner, presented the proposed changes. She stated that these recommendations come from several public hearings and are based on City Council and Planning and Zoning Commission input. She noted that, though Mr. Hanson, had requested that the changes be broken out, the manner in which we draft our ordinances and the legal requirements of those ordinances made this infeasible. The existing category of “Automobile or Other Motorized Vehicle Sales and Service” is proposed to be broken into two districts “Automobile Sales, Used (Allowed with SUP approval w/ Conditional Standards in C-3 and Industrial Districts only)” and “Automobile Sales/Leasing, New (Allowed with SUP approval w/ Conditional Standards in C-2, C-3 and Industrial Districts only).” “Automobile Parts Store” is no longer allowed in MX-C District. “Automobile Service Garage (major)” is no longer allowed in C-2 or MX-C district. “Automobile Service Garage (minor)” allowed in C-2 District with SUP approval, and no longer allowed in MX-C District. “Barber or Beauty Shop” has been changed to “Barber, Beauty Shop or Personal Services” to allow for broader application. “Car Wash, Full Service” is allowed with SUP approval w/ Conditional Standards in C-2 and by-right w/ Conditional Standards in C-3 District; no longer allowed in MX-R or MX-C Districts). College or University will become College, University or Trade

School which will be allowed in C-3 and Industrial by right and C-1 and C-2 with SUP. "Concrete Batch Plant, Permanent" will be defined as not a permitted use while "Concrete Batch Plant, Temporary" will be allowed in all districts with conditional development standards. "Exterminating Company" will no longer be allowed in MX-C. "Farmer's Market" will be allowed by SUP in C-1, MX-R and MX-C. "Feed Store" will no longer be allowed in MX-C. "Gas or Oil Well Production" will no longer be allowed in MX-R and MX-C. "Gasoline Filling or Service Station With or Without Car Wash" will clarify that Conditional Development Standards are required in the by-right districts, C-3 and Industrial and the use is no longer allowed in MX-C. "Hotel" will be proposed as "Hotel, Full Service" and "Hotel, Limited Service" to be allowed SUP with conditional standards in C-2, C-3, Industrial, MX-R, and MX-C districts. "Kennel/Veterinarian Office" is proposed to be split into "Kennel with Indoor Runs Only" to be allowed by-right w/ Conditional Standards in C-2, C-3, Industrial and MX-C District AND "Kennel with Outdoor Runs" to be allowed with SUP approval w/ Conditional Standards in C-2 and C-3 District, and by-right in Industrial District. "Restaurant or Cafeteria, with or without Curb or Drive-In Service" has been split into two classifications, "Restaurant without Drive-In or Drive-through Service" Now allowed by-right in MX-R District and "Restaurant with Drive-in or Drive-through Service" Only allowed with SUP approval w/Conditional Standards in C-2, C-3, Industrial and MX-C Districts. "RV Park" is now only allowed with SUP approval in Industrial District and is no longer allowed in MX-C District. "Storage Units, Mini" is now allowed with SUP approval in C-3 and Industrial Districts with SUP required in to C-3 District. "Taxi Garage or Dispatch" is now only allowed with SUP approval in C-2 and by-right in C-3 and Industrial Districts. It is no longer allowed in MX-C District. "Water Storage" is now allowed by-right in Industrial District as well as Utility District

Dwayne Zinn sought clarification stating that the chart showed this as only being allowed in Utility District.

Lori Levy clarified that we are proposing to have it added as an allowed use in Industrial but that was not reflected in the provided draft of the Use Chart.

Lori Levy discussed the use classifications newly proposed for adoption. "Automobile Rental" is being proposed to be allowed with SUP approval w/Conditional Standards in C-2, C-3 and Industrial Districts. "Bed and Breakfast Home/Bed and Breakfast Inn" (Allowed with SUP approval w/Conditional Standards in SF-4, SF-A, MX-D, MF-1, MF-2, MF-3, C-1, C-2, C-3, Industrial, MX-R and MX-C Districts and staff would also like to add it to SF-2, and SF-3 with the same requirements following a request received to construct one in an SF-2 District. She noted that someone requested this use in SF-2 as recently as today. "Business Services" is added to be allowed w/ SUP approval in C-1, C-2, C-3, MX-R and MX-C Districts and by-right in Industrial District which must be all indoor and this category functions as a catchall for new or unanticipated uses.

Brian Rush asked if a coffee shop or postal type service would be considered a business service.

Lori Levy clarified that a coffee shop would be considered retail but may fall into this category if it was combined with other services. This use is defined such that it must be indoor.

Lori Levy continued discussion of the use classifications newly proposed for adoption. "Equipment and Machinery Sales and Rental, Major," which would include the display, sales, rental or storage of heavy equipment and machinery inside a building or open area, is proposed to be allowed with SUP approval in C-3 and Industrial only. C-2, C-3 and Industrial only. "Equipment and Machinery Sales and Rental, Minor," which would include the display, sales, rental or storage of light equipment and machinery inside a building or structure, is proposed to be allowed with SUP approval w/Conditions in C-3 and Industrial Districts. The current definition says building or structure but she recommends striking "or structure."

Dwayne Zinn asked if this would also include something like bicycle rental.

Lori Levy stated that it could be suitable and also may be suitable in MX-R

Dwayne Zinn stated that he would like to see that added to MX-C and MX-R.

Lori Levy continued with the newly proposed use classifications. "Food Truck" will be allowed in C-2, C-3, MX-C and Industrial Districts with conditional standards and with SUP approval with conditional standards in MX-R District. She stated the Food Trucks have been becoming increasingly popular.

Brian Rush asked if this would pertain to permanent food truck installations.

Lori Levy stated that this is intended for temporary food trucks and includes numerous conditional development standards and that must be met including being within 50' of a building with a certificate of occupancy for use of restrooms. She did note that it may be possible for a food truck to become permanent but they would need to meet all of the development standards.

Lori Levy continued explaining newly proposed uses. "Massage Therapy, Licensed" would be allowed in C-1, C-2, C-3, MX-R, MX-C and Industrial while "Massage Therapy, Unlicensed" is not permitted.

Dwayne Zinn asked why some uses that are not permitted in any district are listed while some uses that are not permitted in any district are simply removed. He stated that it may be preferable to simply exclude uses that are not permitted.

Lori Levy pointed out that some uses have been reclassified. She stated that the attorney will do a review of the legality of the proposal. In addition, an unlisted use is not permitted.

Wade May stated that it may be worthwhile to include certain uses that are explicitly not allowed in order to prevent repeated inquiries or conflicting interpretations of uses over time.

Helen-Eve Liebman, Planning and Development Director, stated that Commissioner May is correct in his statement and that each category has a definition and these also help to clarify the uses.

Lori Levy continued with the newly proposed use classifications. "Trailer Rental" is proposed as and accessory use to be allowed with SUP approval with conditions in C-3 and Industrial Districts only as an accessory use and otherwise not permitted. "Truck Sales, Heavy Trucks," which includes display, storage, sale, leasing, or rental of new or used panel trucks, vans, trailers, recreational vehicles, or buses in operable condition, is to be allowed with SUP approval with Conditions in C-3 and Industrial Districts.

Dwayne Zinn asked how this would affect existing automotive dealerships in the city which sell vans.

Lori Levy stated that there is a distinction between light load vans and heavy duty trucks.

Lori Levy continued with the newly proposed use classifications "Kennel/Veterinary Office" is proposed to be split into "Veterinary Office, including Indoor Runs" which is proposed to be allowed in C-2, C-3 and Industrial Districts and MX-C District and "Veterinary Office, including Outdoor Runs" which is to be allowed with SUP approval in C-2 and C-3 Districts, and by-right in Industrial District. The use classification "Motel, Motor Hotel, or Tourist Court" is proposed to be removed.

Lori Levy presented proposed use chart edits. Recently approved solar panel provisions will be included in the use chart. In addition, the reference to the Vehicle Parking Regulations is proposed to be removed from the Use Chart.

Dwayne Zinn asked if it would be warranted to leave “Motel, Motor Hotel, or Tourist Court” in the ordinance to ensure that is clear that it is not allowed.

Lori Levy stated that, in this case, the definition of hotel is being defined to exclude this use.

Dwayne Zinn stated that he would prefer to have consistency between including items that are permitted in no districts in the Use Chart and excluding them through the definitions. He stated that he understands that some uses, such as sexually oriented businesses, must be included by law but would like to see consistency.

Lori Levy discussed amendments to the conditional development standards. She discussed “Automobile or other Motorized Vehicle Sales and Service”. She discussed that the other amendments to conditional development standards are widely used industry standards. Changes to the parking resulted from the addition of uses requiring new standards to be defined. She discussed Alternative Compliance which current requires a separate application. This amendment would allow this to be included as part of the Site Plan process.

Dwayne Zinn asked if needing to add alternative compliance without going through the site plan process.

Lori Levy alternative compliance would be a modification to the site plan.

Brian Rush asked what the original reasoning was to not include “Bed and Breakfast” in SF-1, SF-2 and SF-3.

Lori Levy the original intent was to restrict it to more intensive uses but the example today was suitable and on a larger property.

Brian Rush stated that he would like to see this included in all SF Districts with SUP. He stated that the types of Bed and Breakfasts that will locate on these large properties will be somewhat exclusive.

Patrick Hubbard, Planning and Zoning Commission Secretary, stated that he could document the recommended changes from the recording while preparing the minutes.

Helen-Eve Liebman asked Commissioner Zinn if his intent when suggesting to allow for bike rental was for bike share programs.

Dwayne Zinn clarified that this was not his intention. He is recommending that bicycle shops should be able to rent bicycles.

Kevin Lindell, U-Haul, spoke in support of allowing vehicle sharing, truck sharing and trailer sharing as part of the ordinance stating that the sharing economy is sustainable and reduces the number of personally owned vehicles.

Closed Public Hearing 7:14PM.

BUSINESS:

3. Consider and act on amendments to the City of Corinth Comprehensive Zoning Ordinance being a part of the Unified Development Code Ordinance No. 13-05-02-08, as amended, Sections 2.07.01 Uses Permitted by District, 2.07.03 Use Charts, 2.07.04 Conditional Development Standards, 2.09.01 Landscaping Regulations, 2.09.03 Vehicle Parking Regulations, 2.09.04

Building Façade Material Standards, 2.10.10 Specific Use Permits, and Section 5.02 Words and Terms Defined.

Dwayne Zinn sought clarification on what category Mr. Lindell was referring to Trailer Rental Accessory Use in his comment or was referring to something different.

Kevin Lindell stated that he was referring to rental.

Motion made by Wade May to Accept as Presented with Suggested Modifications Provided by the Commissioners via the Recording.

Motion seconded by Dwayne Zinn

Dwayne Zinn sought clarification if Commissioner Wade was motioning to Approve or seeking to Recommend Approval to the City Council.

Wade May sought advice on what the appropriate action would be.

Lori Levy stated that this motion should be a recommendation.

Motion amended by Wade May to stated “to Recommend Approval with Suggested Modifications Provided by the Commissioners via the Recording”

Motion seconded by Dwayne Zinn

3-0 All in favor:

Ayes:	Brian Rush, Dwayne Zinn, Wade May
Nays:	None
Not Voting:	None
Absent:	Bruce Hanson, Breien Velde, Marc Powell, Chuck Mills

**MOTION TO RECOMMEND APPROVAL WITH SUGGESTED MODIFICATIONS
PROVIDED BY THE COMMISSIONERS VIA THE RECORDING CARRIES**

REGULAR SESSION ADJOURNED at 8:18PM.

MINUTES APPROVED THIS _____ DAY OF _____, 2018.

Brian Rush, Planning and Zoning Commission Chairman

Patrick Hubbard, Planning and Zoning Commission Secretary

**PUBLIC HEARING/BUSINESS
AGENDA ITEM #3**

PUBLIC HEARING/BUSINESS AGENDA ITEM #3

Planning and Zoning Commission Regular Session

August 27, 2018

AGENDA ITEM

PUBLIC HEARING:

TO HEAR PUBLIC OPINION REGARDING THE PECAN CREEK SUBDIVISION REPLAT OF THE REMAINDER OF LOT 7A, BLOCK 1, BEING 0.589 ACRES IN THE W. GARRISON SURVEY, ABSTRACT NO. 1545, CITY OF CORINTH, DENTON COUNTY, TEXAS. (THIS SITE IS LOCATED ON THE SOUTHWEST SIDE OF I-35E, SOUTH OF POST OAK DRIVE.)

BUSINESS:

Consider and act on the Pecan Creek Subdivision Replat of the remainder of Lot 7A, Block 1, being 0.589 acres in the W. Garrison Survey, Abstract No. 1545, City of Corinth, Denton County, Texas. (This site is located on the southwest side of I-35E, south of Post Oak Drive.)

APPROVAL PROCESS

The Planning and Zoning Commission shall consider and act on this item. If the Replat and the associated construction plans meet the requirements of the City of Corinth, Denton County and the State of Texas, the plat should be approved.

AGENDA ITEM DESCRIPTION

The property owned by M&P Building, Inc. is located on the southwest side of I-35E, south of Post Oak Drive, between Christian Brothers and Independent Bank. The property is currently zoned Planned Development, PD (Commercial Shopping District). The applicant has also submitted a Site Plan that is under Administrative review for a 5,470 sq. ft. retail building.

Access into the site will be from a 24' Fire Lane and Access Easement connecting from the existing 24' Fire and Access Easement on the Christian Brothers property that will either be dedicated by this plat or by separate instrument prior to filing the Replat. An additional 24'.50" Access Easement extending across the north side of the building, parallel to I-35E is also being dedicated by this plat, as well as a 24' Access Easement on the south side of the building. A 16' waterline easement is also being dedicated by this plat for extension of a new water line.

The applicant is seeking approval of Lot 7A1-R, Block, 1, Pecan Creek Subdivision Replat at this time.

FINANCIAL SUMMARY

Source of Funding: No funding is required.

RECOMMENDATION

Staff recommends **Approval** of the Replat subject to the applicant adding the recordation information for the newly dedicated 24' Fire Lane and Access Easement to be connected to the existing 24' Fire and Access Easement after being filed as a separate instrument or showing this 24' Fire Lane and Access Easement as being dedicated by this plat prior to the Replat being filed with Denton County.

ATTACHMENTS/SUPPORTING DOCUMENTS

Zoning Map
Aerial Location Map
Replat

Submitted By: Lori Levy, AICP
Department: Planning and Development

Finance Review: Yes ___ NA X
Legal Review: Yes ___ NA X

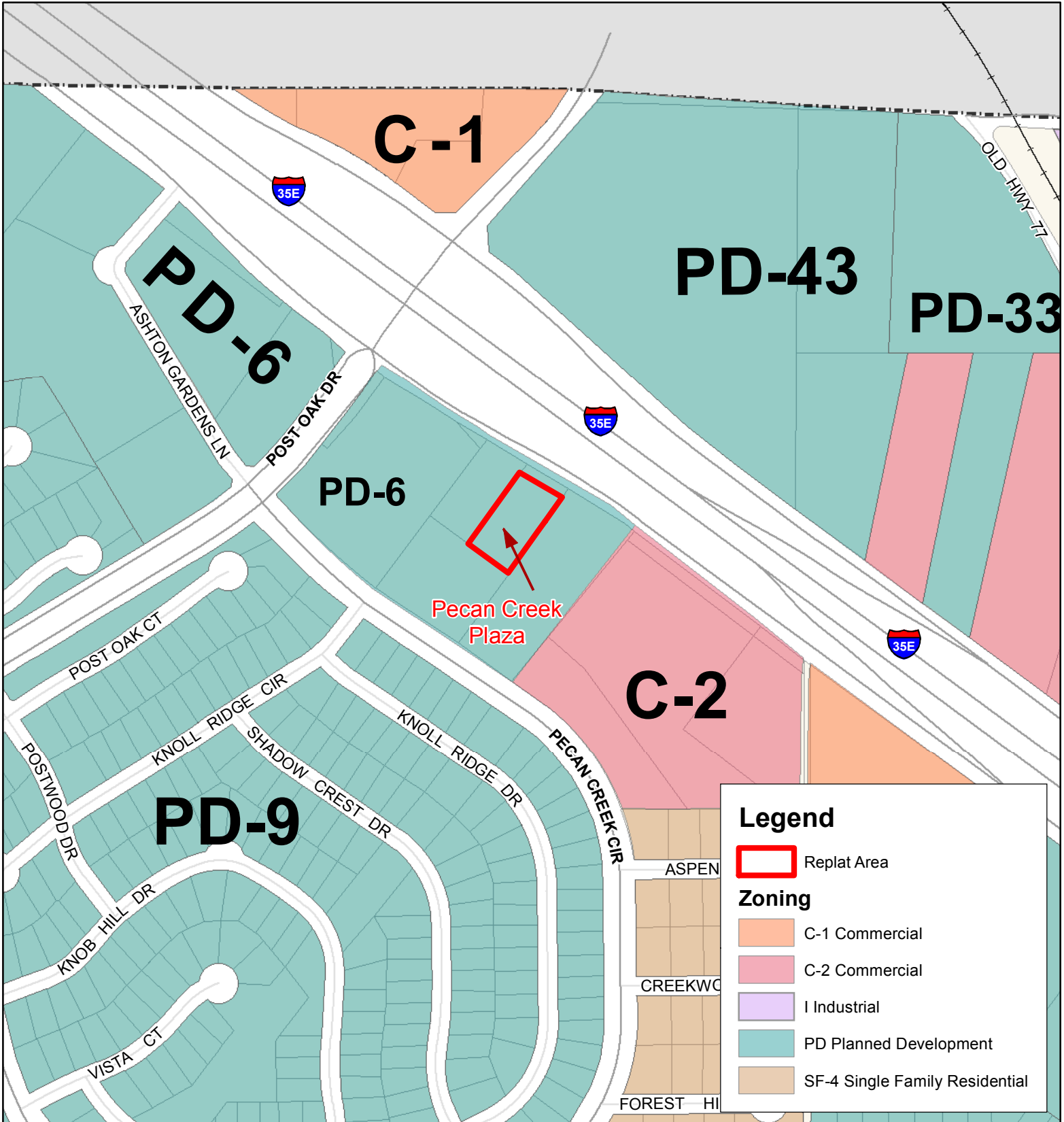
Director Review and Approval: Yes X



CITY OF CORINTH

PECAN CREEK PLAZA


Replat Location




Legend


 Replat Area

Zoning

 C-1 Commercial

 C-2 Commercial

 I Industrial

 PD Planned Development

 SF-4 Single Family Residential



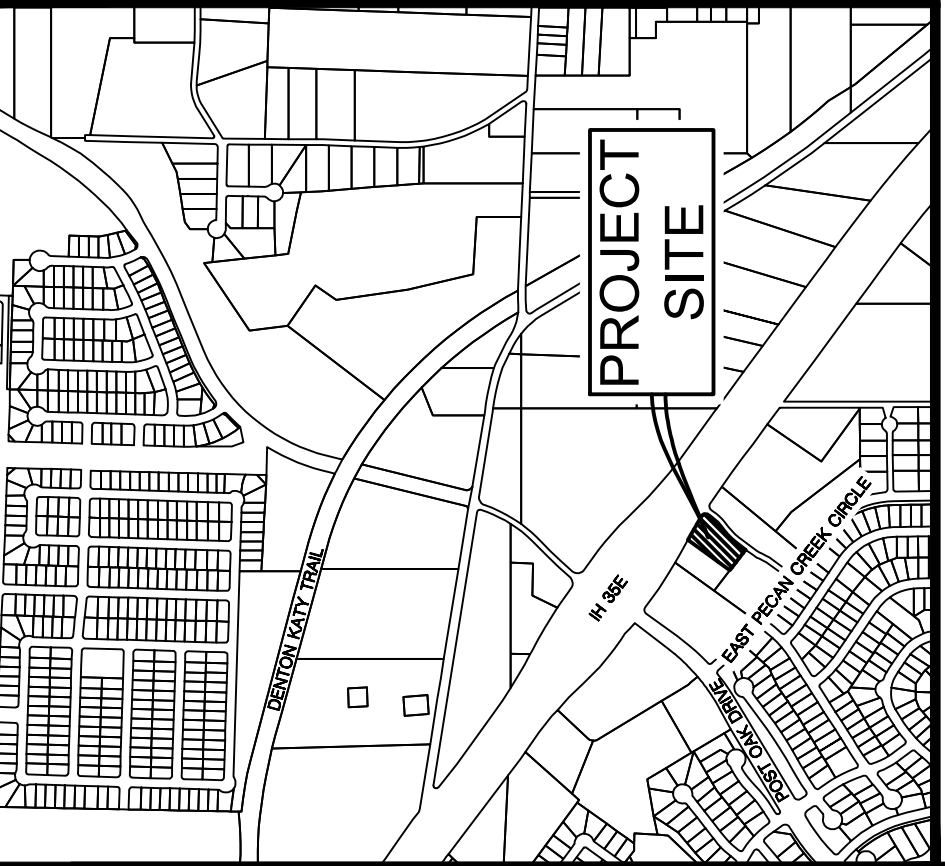


CITY OF CORINTH

PECAN CREEK PLAZA

Location





VICINITY MAP SCALE 1"=1000'

Lot 1, Block 1
State Farm Insurance
Company
(Called 3.3114 Ac.)

(Northstar Bank of Texas Deed
No. 2016-103320)

Zoning District: PD-6
Future Land Use Designation:
Commercial

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	LONG CHORD
C1	50.00'	84°50'12"	74.03'	N 76°32'47" E, 87.45'
C2	26.00'	80°02'00"	36.32'	N 76°08'41" E, 33.44'
C3	26.00'	80°02'00"	36.32'	N 03°53'10" W, 33.44'
C4	10.00'	50°48'21"	8.87'	S 10°43'31" W, 8.88'
C5	5.00'	38°09'47"	3.42'	S 3°41'53" E, 3.35'
C6	30.00'	28°46'21"	15.07'	S 39°27'16" W, 14.91'
C7	24.00'	69°21'29"	25.28'	N 55°4'50" W, 24.13'
C8	5.00'	89°40'41"	7.83'	S 81°17'21" W, 7.05'

Part of
Lot 7A, Block 1
Pecan Creek Subdivision
Called 1.196
(Called 7.641 Ac.)

(Realty Income Texas Property,
Deed No. 99-0051821)

Zoning District: PD-6
Future Land Use Designation:
Commercial

Lot 7A-R, Block 1
Pecan Creek Subdivision
Called 2.000 Ac.)
(Northstar Bank of Texas
Deed No. 96-0065878)

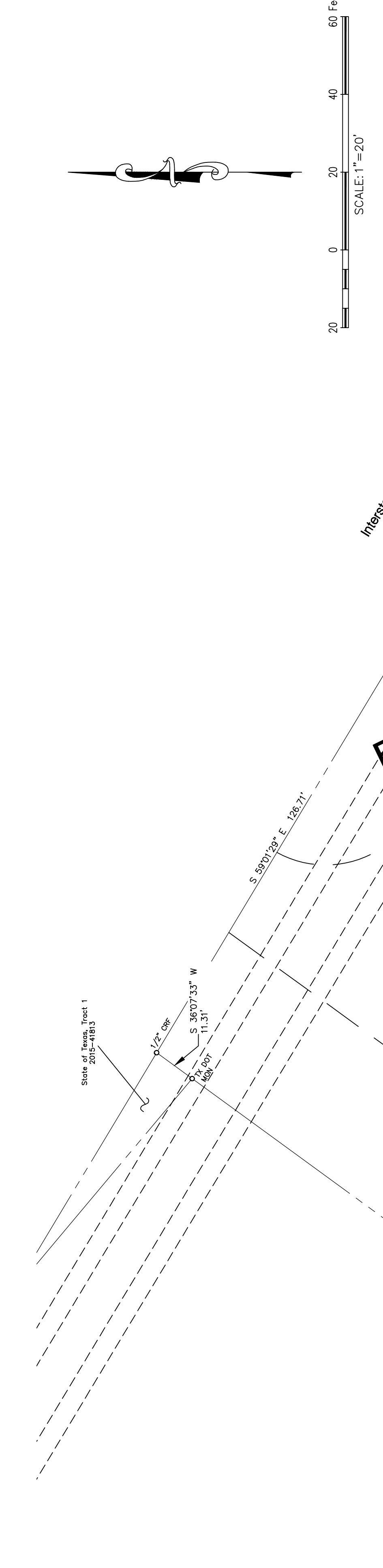
Zoning District: PD-6
Future Land Use Designation:
Commercial

**PRELIMINARY DOCUMENT
USED OR VIEWED OR REPLIED UPON AS A FINAL SURVEY DOCUMENT.**

W. THAD MURLEY III, RPLS
Texas Registration No. 5962

- NOTES:
- Bearings based on Texas Coordinate System, North Central Zone (4202), NAD '83.
 - Original copies of survey maps and descriptions prepared by the surveyor and firm whose names appear hereon will contain an embossed surveyor's seal. Any map or description copy without that embossed seal is likely a copy not prepared in the office of the surveyor and may contain alterations or deletions made without the knowledge or oversight of the surveyor.
 - Declaration is made to original purchaser of the survey. It is not transferable to subsequent purchasers unless specifically authorized in writing hereon.
 - This flood statement shall not create liability on the part of the surveyor.
 - Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate abstract of title may disclose.

LEGEND	
RF	REBAR FOUND
BL	BOUNDARY SET
UE	UTILITY EASEMENT
P.O.B.	POINT OF BEGINNING
CM	CONTROLLING MONUMENT
MAE	MUTUAL ACCESS EASEMENT
WLE	WATER LINE EASEMENT
D.C.E.C.	DENTON COUNTY ELECTRIC COOPERATIVE



OWNER'S ACKNOWLEDGMENT AND DEDICATION

STATE OF TEXAS §
COUNTY OF DENTON §

We, M&P Building, Inc., are the owners of the land shown on this plat within the area described by metes and bounds as follows:
Being all that certain lot, tract or parcel of land situated in the W. Garrison Survey, Abstract No. 1545, City of Corinth, Denton County, Texas, and being a part of the same as shown on the plat hereof recorded in Cabinet E, Page 186, Plat Records, Denton County, Texas, according to the plat hereof recorded in Cabinet E, Page 186, Plat Records, Denton County, Texas, and being more particularly described as follows:
BEGINNING at a Texas Department of Transportation monument found at the most easterly corner of that certain tract of land described in deed to the State of Texas, recorded in Cabinet M, Page 289, Plat Records, Denton County, Texas, and being more particularly described as follows:
7A2-R, Block 1, Pecan Creek Subdivision, an addition to the City of Corinth, Denton County, Texas, according to the plat hereof recorded in Document No. 2009-89, Plat Records, Denton County, Texas, from which a 1/2" rebar with cap stamped "4818" found at the most easterly corner thereof bears N 36°07'47" E, a distance of 11.31';
thence S 36°07'33" W, with the southeasterly line of add Plat 85, a distance of 118.27'; to a Texas Department of Transportation monument found at the most southerly corner thereof, and being in the northwesterly line of Lot 7A-R, Block 1, Pecan Creek Subdivision, an addition to the City of Corinth, Denton County, Texas, according to the plat hereof recorded in Cabinet M, Page 289, Plat Records, Denton County, Texas;
thence S 36°07'20" W, with the northwesterly line of add Lot 7A-R, a distance of 215.78' to a 1/2" rebar with cap stamped "4818" found, a distance of 118.62' to the most southerly corner of add Lot 7A-R;
thence N 36°07'41" E, with the southeasterly line of add Lot 7A2-R, a distance of 216.37' to the POINT OF BEGINNING and containing approximately 0.589 acres of land;

and designated herein as Lot 7A1-R, Block 1, Pecan Creek Subdivision, an addition to the City of Corinth, Texas, and whose name is subscribed and recorded in this plat, and being more particularly described as follows:
BEGINNING at the same point of beginning as the plat hereof recorded in Document No. 2009-89, Plat Records, Denton County, Texas, and being more particularly described as follows:
thence S 36°07'20" W, with the northwesterly line of add Lot 7A-R, a distance of 215.78' to a 1/2" rebar with cap stamped "4818" found, a distance of 118.62' to the most southerly corner of add Lot 7A-R;
thence N 36°07'41" E, with the southeasterly line of add Lot 7A2-R, a distance of 216.37' to the POINT OF BEGINNING and containing approximately 0.589 acres of land;

OWNER'S STATEMENT FOR FIRE LANE EASEMENT:
The undersigned accepts and agrees that he, shall acquiesce upon the fire lane easements, as depicted and shown hereon, a fire lane in accordance with the Fire Code and City standards and that he (they) shall maintain this same in a state of good repair at all times in accordance with City Ordinance. The fire lane easement shall be kept free of obstructions in accordance with the City Ordinance. The maintenance of the fire lane shall be the responsibility of the owner of the property. The Chief of Police or his/her duly authorized representative is hereby authorized to cause such fire lane and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

CONSTRUCTION AND MAINTENANCE STATEMENT
Developer will design, construct, operate, use and maintain the following:
Private Water Storage Facility (Detention and Retention Ponds) and Associated Private Drainage Easements,
Private Access Easements and Associated Improvements,
Storm Water Treatment Facility and Associated Easements,
Storm Water Treatment Facility and Associated Easements,
(collectively hereinafter referred to as "Improvements"). The City of Corinth is not responsible for the design, construction, operation, maintenance, or use of the improvements developed and constructed by developer or its predecessors or successors. The developer's maintenance responsibility shall extend to the improvements developed and constructed by developer or its predecessors or successors. The developer shall be responsible for any structures, frequent mowing and routine maintenance, removal of debris, and repair of easements. No facilities will be allowed within the improvements area without the advance written permission of the director of public works.

Developer will indemnify, defend, and hold harmless the City of Corinth, its officers, employees, and agents from any direct or indirect loss, damage, liability, or expense and attorney's fees for any and all damages, accidents, casualties, occurrences, or claims which arise out of or result from the use of the improvements developed and constructed by developer or its predecessors or successors, to accept full responsibility and hold the City of Corinth harmless from any and all damages, accidents, casualties, occurrences, or claims which arise out of or result from the use of the improvements developed and constructed by developer or its predecessors or successors. The developer shall be responsible for any structures, frequent mowing and routine maintenance, removal of debris, and repair of easements. No facilities will be allowed within the improvements area without the advance written permission of the director of public works.

BY: M&P Building, Myoung Choi, Principal
COUNTY OF TEXAS §
COUNTY OF DENTON §

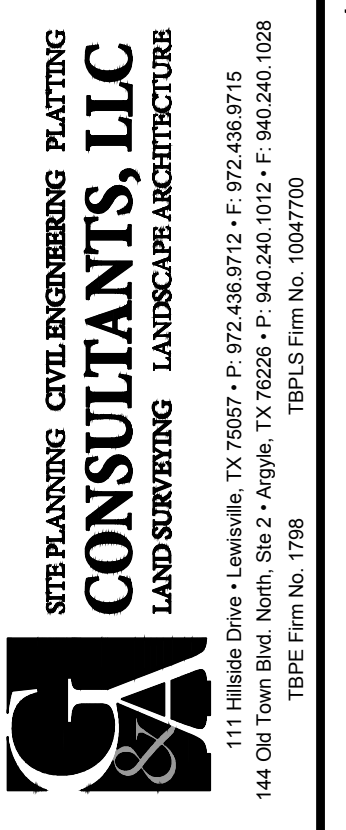
BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared Myoung Choi, know to me to be the person or one of the persons whose name is subscribed to the foregoing instrument, and that he is authorized to execute the foregoing instrument for the purpose and consideration therein expressed, and the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2018.

Notary Public in and for the State of Texas
Type or Print Notary's Name _____
My Commission Expires: _____

**REPLAT
Lot 7A1-R, Block 1
PECAN CREEK SUBDIVISION
0.589 Acres**

in the
**W. GARRISON SURVEY ABSTRACT NO. 1545
CITY OF CORINTH
DENTON COUNTY, TEXAS**



111 Hillside Drive - Lewisville, TX 76067 - P: 972-438-9712 - F: 972-438-9715
144 Oak Town Blvd. North, Ste 2 - Angleton, TX 77626 - P: 940-240-1012 - F: 940-240-1028
TBPLS Firm No. 10047700
TBPE Firm No. 1798

DRAWN BY: SW DATE: 06/26/2018 SCALE: 1"=20' JOB No.: 16343

OWNER/DEVELOPER
M&P BUILDING, INC.
11245 NEWKIRK ST.
DALLAS, TX 75228
Ph. (214) 567-8629
Contact: MYOUNG CHOI

CERTIFICATE OF COMPLETION AND AUTHORIZATION TO FILE

Approved: _____ Date: _____ 2018

City Secretary
City of Corinth, Texas

CITY OF CORINTH, TEXAS

The undersigned, the City Secretary and the City of Corinth, Texas, hereby certifies that the foregoing Report of the City of Corinth, Texas, on this day personally appeared Myoung Choi, know to me to be the person or one of the persons whose name is subscribed to the foregoing instrument, and that he is authorized to execute the foregoing instrument for the purpose and consideration therein expressed, and the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2018.

Notary Public in and for the State of Texas
Type or Print Notary's Name _____
My Commission Expires: _____

City of Corinth, Texas

CERTIFICATE OF SURVEYOR

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, hereby certify, that this plat is true and correct and was prepared from an actual survey of the property made under my close supervision on the ground.

**PRELIMINARY DOCUMENT
USED OR VIEWED OR REPLIED UPON AS A FINAL SURVEY DOCUMENT.**

W. THAD MURLEY III, RPLS
Texas Registration No. 5962

CITY OF CORINTH, TEXAS

The undersigned, the City Secretary and the City of Corinth, Texas, hereby certifies that the foregoing Report of the City of Corinth, Texas, on this day personally appeared Myoung Choi, know to me to be the person or one of the persons whose name is subscribed to the foregoing instrument, and that he is authorized to execute the foregoing instrument for the purpose and consideration therein expressed, and the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2018.

Notary Public in and for the State of Texas
Type or Print Notary's Name _____
My Commission Expires: _____

City of Corinth, Texas

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Notary Public in and for the State of Texas
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My Commission Expires: _____

City of Corinth, Texas

CITY OF CORINTH, TEXAS

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GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2018.

Notary Public in and for the State of Texas
Type or Print Notary's Name _____
My Commission Expires: _____

City of Corinth, Texas

**PUBLIC HEARING/BUSINESS
AGENDA ITEM #4**

PUBLIC HEARING/BUSINESS AGENDA ITEM #4

Planning and Zoning Commission Regular Session

August 27, 2018

AGENDA ITEM

PUBLIC HEARING:

TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT, PETER KAVANAGH, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER, NORTH CENTRAL TEXAS COLLEGE, FOR A SPECIFIC USE PERMIT TO ALLOW A VERIZON CELLULAR TOWER AND EQUIPMENT ON AN APPROXIMATELY 384 SQUARE FOOT LEASE SPACE OUT OF AN APPROXIMATELY 34.33-ACRE TRACT OF LAND SITUATED IN THE M.E.P. & P.R.R. CO. SURVEY, ABSTRACT NO. 915 AND MORE PARTICULARLY DESCRIBED AS NORTH CENTRAL TEXAS COLLEGE ADDITION, NO. 2, LOT 1R, BLOCK A, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (THIS PROPERTY IS LOCATED ON THE NORTH CENTRAL TEXAS COLLEGE CAMPUS, NORTH OF WALTON ROAD, EAST OF N. CORINTH PKWY).

BUSINESS:

Consider and act on the Specific Use Permit (SUP) to allow a Verizon Cellular Tower and Equipment on an approximately 384 square foot lease space out of an approximately 34.33-acre tract of land situated in the M.E.P. & P.R.R. Co. Survey, Abstract No. 915 and more particularly described as North Central Texas College Addition, No. 2, Lot 1R, Block A, in the City of Corinth, Denton County, Texas. (This property is located on the North Central Texas College Campus, north of Walton Road, East of N. Corinth Pkwy).

AGENDA ITEM DESCRIPTION

A one hundred twenty-five-foot (125') Verizon Wireless Telecommunication Tower and associated equipment cabinets near the cell tower is proposed on an approximately 384 sq. ft. lease space in the south end of the parking lot of the North Central Texas College campus. The monopole, cellular tower will be concealed within a flag pole similar to those, as shown in the attached photo renderings that have been installed in other communities.

An existing parking space in the parking lot of the college campus near the proposed lease space is being designated for the Verizon lessee and will also serve as an area for a portable generator for maintenance of the cell tower and equipment. An 8' solid masonry brick screening wall, painted to match the college building will screen the equipment cabinets on three sides and allow access to the equipment via metal paneled gates.

Access to the cell tower and equipment will be provided via a new 15' Access Easement from the existing driveway off Corinth Parkway and into the parking lot. A new 12' Access Road will be constructed within the existing parking lot area within a new 15' Access Easement to provide

connection and access to the lessee space from the existing parking lot. A new 10' Utility Easement is also being provided for servicing the equipment. All easements are to be dedicated by separate instrument.

FINANCIAL SUMMARY

Source of Funding: No funding is required.

RECOMMENDATION

Staff recommends **Approval** of the Specific Use Permit, subject to the applicant providing a report from a professional structural Engineer in the State of Texas and adding the recordation information for all new access and utility easements on the Site Plan and providing staff with copies of those instruments at the time of the building permit application.

ATTACHMENTS/SUPPORTING DOCUMENTS

Zoning Map
Aerial Location Map
Site Plan
Color Renderings

Submitted By: Lori Levy, AICP
Department: Planning and Development

Finance Review: Yes ___ NA X

Legal Review: Yes ___ NA X

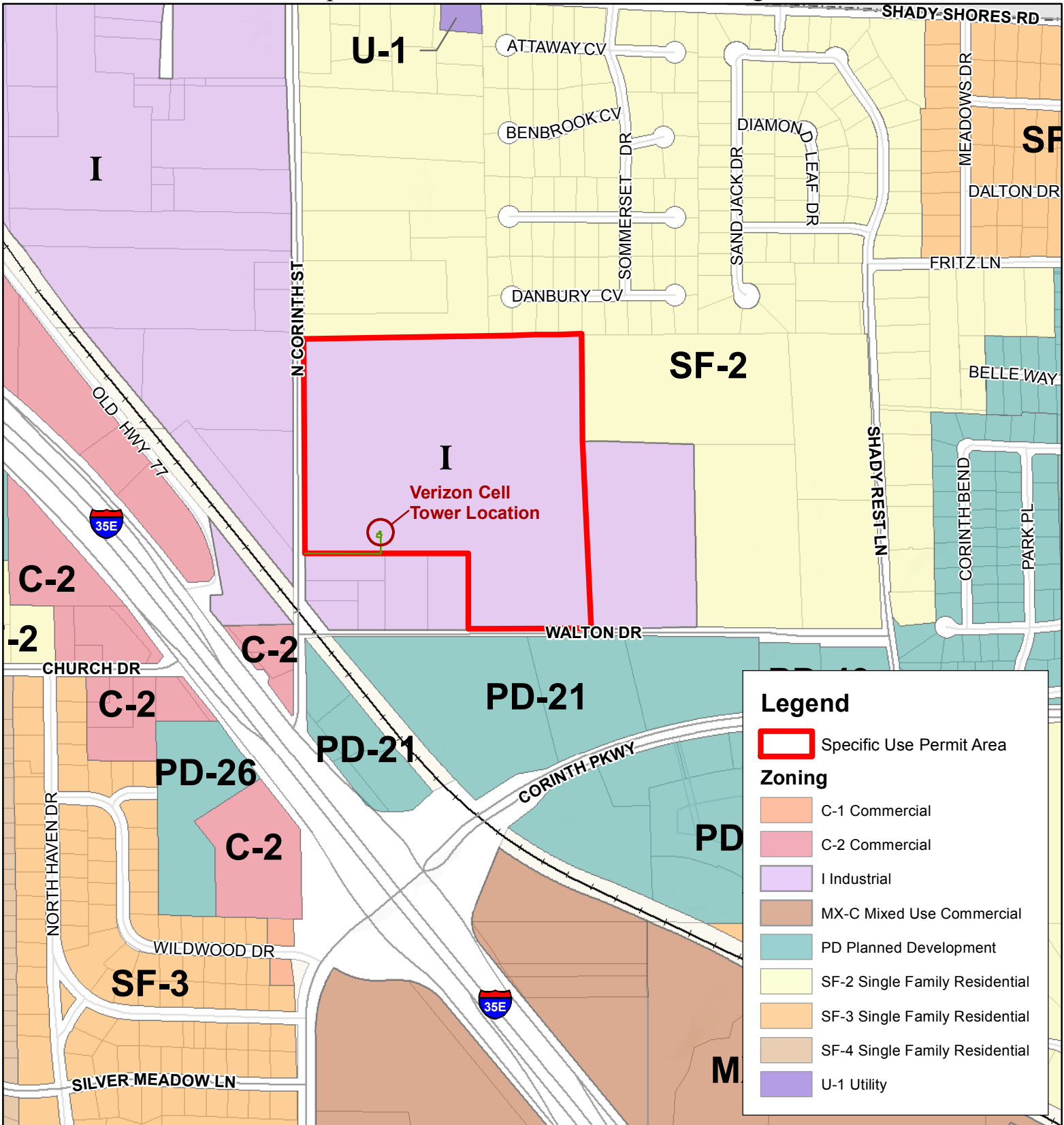
Director Review and Approval: Yes X



CITY OF CORINTH

VERIZON CELL TOWER

Specific Use Permit Location and Zoning





CITY OF CORINTH

VERIZON WIRELESS

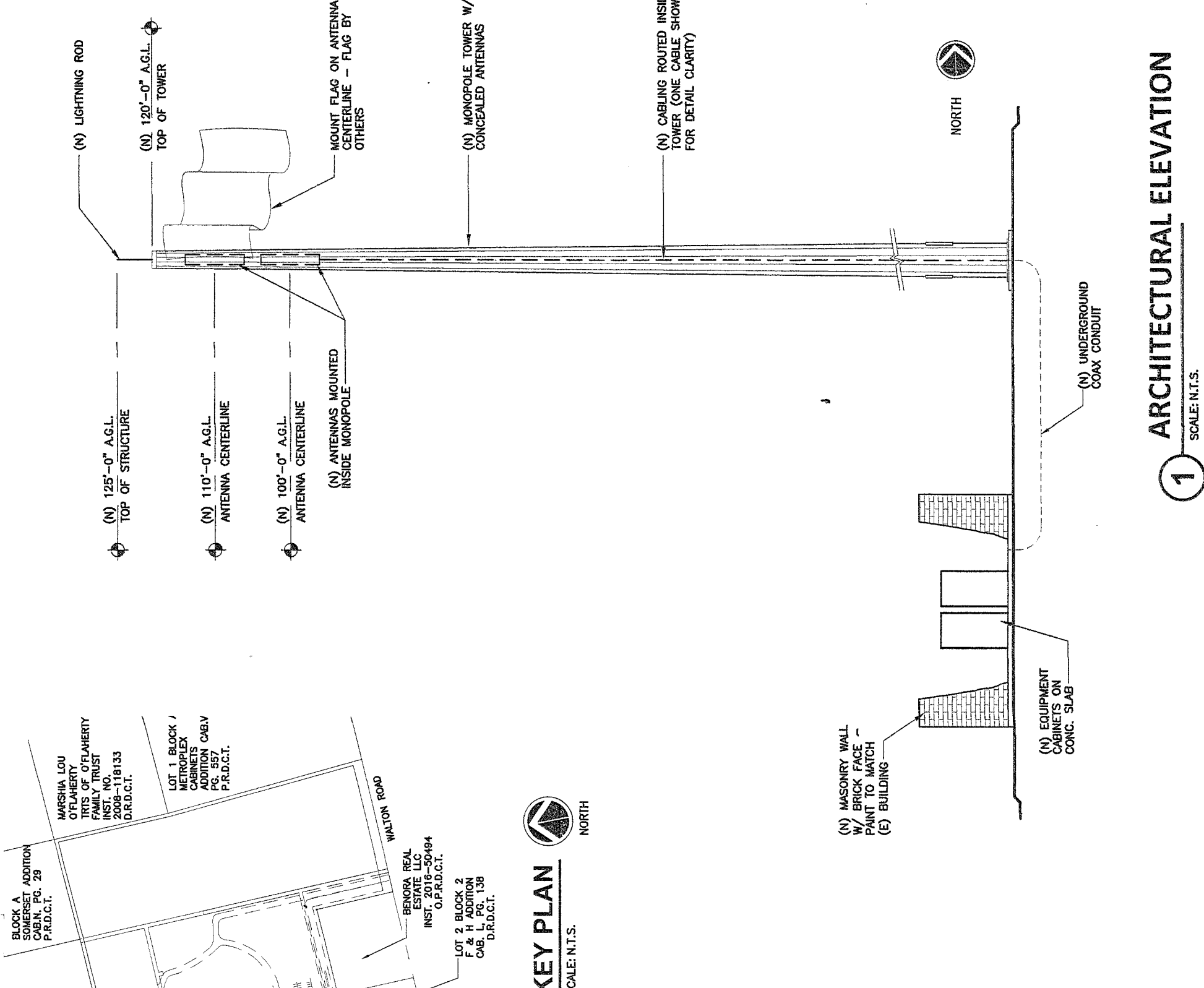
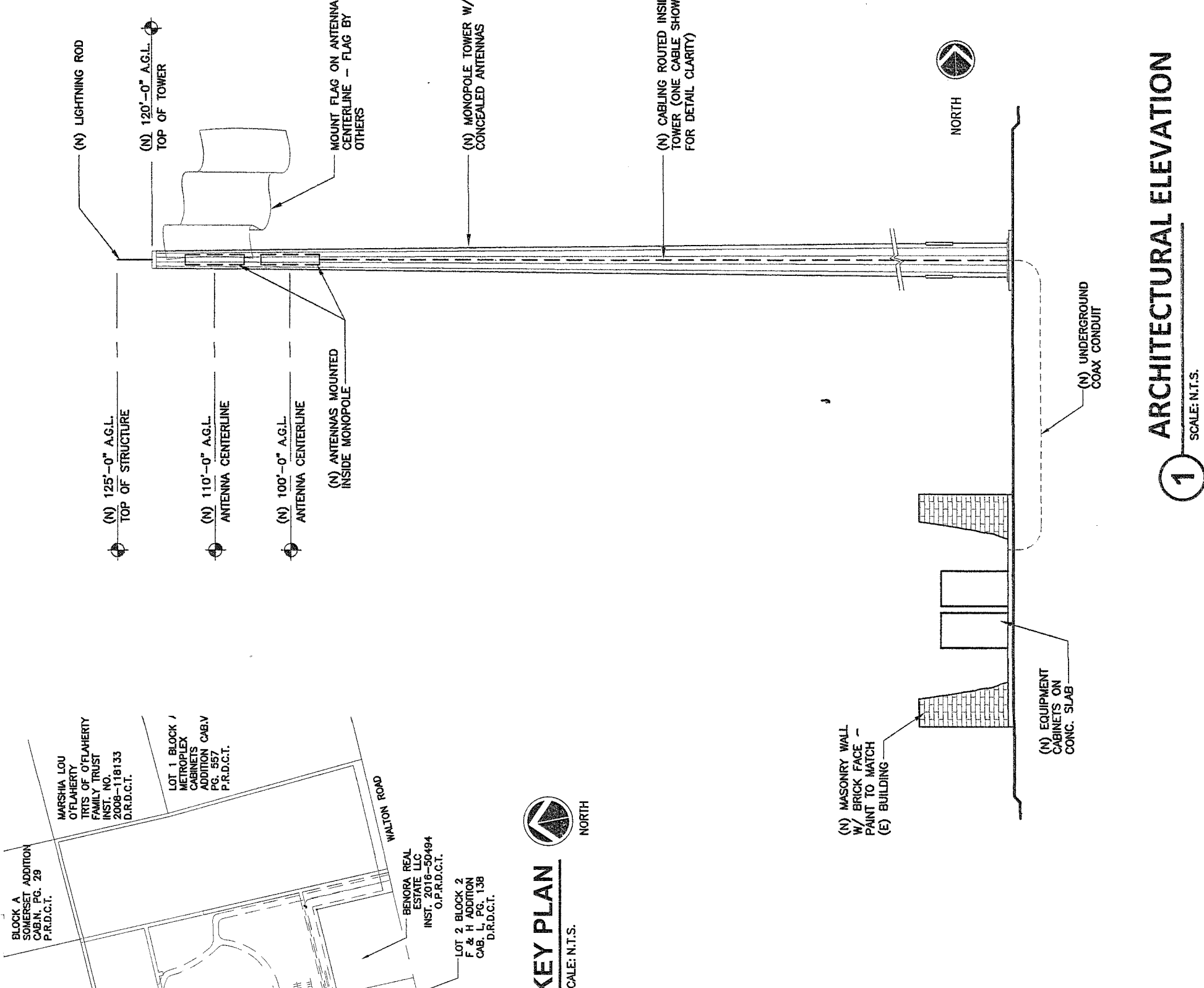
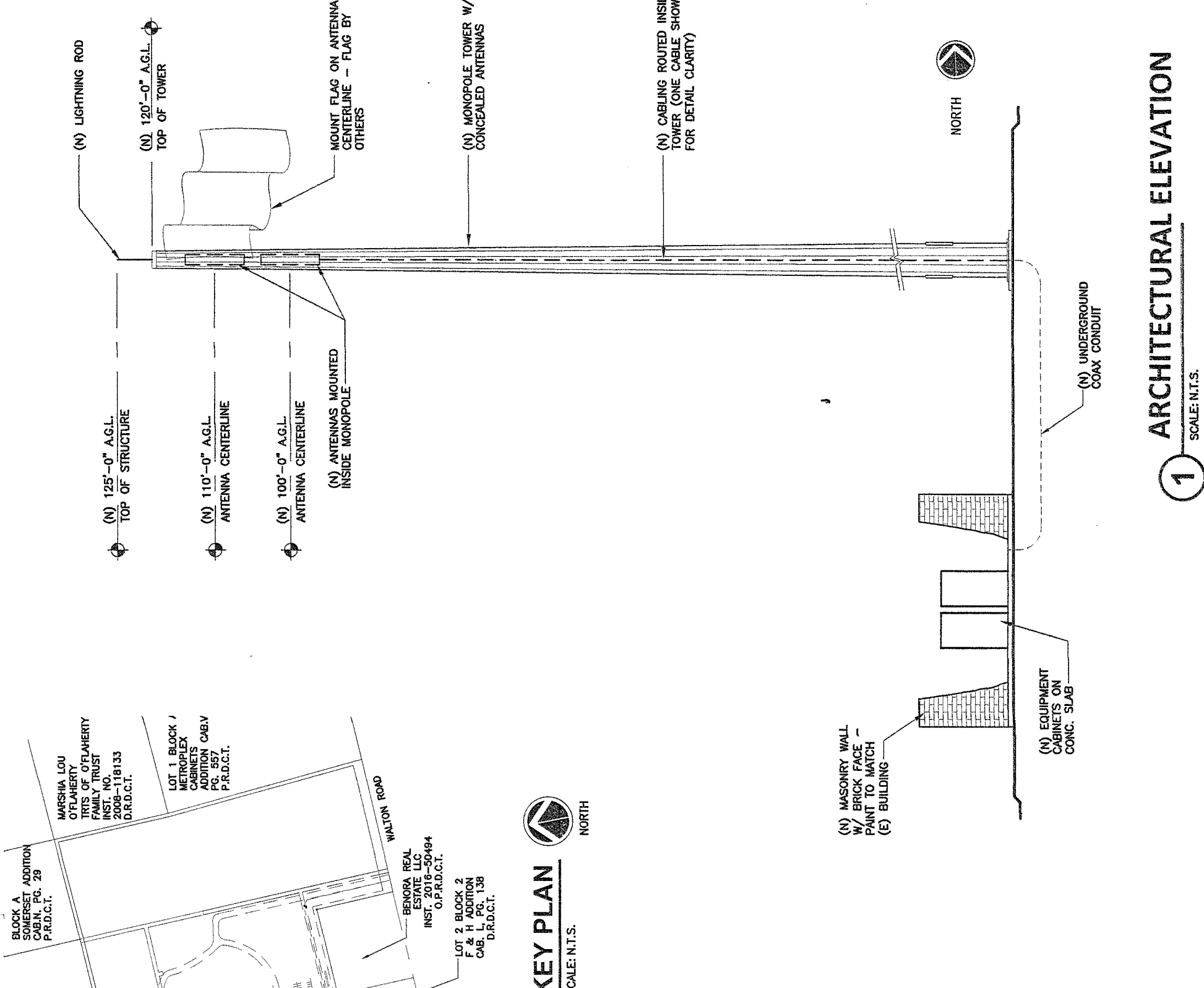
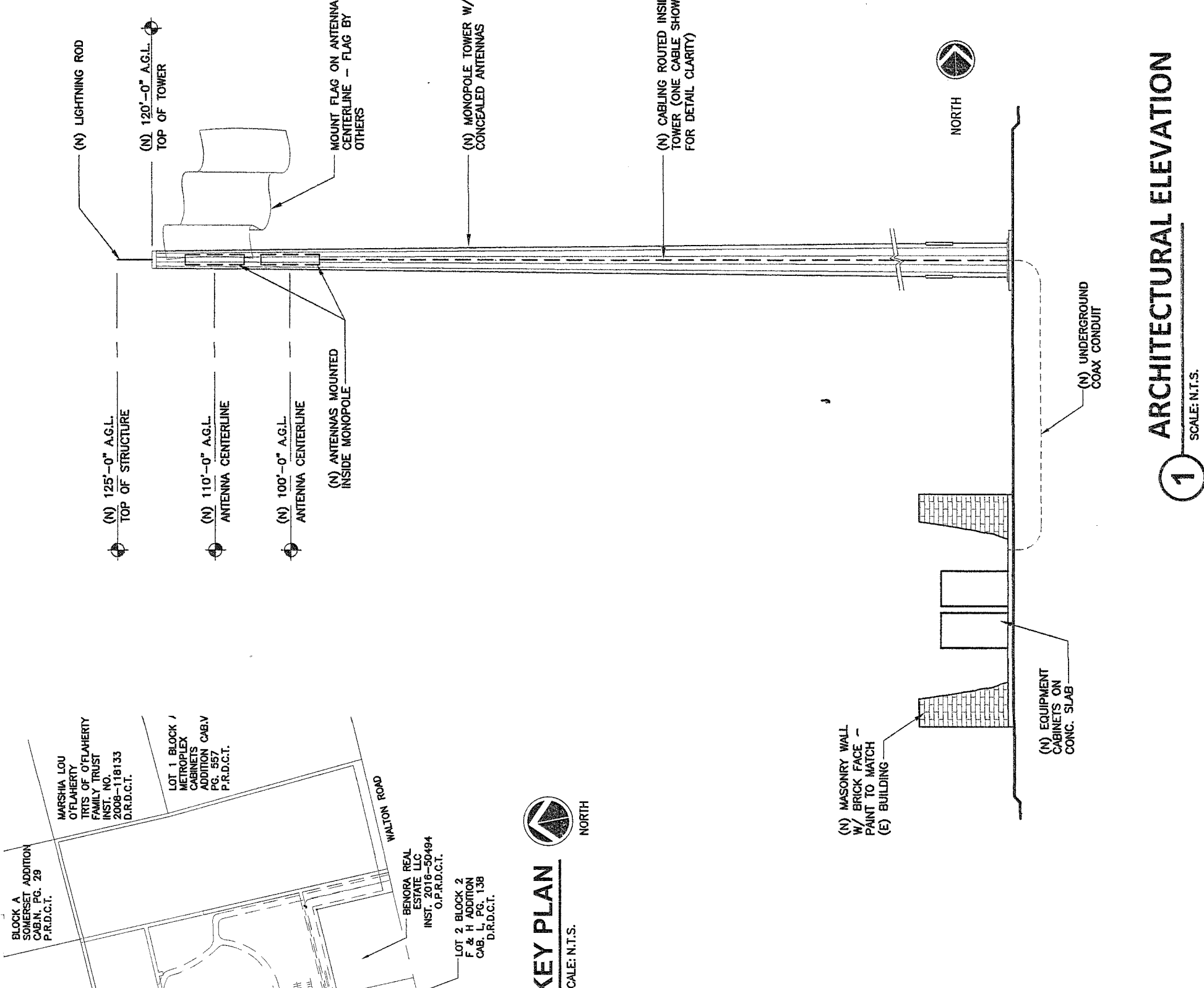
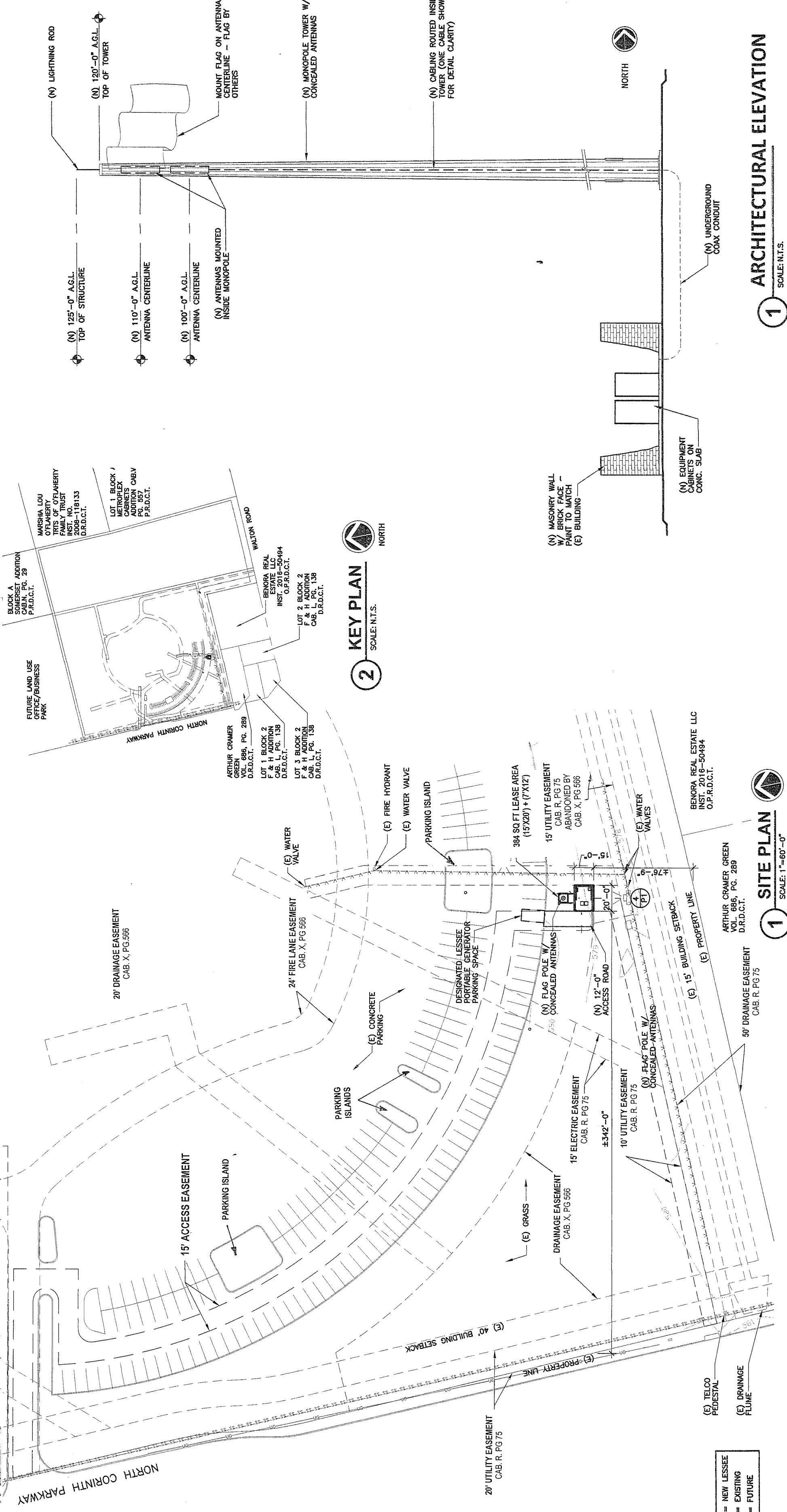
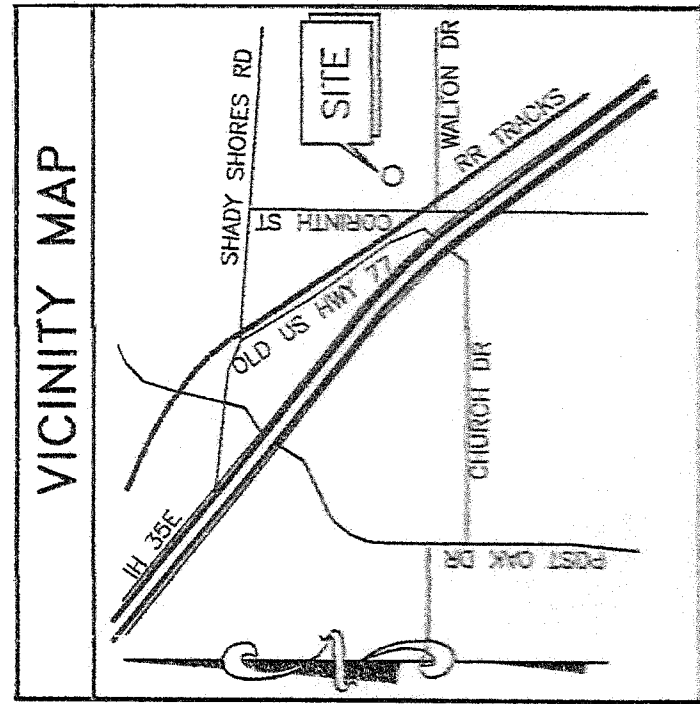
Flagpole Location



SITE PLAN SUMMARY CHART

SITE DATA SUMMARY		EXISTING	PROPOSED
Existing zoning	Industrial	Industrial	Industrial
Land Use Designation	Public/Semi-public	Public/Semi-public	Public/Semi-public
Gross Acreage	34.33	34.33	34.33
Net Acreage	34.33	34.33	34.33
Number of Proposed lots	1	1	1
Percentage of site coverage	0.000	0.00032 (384 sq. ft.)	NA
Area of open space	unknown	NA	NA
Percentage of open space	unknown	0	0
Area of impervious coverage	0.0003	384 sq. ft.	0.0003
Proposed building area	unknown	384 sq. ft.	384 sq. ft.
Number of single-story buildings	none	NA	NA
Number of two-story buildings	0	125'	NA
Maximum building height	unknown	125'	NA
Proposed floor area	unknown	125' x 125'	NA
Proposed floor use	unknown	Verizon Cell Tower & Equipment	NA
Required parking	unknown	1	1
Provided parking	unknown	1	1
Standard (see site plan)	unknown	1	1
Handicap	unknown	1	1
Inventory parking	unknown	0	0
Recycled loading spaces	unknown	0	0
Provided loading spaces	unknown	0	0
Area of outside storage	unknown	0	0
Percentage of outside storage	unknown	0	0
Start of construction	unknown	1/2019	6/2019
End of construction	unknown		

DATA TABLE	
EXISTING ZONING	Industrial
PROPOSED USE	Telecommunications Antenna
LOT AREA	34.33 Acres
SITE AREA	384 Sq. Ft.
HEIGHT OF ANTENNA	125 Feet
PARKING SPACE	1 Space
HEIGHT OF MASONRY WALL	8 Feet



SITE PLAN
VERIZON WIRELESS
 North Central Texas College Addn. No. 2
 Block A Lot 1R
 J Walton Survey
 Abstract 1389
 City of Corinth
 Denton County

Total Acreage: 34.33
 Prepared: July 2018
 Revised August 2018
PETER KAVANAGH
ZONE SYSTEMS, INC
 1620 HANDLEY DRIVE, SUITE A
 DALLAS, TX 75208
 214-941-4440
 peterk@zonesystems.com

1 SCALE: 1" = 3'

1 SCALE: 1" = 300'

1 SCALE: 7/8" = 1'-0"

1 SCALE: 1" = 200'

1 SCALE: 1" = 200'

