

****PUBLIC NOTICE****



PLANNING & ZONING COMMISSION

Monday, June 24, 2024 at 6:30 PM

City Hall | 3300 Corinth Parkway

View live stream: www.cityofcorinth.com/remotesession

AGENDA

- A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT
- B. PLEDGE OF ALLEGIANCE
- C. ESTABLISH VOTING MEMBERS AND DESIGNATE ALTERNATES
- D. CONSENT AGENDA

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

- 1. Consider the approval of minutes for the Planning & Zoning Commission Special Session held on June 3, 2024.
- 2. 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)
- 3. Consider and act on a request by the Applicant, Eagle Surveying, for a Replat of Fairway Estates Lot 19R, being ± 0.810 acres located at 1609 Eagle Ridge Drive. (Case No. RP24-0004)

E. BUSINESS AGENDA

- 4. A city-initiated request to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, to rezone approximately ± 6.7 acres from I Industrial to MX-C Mixed Use Commercial, with the subject property being located at 1400 N. Corinth Street. (Case No. ZMA24-0003 Pinnell Square MX-C Rezoning) - **Item to be Withdrawn by Applicant**
- 5. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on City initiated request to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, to rezone approximately ± 20.6 acres from I Industrial to MX-C Mixed Use Commercial, with the subject property being located at 1500 N. Corinth Street. (Case No. ZMA24-0002 North Central Texas College MX-C Rezoning)
- 6. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on City initiated request to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, to rezone 5 properties totaling approximately ± 10.9 acres from Planned Development No. 44 (PD-44) to MX-C Mixed Use Commercial, with the subject properties being generally located at the northeast corner of Lake Sharon Dr and S I-35E. (Case No. ZMA24-0004 Millennium MX-C Rezoning)
- 7. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on a request to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, by amending the boundary of Planned Development No. 44 (PD-44), as adopted by Ordinance No. 16-08-18-26, to remove 5 properties totaling approximately ± 10.9 acres

generally located at the northeast corner of Lake Sharon Dr and S I-35E. (Case No. ZAPD24-0005 PD-44 Boundary Amendment)

- 8. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on a request to amend UDC Subsection 2.09.02.G. – Mitigation Requirements for Protected Trees Removed to adjust the Sliding Scale Categories for the Replacement Rates for Protected Trees and Credits for Healthy Protected Tree Preservation Efforts. (Case No. ZTA24-0004 UDC Tree Preservation Amendments)

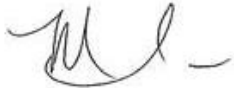
F. DIRECTOR'S REPORT

G. ADJOURNMENT

The Planning & Zoning Commission reserves the right to recess into executive or closed session to seek the legal advice of the City’s attorney pursuant to Chapter 551 of the Texas Government Code on any matter posted on the agenda. After discussion of any matters in closed session, any final action or vote taken will be public by the Commission.

As a majority of the 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.

I, the undersigned authority, do hereby certify that the meeting notice was posted on the bulletin board at City Hall of the City of Corinth, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: **Friday, June 21, 2024 at 11:30 AM.**



Melissa Dailey, AICP
Director of Planning and Development Services
City of Corinth, Texas

June 21, 2024
Date of Notice

Corinth City Hall is wheelchair accessible. Person with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf, or hearing impaired, or readers of large print, are requested to contact the City Secretary’s Office at 940-498-3200, or fax 940-498-7576 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

BRAILLE IS NOT AVAILABLE



**MINUTES
PLANNING & ZONING COMMISSION
SPECIAL SESSION**

Monday, June 3, 2024, at 6:30 PM

City Hall | 3300 Corinth Parkway

On the 3rd day of June 2024, the Planning & Zoning Commission of the City of Corinth, Texas, met in Special Session at the Corinth City Hall at 6:30 P.M., located at 3300 Corinth Parkway, Corinth, Texas.

Commissioners Present:
Vice-Chair Mark Klingele
Adam Guck
Crystin Jones

Commissioners Absent:
Chair Alan Nelson
KatieBeth Bruxvoort
Rebecca Rhule
Chris Smith

Staff Members Present:
Melissa Dailey, Director of Planning and Development
Michelle Mixell, Planning Manager
Matthew Lilly, Planner

A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

Vice-Chair Mark Klingele called the meeting to order at 6:31 PM.

B. ESTABLISH VOTING MEMBERS AND DESIGNATE ALTERNATES

C. PLEDGE OF ALLEGIANCE

D. CONSENT AGENDA

- 1. Consider the approval of minutes for the Planning & Zoning Commission Workshop and Regular Session held on March 25, 2024.

Commissioner Guck made a motion to adopt the consent agenda, seconded by Commissioner Jones.

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

E. BUSINESS AGENDA

- 2. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on a request to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, by amending the boundary of Planned Development No. 21 (PD-21), as adopted by Ordinance No. 99-03-18-05 and amended by Ordinance No. 24-03-21-14, to remove 3 properties totaling

approximately ±7.8 acres generally located at 3300 Corinth Pkwy and the northeast corner of I-35E and Corinth Pkwy. Case No. ZAPD24-0004 PD-21 Boundary Amendment

Michelle Mixell, Planning Manager, provided a presentation on behalf of Staff and recommended approval as presented.

Vice-Chair Klingele opened the public hearing at 6:51.

Vice-Chair Klingele closed the public hearing at 6:51.

Commissioner Guck made a motion to recommend approval of Case No. ZAPD24-0004 – as presented, seconded by Commissioner Jones.

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

3. Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on City initiated request to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, to rezone 15 properties totaling approximately ±36.1 acres from I Industrial, C-2 Commercial, and Planned Development No. 21 (PD-21) to MX-C Mixed Use Commercial, with the subject properties being generally located at 3300 Corinth Pkwy, 2700 W Shady Shores Rd, 1200 N. Corinth St, 1206 N. Corinth St, 1212 N. Corinth St, 3009 Walton Dr, 1501 N. Corinth St, west of N. Corinth St and south 1400 N. Corinth St, the northeast corner of N. Corinth St and Walton Dr, the northeast corner of I-35E and Corinth Pkwy, and the southeast corner of I-35E and Corinth Pkwy. Case No. ZMA24-0001 MX-C Rezoning

Michelle Mixell, Planning Manager, provided a presentation on behalf of Staff and recommended approval as presented.

Commissioner Guck asked if there were any plans around how pedestrian traffic to and from the downtown district would be handled.

Mixell explained that pedestrian connectivity has been encouraged and is beginning to be implemented with new developments and the goal is for pedestrian improvements to be made incrementally as new development and redevelopment occurs. She stated that public improvements may also be possible in the future as additional funds become available.

Commissioner Guck stated that it was currently challenging to envision this connectivity given the proximity of many of these properties to the interstate and busy streets.

Mixell stated that with in an upcoming presentation of the downtown plan, Staff would highlight possible concepts for improving pedestrian connections under the I-35E over pass.

Commissioner Jones asked how parking would be addressed in the downtown district.

Mixell explained that it is envisioned that on-street parking and structured parking could be integrated into new developments along with other future public improvements.

Vice-Chair Klingele opened the public hearing at 6:51.

Vice-Chair Klingele closed the public hearing at 6:51.

Commissioner Guck made a motion to recommend approval of Case No. ZMA24-0001 – MX-C Rezoning as presented, seconded by Commissioner Jones.

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

E. DIRECTORS REPORT

Melissa Dailey, Director of Planning and Development, informed the Commission that a joint meeting was being planned for next month to discuss the downtown plan.

F. ADJOURNMENT

There being no further business before the Commission, the Special Session was adjourned at 6:54 PM.

MINUTES APPROVED THIS _____ DAY OF _____, 2024.

Alan Nelson, Planning and Zoning Commission Chairman

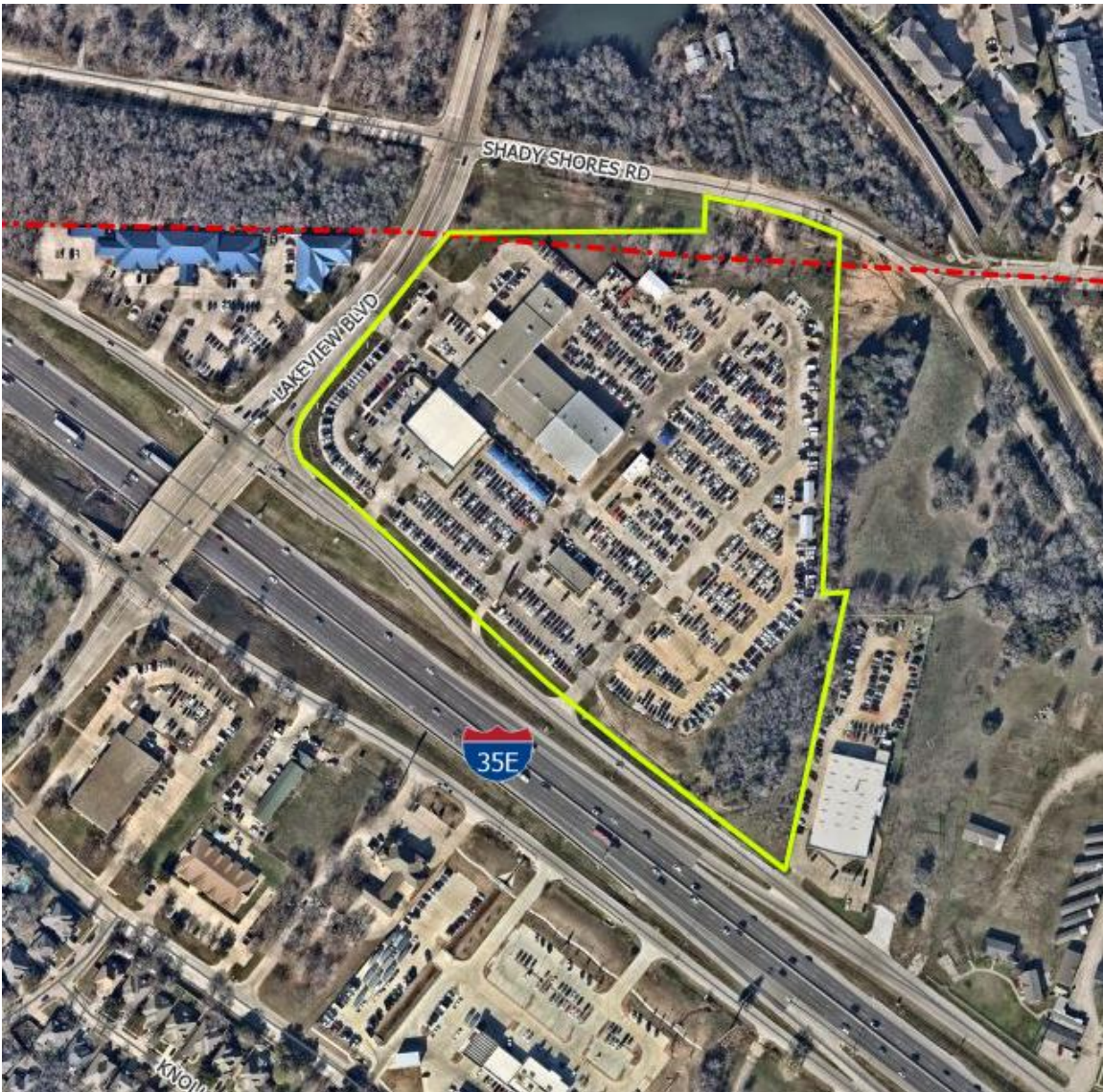


CITY OF CORINTH Staff Report

| | | | |
|-------------------------|--|---------------|--|
| Meeting Date: | 6/24/2024 | Title: | Replat: Bill Utter Ford Addition (RP23-0005) |
| Strategic Goals: | <input type="checkbox"/> Resident Engagement <input type="checkbox"/> Proactive Government <input type="checkbox"/> Organizational Development <input type="checkbox"/> Health & Safety <input type="checkbox"/> Regional Cooperation <input type="checkbox"/> Attracting Quality Development | | |

Item/Caption

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)



Aerial Location Map

Item Summary/Background/Prior Action

This is a reconsideration of a Replat that had been disapproved by this Commission on January 22, 2024.

The purpose of the proposed Replat is to dedicate new easements for the construction of a service building for a vehicle dealership that straddles the city limits of Corinth and Denton, requiring approval of this Replat by both cities. Note that the City of Denton has already approved this Replat.

The proposed Replat was reviewed by the Planning division and the city's consulting Engineering & Surveying Firm, Shield Engineering. The review team identified minor comments in the attached Replat document, though the plat falls into general compliance with Unified Development Code (UDC) Subsection 3.03.03.I, Final Plat (Replat) Criteria for Approval, which requires that a plat conform to the city's application checklists and UDC regulations. The property is zoned PD-43 - Bill Utter Ford.

Because the Planning and Zoning Commission is required to act on the Replat application at this meeting to comply with Texas Local Government Code Chapter 212, the Staff's recommendation is to conditionally approve the Replat to allow the Applicant to address the review team's comments.

Per Section 212.093 of the Texas Local Government Code, after receiving conditional approval, an Applicant is afforded an unlimited amount of time to revise the Replat application. Staff will then review the revised Replat to determine compliance with conditions and record the Replat if the conditions are met.

Financial Impact

None

Applicable Policy/Ordinance

- Unified Development Code
- Texas Local Government Code

Staff Recommendation

Staff recommends approval of the Replat subject to the following conditions:

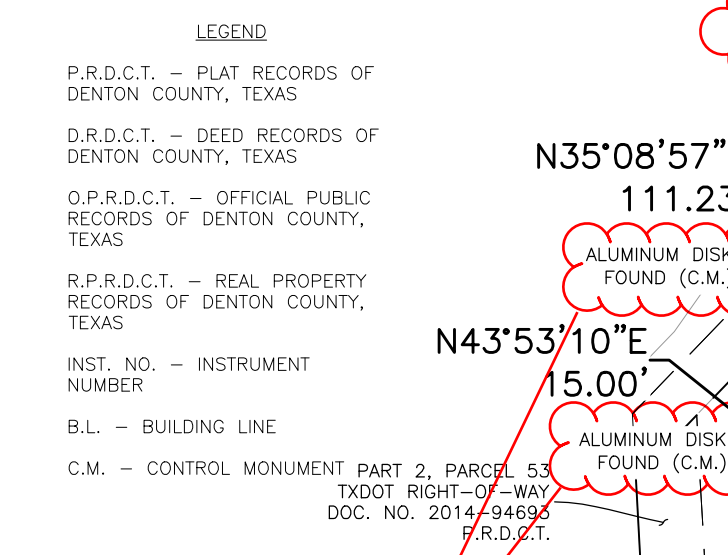
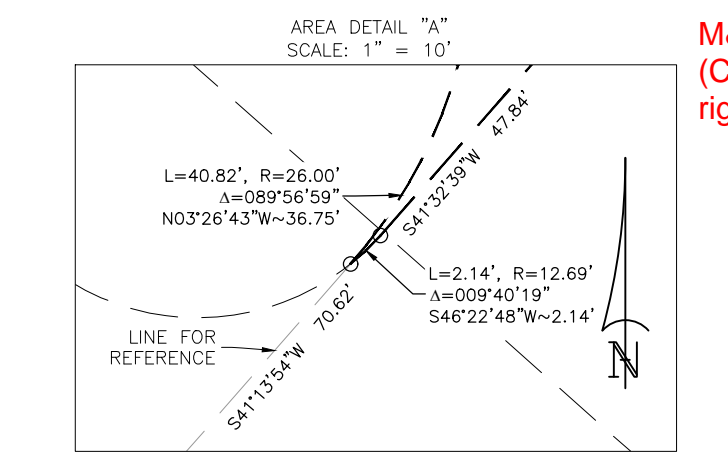
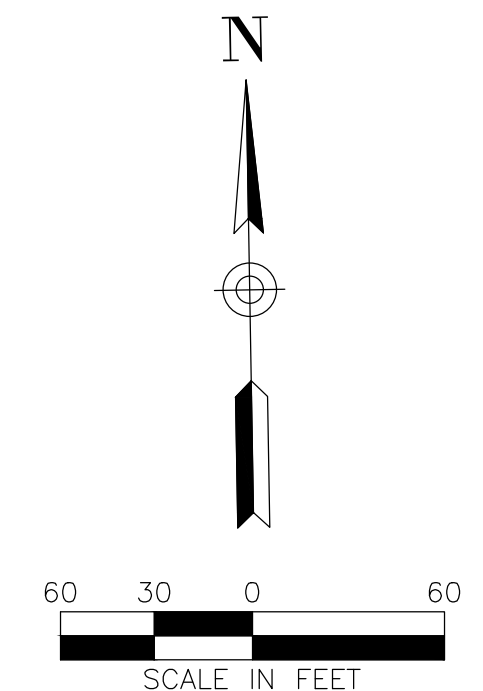
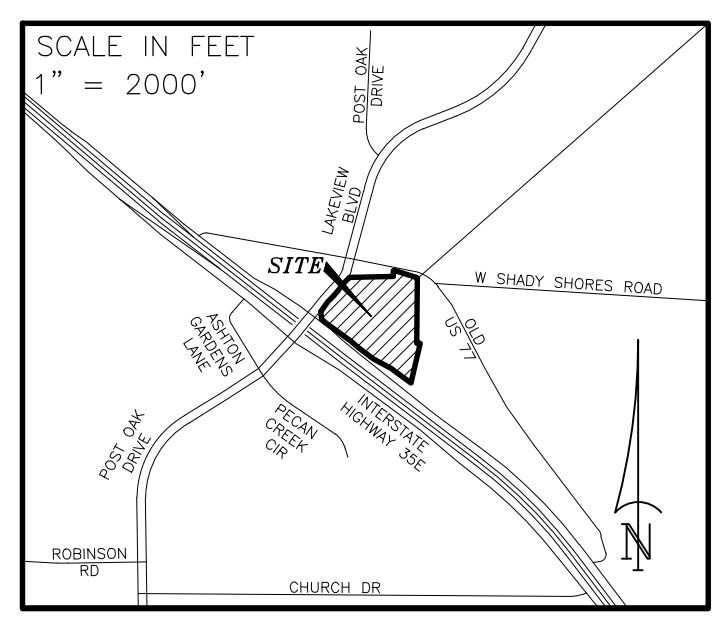
1. Applicant shall address all comments in attached Replat

Motion

"I move to conditionally approve Case No. RP23-0005 – Bill Utter Ford subject to the Applicant addressing all comments"

Attachments

1. Proposed Replat with Comments



IMPORTANT NOTICE: THE CITY OF DENTON HAS ADOPTED THE NATIONAL ELECTRICAL SAFETY CODE (THE "CODE"). THE CODE GENERALLY PROHIBITS STRUCTURES WITHIN 17.5 FEET ON EITHER SIDE OF THE CENTER LINE OF OVERHEAD DISTRIBUTION LINES AND WITHIN 37.5 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.

FLOOD NOTES: No portion of the subject property shown hereon lies within the 100 year flood hazard area according to the Flood Insurance Rate Map, Community Panel No. 48121C0387H, dated June 19, 2020. The subject property is located in the area designated as Zone "X", (areas determined to be outside the 0.2% annual chance floodplain).

GENERAL NOTES: 1. The Basis of Bearings is from the Texas State Plane Coordinate System, NAD83, North Central Zone is derived from GPS Observations using the Alterra RTK Network and adjusted to surface using a scale factor of 1.000150630. 2. Notice: Selling a portion of this addition by metes and bounds is a violation of City subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates. 3. The purpose of this plat is to add and create fire lanes and access easements on a previously recorded lot. 4. A Tree Survey and Preservation Plan will be required to proceed with Building Permits on the subject site. Minimum Tree Preservation requirements of the Denton Development Code Section 7.7.4, must be met prior to the release of any permits.

SURVEYOR'S CERTIFICATION: KNOW ALL MEN BY THESE PRESENTS: That I, David F. McCullah, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision.

David F. McCullah REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 4023 DATE: _____

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared David F. McCullah, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 20____ Notary Public in and for the State of Texas

Line Data Table with columns: Line #, Distance, Bearing. Rows L1 through L20.

Curve Data Table with columns: Curve #, Arc, Radius, Delta, Chord Bearing, Chord. Rows C1 through C13.

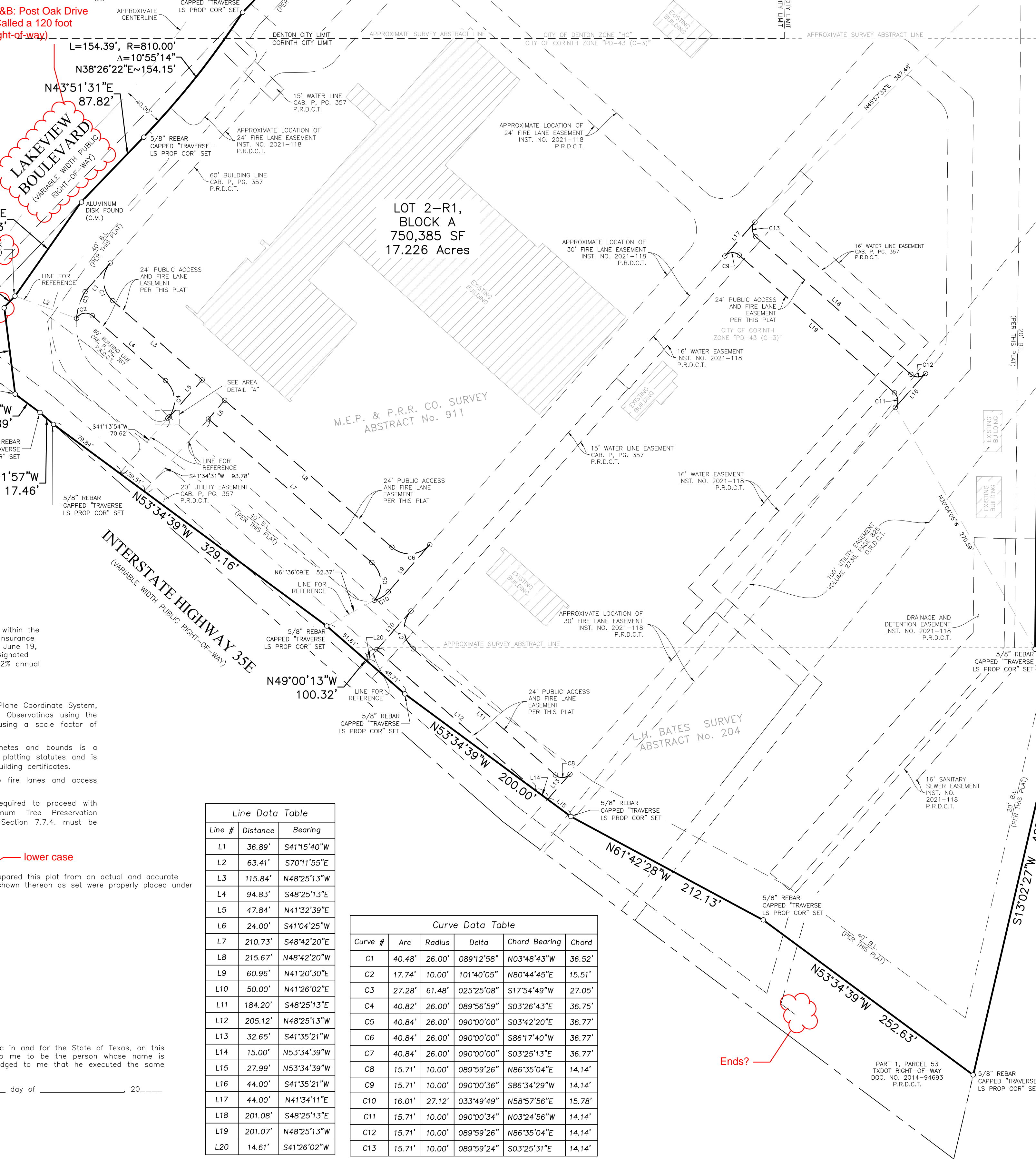
M&B: Post Oak Drive (Called a 120 foot right-of-way)

LAKEVIEW BOULEVARD (Variable Width Public Right-of-Way)

M&B: 5/8" Traverse

lower case

Ends?



STATE OF TEXAS COUNTY OF DENTON

WHEREAS UTTER PROPERTIES, LLC are the owners of a 17.226 acre tract of land situated in the M.E.P. & P.R.R. Survey, Abstract Number 911, the G. Walker Survey, Abstract Number 1330 and the L.H. Bates Survey, Abstract Number 204, being all of Lot 2-R, Block A of Bill Utter Addition, an addition to the City of Denton as recorded in Instrument Number 2021-118, Plat Records, Denton County, Texas, some being all of a tract of land described to Utter Properties by deed recorded in Instrument Number 2013-3823, Official Public Records, Denton County, Texas and being more particularly described by metes and bounds as follows:

THENCE North 88 degrees 41 minutes 41 seconds East, departing the east right-of-way line of said Post Oak Drive, with the north line of said Lot 2-R, continuing with the south line of a tract of land described to Ford Motor Credit Company by deed recorded in Volume 1996, Page 66237, Deed Records, Denton County, Texas, and continuing a total distance of 457.03 feet to a 1/2 inch rebar capped "LL" found for an interior "ell" corner of said Ford Motor tract;

THENCE North 00 degrees 42 minutes 16 seconds West, with an east line of said Ford Motor tract, a distance of 60.34 feet to a 1/2 inch rebar capped "RPLS 4561" found for the northeast corner of said Ford Motor tract, same being a point lying on the south right-of-way line of Shady Shores Road (also known as Old US Highway 77 (Variable Width right-of-way));

THENCE South 80 degrees 48 minutes 54 seconds East, with a south right-of-way line of said Shady Shores Road, a distance of 18.24 feet to a 1/2 inch rebar capped "RPLS 4561" found for corner;

THENCE South 72 degrees 56 minutes 16 seconds East, with a south line of said Shady Shores Road, a distance of 244.34 feet to a 1/2 inch rebar capped "RPLS 4561" found for the northwest corner of a tract of land described to Volk Properties, LLC by deed recorded in Instrument Number 2023-39497, Official Public Records, Denton County, Texas;

THENCE North 87 degrees 29 minutes 56 seconds East, with a south line of said Volk tract, a distance of 35.96 feet to a 5/8 inch rebar capped "TRAVERSE LS PROP COR" set for the northwest corner of Lot 1, Block A of Streetwerks Addition, an addition to the City of Denton, as recorded in Cabinet O, Page 74, Plat Records, Denton County, Texas;

THENCE South 13 degrees 02 minutes 27 seconds West, departing the south line of said Volk tract, with the west line of said Lot 1, a distance of 425.30 feet to a 5/8 inch rebar capped "TRAVERSE LS PROP COR" set for corner, said corner being a point on the north right-of-way line of Interstate Highway 35E (Variable Width right-of-way);

THENCE the following courses and distances with the north right-of-way line of said Interstate Highway 35E to a 5/8 inch rebar capped "TRAVERSE LS PROP COR" set for corner: North 53 degrees 34 minutes 39 seconds West, a distance of 252.63 feet; North 61 degrees 42 minutes 28 seconds West, a distance of 212.13 feet; North 53 degrees 34 minutes 39 seconds West, a distance of 200.00 feet; North 49 degrees 00 minutes 13 seconds East, a distance of 100.32 feet; North 53 degrees 34 minutes 39 seconds West, a distance of 329.16 feet; North 48 degrees 31 minutes 57 seconds West, a distance of 17.46 feet;

THENCE North 53 degrees 32 minutes 37 seconds West, with the north right-of-way line of said Interstate Highway 35E, a distance of 29.89 feet to an aluminum monument found at the intersection of the north right-of-way line of said Interstate Highway 35E and the east right-of-way line of said Post Oak Drive;

THENCE North 07 degrees 10 minutes 39 seconds West, with said intersection, a distance of 84.85 feet to a 5/8 inch rebar capped "TRAVERSE LS PROP COR" set for corner;

THENCE the following courses and distances with the southeast right-of-way line of said Post Oak Drive: North 43 degrees 53 minutes 10 seconds East, a distance of 15.00 feet to a 5/8 inch rebar capped "TRAVERSE LS PROP COR" set for corner; North 35 degrees 08 minutes 57 seconds East, a distance of 111.23 feet to an aluminum disk found for corner;

THENCE North 43 degrees 51 minutes 31 seconds East, a distance of 87.82 feet to a 5/8 inch rebar capped "TRAVERSE LS PROP COR" set for corner and being the beginning of a curve to the left with a radius of 810.00 feet, a central angle of 10 degrees 55 minutes 14 seconds and a chord bearing and distance of North 38 degrees 26 minutes 22 seconds East, a distance of 154.15 feet;

THENCE with said curve to the left, with the southeast right-of-way line of said Post Oak Drive, an arc length of 154.39 feet to a 5/8 inch rebar capped "TRAVERSE LS PROP COR" set for corner;

THENCE North 43 degrees 53 minutes 14 seconds East, with the southeast right-of-way line of said Post Oak Drive, a distance of 97.03 feet to THE POINT OF BEGINNING and containing 750,385 square feet or 17.226 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT Utter Properties, LTD, through its duly sworn representative, does hereby adopt this plat designating the herein described property as BILL UTTER FORD ADDITION, in the City of Denton, Denton County, Texas and does hereby dedicate to the public use forever, the streets, rights-of-way and public easement shown hereon.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Denton, Texas.

Witness, my hand at _____, This _____ day of _____, 20____

Signature - Utter Properties, LTD Representative

Printed Name

Title / Date

Approved

NOTE: This is the City of Denton's stamp of approval.

STATE OF TEXAS \$ COUNTY OF _____ \$

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____

Notary Public in and for the State of Texas

Certificate of Approval forms for the Director of Development Services and City Secretary, including approval dates and signatures.

OWNER/DEVELOPER Utter Properties, LTD 4901 South I-35 East Denton, Texas 76210

ENGINEER Civil Point Engineers 5900 South Lake Forest Drive, Suite 300 McKinney, Texas 75070



14200 Midway Road, Suite 130, Dallas, TX 75244 | T. 469.784.9321 W. TraverseLandSurveying.com | Texas Firm No. 10194631

Surveying | Construction Staking | Platting Date: February 23, 2024 Project No.: TR-65-23

REPLAT BILL UTTER FORD ADDITION LOT 2-R1, BLOCK A

BEING 17.226 ACRES OUT OF THE M.E.P. & P.R.R. CO SURVEY, ABSTRACT NUMBER 911 THE G. WALKER SURVEY, ABSTRACT NUMBER 1330 L.H. BATES SURVEY, ABSTRACT NUMBER 204

BEING A REPLAT OF LOT 2-R, BLOCK A BILL UTTER FORD ADDITION, AN ADDITION TO THE CITY OF DENTON AS RECORDED IN INST. NO. 2021-118, P.R.D.C.T. CITY OF DENTON & CITY OF CORINTH DENTON COUNTY, TEXAS CITY PROJECT NO: MP24-0009 FEBRUARY 2024



CITY OF CORINTH Staff Report

| | | | |
|-------------------------|--|---------------|---|
| Meeting Date: | 6/24/2024 | Title: | Replat: Fairway Estates Lot 19R (RP24-0004) |
| Strategic Goals: | <input type="checkbox"/> Resident Engagement <input type="checkbox"/> Proactive Government <input type="checkbox"/> Organizational Development <input type="checkbox"/> Health & Safety <input type="checkbox"/> Regional Cooperation <input type="checkbox"/> Attracting Quality Development | | |

Item/Caption

Consider and act on a request by the Applicant, Eagle Surveying, for a Replat of Fairway Estates Lot 19R, being ±0.810 acres located at 1609 Eagle Ridge Drive. (Case No. RP24-0004)



Aerial Location Map

Item Summary/Background/Prior Action

The purpose of the proposed Replat is to re-subdivide an existing residential lot (Lot 19R) back into two (2) residential lots of record in Block C of the Fairway Estates Subdivision. When the original subdivision was platted in 1995, the subject property was composed of Lots 18 & 19. In 2002, Lots 18 & 19 were consolidated into Lot 19R by removing the common lot line between the previous lots. This Replat will add the same lot line back to create two lots (Lot 19R-1 and Lot 19R-2). The property is zoned PD-6 - Oakmont.

The site is currently occupied by a single-family residence with several accessory structures including a pool, spa, and cabana. Per this Replat, the single-family residence will be platted entirely on Lot 19R-1, while the accessory structures fall on the proposed Lot 19R-2. All of the accessory structures on the proposed Lot 19R-2 will be removed with the exception of the pool. The pool is considered an accessory structure that must have a main structure on the same lot. Because there is currently no main structure on what will become Lot 19R-2, Staff requests adding a condition to withhold the recordation of the Replat until a Building Permit for a residence is ready to be issued for Lot 19R-2. At that time, Staff will ask that the Replat be revised to remove the labels and outlines of all existing structures to follow best practices and provide a legible and easy-to-read document to the County Clerk's Office.

The proposed Replat was reviewed by the Planning division and the city's consulting Engineering & Surveying Firm, Shield Engineering. The review team determined that the Replat is in compliance with Unified Development Code (UDC) Subsection 3.03.03.I, Final Plat (Replat) Criteria for Approval, which requires that a plat conform to the city's application checklists and UDC regulations.

Because the Planning and Zoning Commission is required to act on the Replat application at this meeting to comply with Texas Local Government Code Chapter 212, the Staff's recommendation is to conditionally approve the Replat.

Per Section 212.0093 of the Texas Local Government Code, after receiving conditional approval, an Applicant is afforded an unlimited amount of time to revise the Replat application. Staff will then review the revised Replat to determine compliance with conditions and record the Replat if the conditions are met.

Financial Impact

None

Applicable Policy/Ordinance

- Unified Development Code
- Texas Local Government Code

Staff Recommendation

Staff recommends approval of the Replat subject to the following conditions:

1. Applicant shall provide a revised Replat that does not show any structures at the time the Replat is ready to be recorded.
2. Replat shall not be recorded until a Building Permit for a residence on the proposed Lot 19R-2 is ready to be issued.

Motion

"I move to conditionally approve Case No. RP24-0004 – Fairway Estates Lot 19R, subject to the Applicant addressing all conditions outlined in the Staff Report"

Attachments

1. Proposed Replat

OWNER'S CERTIFICATE & DEDICATION

STATE OF TEXAS \$
COUNTY OF DENTON \$

WHEREAS, BRUNO PAIVA and STEPHANIE PAIVA, are the owners of a 0.810 acre tract of land situated in the Fernando Currier Survey, Abstract Number 300, City of Corinth, Denton County, Texas, and being all of Lot 19R, Block C, Fairway Estates, a subdivision of record in Cabinet U, Page 785 of the Plat Records of Denton County, Texas, and being more particularly described by metes & bounds as follows:

BEGINNING at a 1/2-inch iron rod with a yellow plastic cap stamped "SLS 441" found in the Northeastly right-of-way line of Eagle Ridge Drive (a 50' wide right-of-way), being the Southerly Southwest corner of said Lot 19R, also being the Northwest corner of Lot 17, Block C, Fairway Estates, a subdivision of record in Cabinet L, Page 101 of said Plat Records, marking the beginning of a curve to the left, having a radius of 50.00 feet, a delta angle of 81°36'10", and a chord bearing and distance of N47°41'57"W, 65.34 feet;

THENCE, along the Northeastly right-of-way line of Eagle Ridge Drive, being the common Southwest line of said Lot 19R, the following two (2) courses and distances:

Along said curve to the left, passing a 1/2-inch iron rod found at an arc distance of 65.31 feet, and continuing for a total arc distance of 71.21 feet to a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" set;

N51°36'50"W, a distance of 85.08 feet to a 1/2-inch iron rod found, being the Westerly Southwest corner of said Lot 19R, also being the South corner of Lot 20, Block C of said Fairway Estates;

THENCE, N38°23'10"E, departing said Northeast right-of-way line, along the Northwest line of said Lot 19R, being the common Southeast line of said Lot 20, a distance of 150.00 feet to a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" set in the Southwest line of Lot 5, Block C of said Fairway Estates, being the North corner of said Lot 19R, also being the East corner of said Lot 20;

THENCE, S64°03'52"E, along the Northeast line of said Lot 19R, being the common Southwest line of said Lot 5 and Lot 6, Block C of said Fairway Estates, a distance of 179.22 feet to a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" set in the West line of Lot 8, Block C of said Fairway Estates, being the Northeast corner of said Lot 19R, also being the South corner of said Lot 6;

THENCE, S00°25'38"E, along the East line of said Lot 19R, being the common West line of said Lot 8 and Lot 9, Block C of said Fairway Estates, a distance of 119.04 feet to a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" set in the West line of said Lot 9, being the Southeast corner of said Lot 19R, also being the Northeast corner of said Lot 17;

THENCE, S83°05'58"W, along the South line of said Lot 19R, being the common North line of said Lot 17, a distance of 141.21 feet to the POINT OF BEGINNING, and containing an area of 0.810 acres, or 35,307 square feet of land, more or less.

and designated herein as FAIRWAY ESTATES, LOTS 19R-1 & 19R-2, BLOCK C subdivision to the City of Corinth, Denton County, Texas, and whose name is subscribed hereto, hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, parks and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules and regulations thereon shown for the purpose and consideration therein expressed.

Owner:
Date:

STATE OF TEXAS \$
COUNTY OF \$

BEFORE ME, the undersigned authority in and for County, Texas, on this day personally appeared BRUNO PAIVA, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this day of , 2024.

Notary Public in and for the State of Texas

Owner:
Date:

STATE OF TEXAS \$
COUNTY OF \$

BEFORE ME, the undersigned authority in and for County, Texas, on this day personally appeared STEPHANIE PAIVA, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this day of , 2024.

Notary Public in and for the State of Texas

CERTIFICATE OF SURVEYOR

STATE OF TEXAS \$
COUNTY OF DENTON \$

I, MATTHEW RAABE, Registered Professional Land Surveyor, do hereby certify that this plat was prepared from an actual survey made on the ground and that the monuments shown hereon were found or placed with 1/2-inch iron rods with green plastic caps stamped "EAGLE SURVEYING" under my direction and supervision in accordance with the current provisions of the Texas Administrative Code and the Ordinances of the City of Corinth, Denton County, Texas.

PRELIMINARY

this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

Matthew Raabe, R.P.L.S. # 6402

Date

STATE OF TEXAS \$
COUNTY OF TARRANT \$

BEFORE ME, the undersigned authority, on this day personally appeared MATTHEW RAABE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

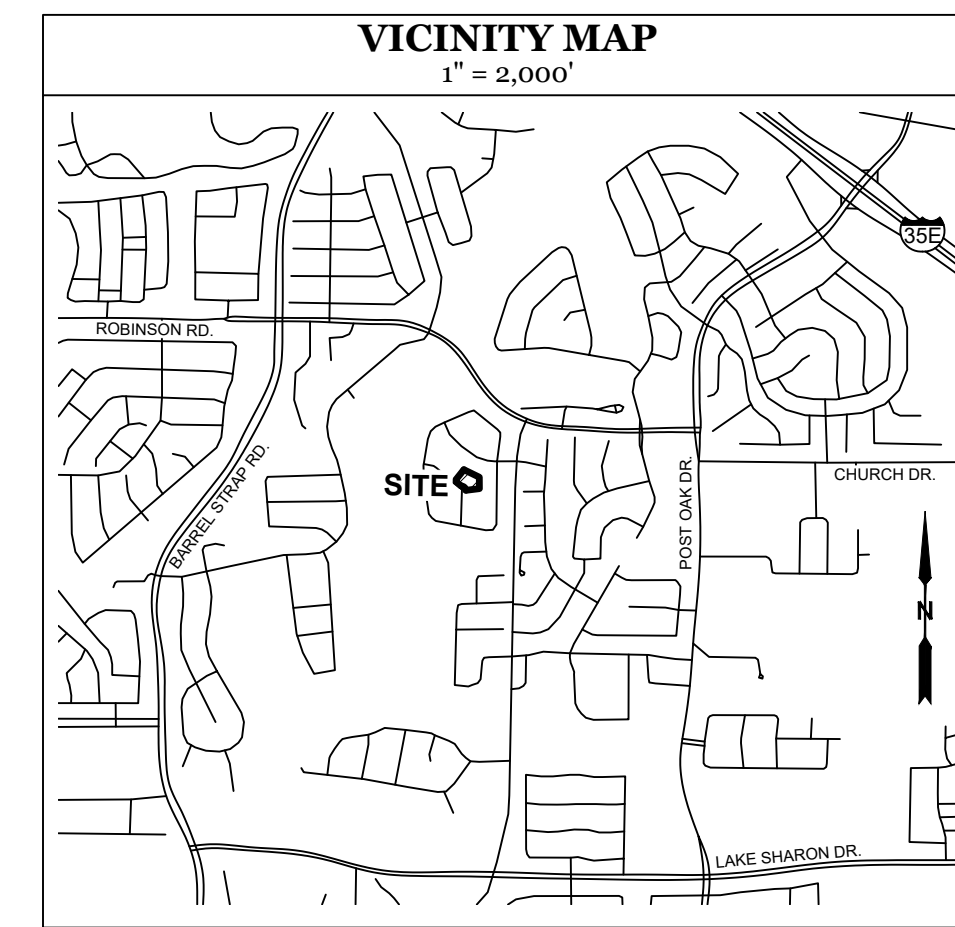
GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this day of , 2024.

John Cox, Notary Public in and for the State of Texas

REPLAT FAIRWAY ESTATES LOT 19R-1 & 19R-2, BLOCK C 0.810 ACRES

A REPLAT OF LOT 19R, BLOCK C OF FAIRWAY ESTATES RECORDED IN CABINET U, PAGE 785, P.R.D.C.T., FERNANDO CURRIER SURVEY, ABSTRACT NO. 300, CITY OF CORINTH, DENTON COUNTY, TEXAS CASE NO RP24-0004

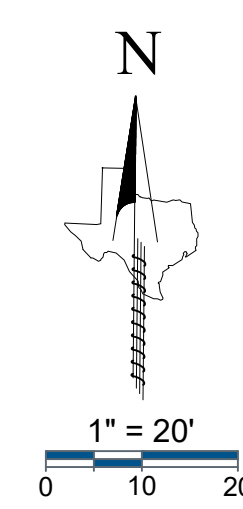
DATE OF PREPARATION: 06-13-2024



- GENERAL NOTES
1.) The purpose of this plat is to re-subdivide one (1) residential lot of record into two (2) residential lots of record.
2.) This property is located in "Non-shaded Zone X" according to the F.E.M.A. Flood Insurance Rate Map dated April 18, 2011 as shown on Map Number 48121C0389H.
3.) The bearings and grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTKNET Cooperative network. NAD 83(2011) State Plane Coordinate System (Texas North Central Zone - 4202).
4.) Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law, and is subject to fines and/or withholding of utilities and building permits.
5.) All interior property corners are marked with a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" unless noted otherwise.
6.) The subject tract shown hereon is zoned Planned Development 6 (PD-6) per City of Corinth zoning.

LEGEND table listing symbols for Pool Equipment, Water Meter, Telecommunications Riser, Electric Meter, Electric Vault, Light Pole, Sanitary Manhole, Sanitary Clean Out, Air Conditioning Unit, Gas Meter, Mail Box, Cover, Building, Slide, Concrete, Stone, Wood, Water, Wrought Iron Fence, Wood Fence, Hand Rail, and abbreviations for PG, VOL, POB, IRF, CIRF, PKF, DOC, P.R.D.C.T., and O.R.D.C.T.

Job information for Eagle Surveying, LLC including Job Number 2403.148-03, Date 06/13/2024, and contact details for Brad Eubanks.

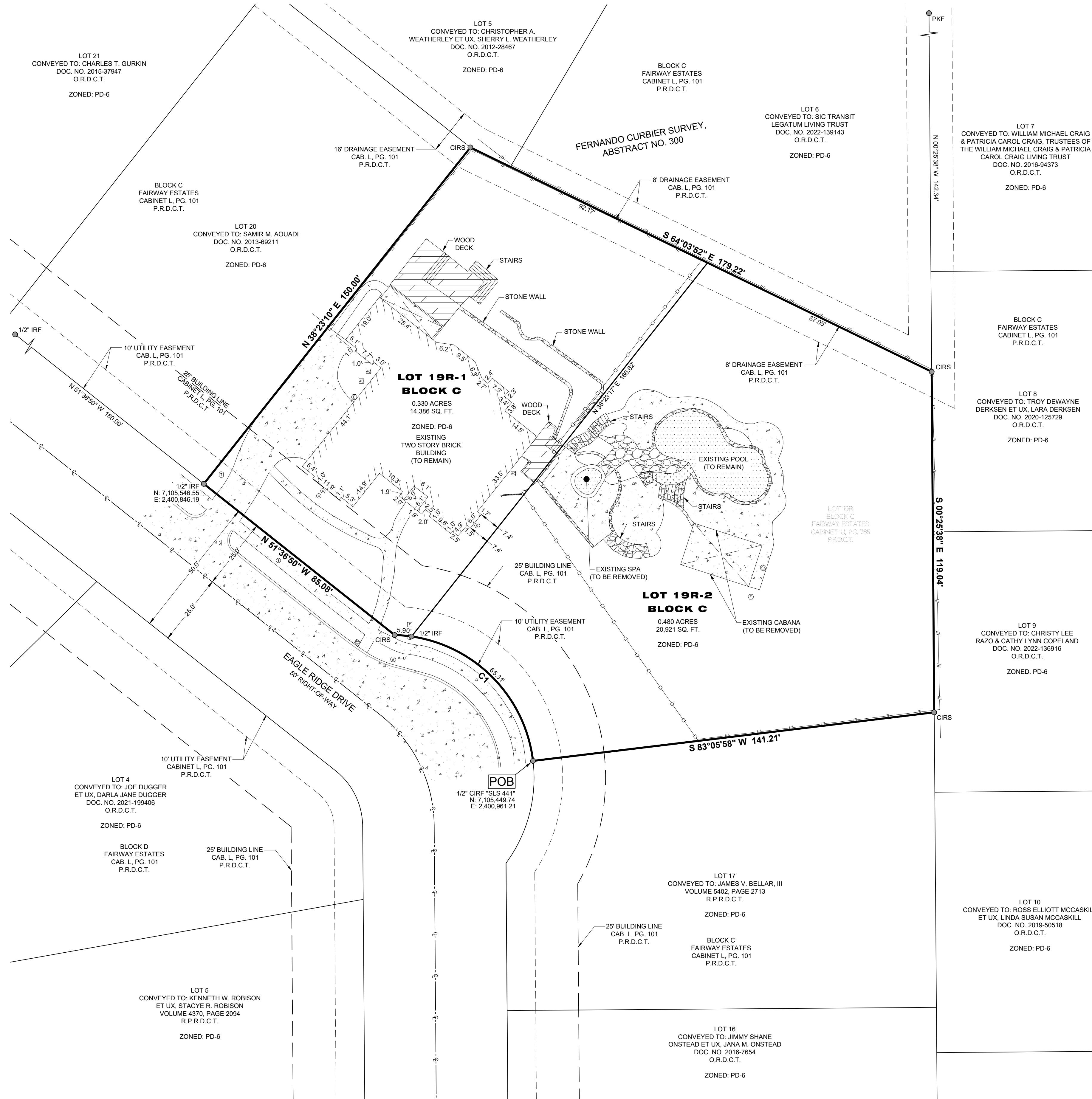


CURVE TABLE with columns for CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, and DELTA ANGLE. Curve C1 has a radius of 50.00', arc length of 71.21', chord length of 65.34', chord bearing of N 47°41'57" W, and delta angle of 81°36'10".

SURVEYOR Eagle Surveying, LLC Contact: Brad Eubanks 222 S. Elm Street, Suite: 200 Denton, TX 76201 (940) 222-3009

OWNER Bruno Paiva and Stephanie Paiva 1609 Eagle Ridge Drive Corinth, TX 76210 (972) 658-9184

CERTIFICATE OF APPROVAL form with fields for date and signatures of Director of Development Services and City Secretary.



and designated herein as FAIRWAY ESTATES, LOTS 19R-1 & 19R-2, BLOCK C subdivision to the City of Corinth, Denton County, Texas, and whose name is subscribed hereto, hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, parks and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules and regulations thereon shown for the purpose and consideration therein expressed.

Owner:
Date:

STATE OF TEXAS \$
COUNTY OF \$

BEFORE ME, the undersigned authority in and for County, Texas, on this day personally appeared BRUNO PAIVA, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this day of , 2024.

Notary Public in and for the State of Texas

Owner:
Date:

STATE OF TEXAS \$
COUNTY OF \$

BEFORE ME, the undersigned authority in and for County, Texas, on this day personally appeared STEPHANIE PAIVA, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this day of , 2024.

Notary Public in and for the State of Texas

CERTIFICATE OF SURVEYOR

STATE OF TEXAS \$
COUNTY OF DENTON \$

I, MATTHEW RAABE, Registered Professional Land Surveyor, do hereby certify that this plat was prepared from an actual survey made on the ground and that the monuments shown hereon were found or placed with 1/2-inch iron rods with green plastic caps stamped "EAGLE SURVEYING" under my direction and supervision in accordance with the current provisions of the Texas Administrative Code and the Ordinances of the City of Corinth, Denton County, Texas.

PRELIMINARY

this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

Matthew Raabe, R.P.L.S. # 6402

Date

STATE OF TEXAS \$
COUNTY OF TARRANT \$

BEFORE ME, the undersigned authority, on this day personally appeared MATTHEW RAABE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this day of , 2024.

John Cox, Notary Public in and for the State of Texas

REPLAT FAIRWAY ESTATES LOT 19R-1 & 19R-2, BLOCK C 0.810 ACRES

A REPLAT OF LOT 19R, BLOCK C OF FAIRWAY ESTATES RECORDED IN CABINET U, PAGE 785, P.R.D.C.T., FERNANDO CURRIER SURVEY, ABSTRACT NO. 300, CITY OF CORINTH, DENTON COUNTY, TEXAS CASE NO RP24-0004

DATE OF PREPARATION: 06-13-2024



CITY OF CORINTH Staff Report

| | | | |
|-------------------------|--|---------------|------------------------------|
| Meeting Date: | 6/24/2024 | Title: | Pinnell Square MX-C Rezoning |
| Strategic Goals: | <input type="checkbox"/> Resident Engagement <input checked="" type="checkbox"/> Proactive Government <input type="checkbox"/> Organizational Development <input type="checkbox"/> Health & Safety <input type="checkbox"/> Regional Cooperation <input checked="" type="checkbox"/> Attracting Quality Development | | |

Item/Caption

A city-initiated request to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, to rezone approximately ±6.7 acres from I Industrial to MX-C Mixed Use Commercial, with the subject property being located at 1400 N. Corinth Street. (Case No. ZMA24-0003 Pinnell Square MX-C Rezoning)

Item Summary/Background/Prior Action

This item is withdrawn from public hearing and agenda by the applicant, the City.

Financial Impact

N/A

Applicable Policy/Ordinance

N/A

Staff Recommendation/Motion

No action required.



CITY OF CORINTH Staff Report

| | | | |
|-------------------------|--|---------------|---|
| Meeting Date: | 6/24/2024 | Title: | City-Initiated Rezoning Request to MX-C for North Central Texas College (NCTC) (ZMA24-0002) |
| Strategic Goals: | <input type="checkbox"/> Resident Engagement <input checked="" type="checkbox"/> Proactive Government <input type="checkbox"/> Organizational Development <input type="checkbox"/> Health & Safety <input type="checkbox"/> Regional Cooperation <input checked="" type="checkbox"/> Attracting Quality Development | | |

Item/Caption

Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on City initiated request to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, to rezone approximately ±20.6 acres from I Industrial to MX-C Mixed Use Commercial, with the subject property being located at 1500 N. Corinth Street. (Case No. ZMA24-0002 North Central Texas College MX-C Rezoning)

Item Summary/Background/Prior Action

The City is requesting a rezoning of the North Central Texas College (NCTC) located at 1500 N. Corinth Street. The applicant has completed a zoning request application authorizing the City to proceed with this request. The 2020 Comprehensive Plan identifies this area and these properties as “Mixed-Use TOD”, or Transit Oriented Development (see Attachment 3 – Land Use and Development Strategy map). The purpose and intent are stated to maximize the development of a mixed-use regional center in conjunction with a commuter rail stop on the DCTA line at Corinth Parkway and Interstate 35E, develop character and context befitting a new downtown with a range of urban residential, retail and office uses, and to become a destination for day and evening dining, entertainment and community festivals and events. An important transit option that is also highly conducive to development is the Denton Katy Trail which runs along the railroad in the downtown area where this property is located.

The property is currently zoned “I” Industrial. Both Industrial and MX-C zoning allows for the existing use as a college. As efforts proceed to create a mixed-use, walkable downtown that includes the NCTC campus, opportunities may arise for expansion of the college and/or a higher level of development and enhancements around the campus. MX-C would allow this type of development by right that is consistent with the vision for a downtown Corinth.

Public Notice

Notice of the public hearing was provided in accordance with the City Ordinance and State Law by,

- Publication in the Denton Record-Chronicle
- Written public notices were mailed to the owners of all properties located within 200 feet of the subject property and to the Denton ISD (see Attachment 4 - 200 FT Buffer Exhibit).
- The Applicant posted “Notice of Zoning Change” signs on the subject properties.
- The Public Hearing Notice was posted on the City’s website.

Letters of Support/Protest

As of the date of this report, the City has received no letters of support or opposition from property owners located within 200 feet of the subject property. Letters received after this date will be presented to the Planning and Zoning Commission at the time of Public Hearing.

Staff Recommendation

Staff recommends approval of the proposed amendment as presented.

Motion

“I move to recommend approval of Case No. ZMA24-0002 as presented.”

Alternative Actions by the Planning and Zoning Commission

The Planning and Zoning Commission may also,

- Recommend approval with additional stipulations
- Continue the Public Hearing and table action on the request to a definitive or non-defined date
- Recommend denial of the request

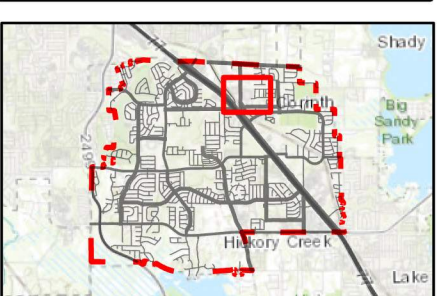
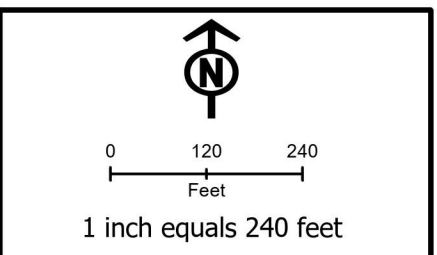
Attachments

1. Existing Zoning Map showing properties proposed to be rezoned
2. Amended Zoning Map showing properties proposed to be rezoned
3. Land Use and Development Strategy Map from 2040 Comprehensive Plan
4. 200-foot Zoning Buffer Exhibit and Correspondence from Property Owners

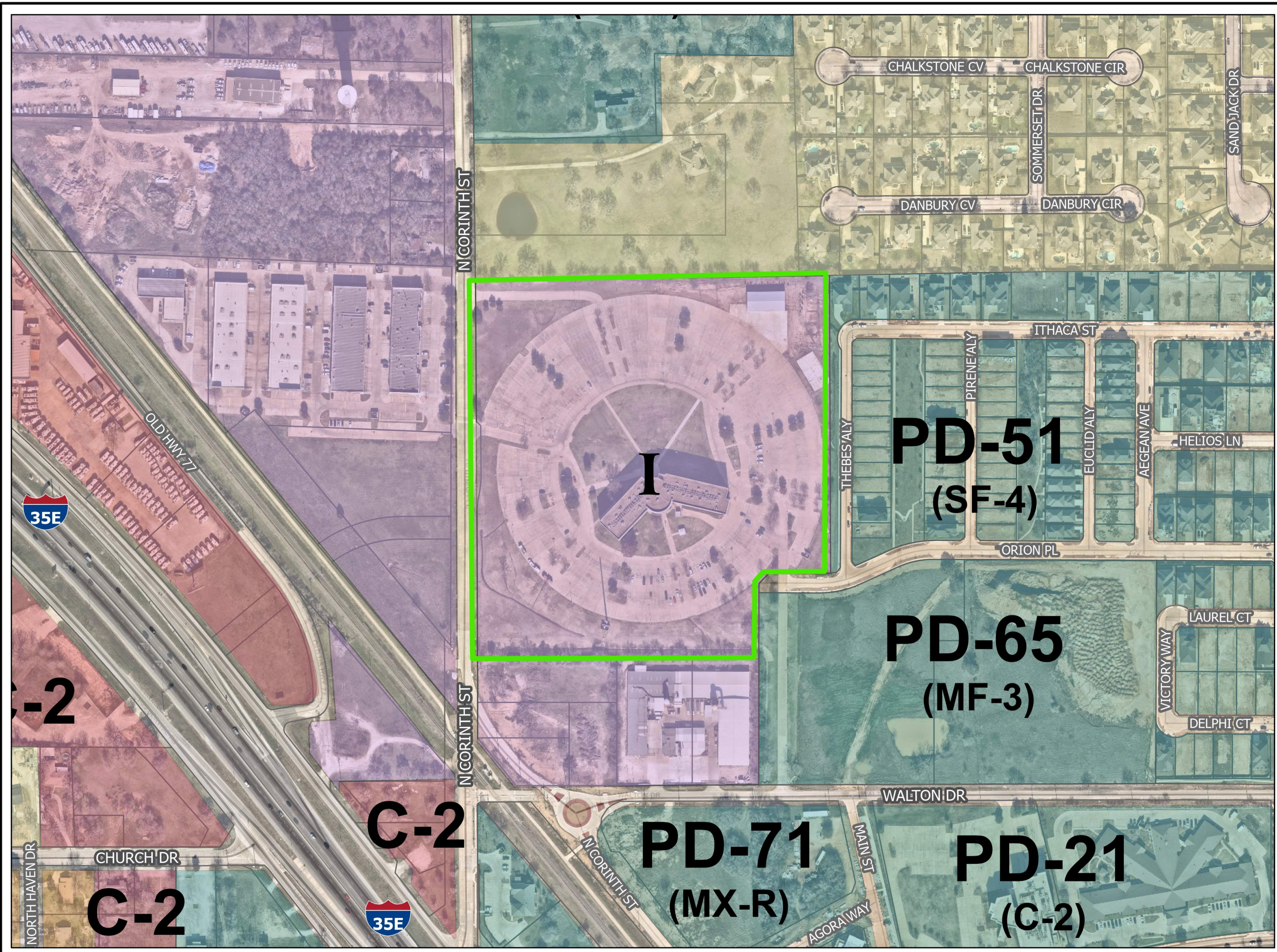
Attachment 1
Existing Zoning

- Zoning Districts**
- C-2 Commercial
 - I Industrial
 - PD Planned Development
 - SF-2 Single Family Residential
 - SF-3 Single Family Residential
- Zoning Area

6/18/2024



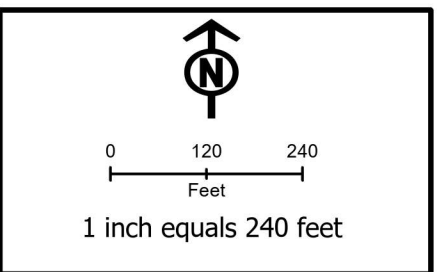
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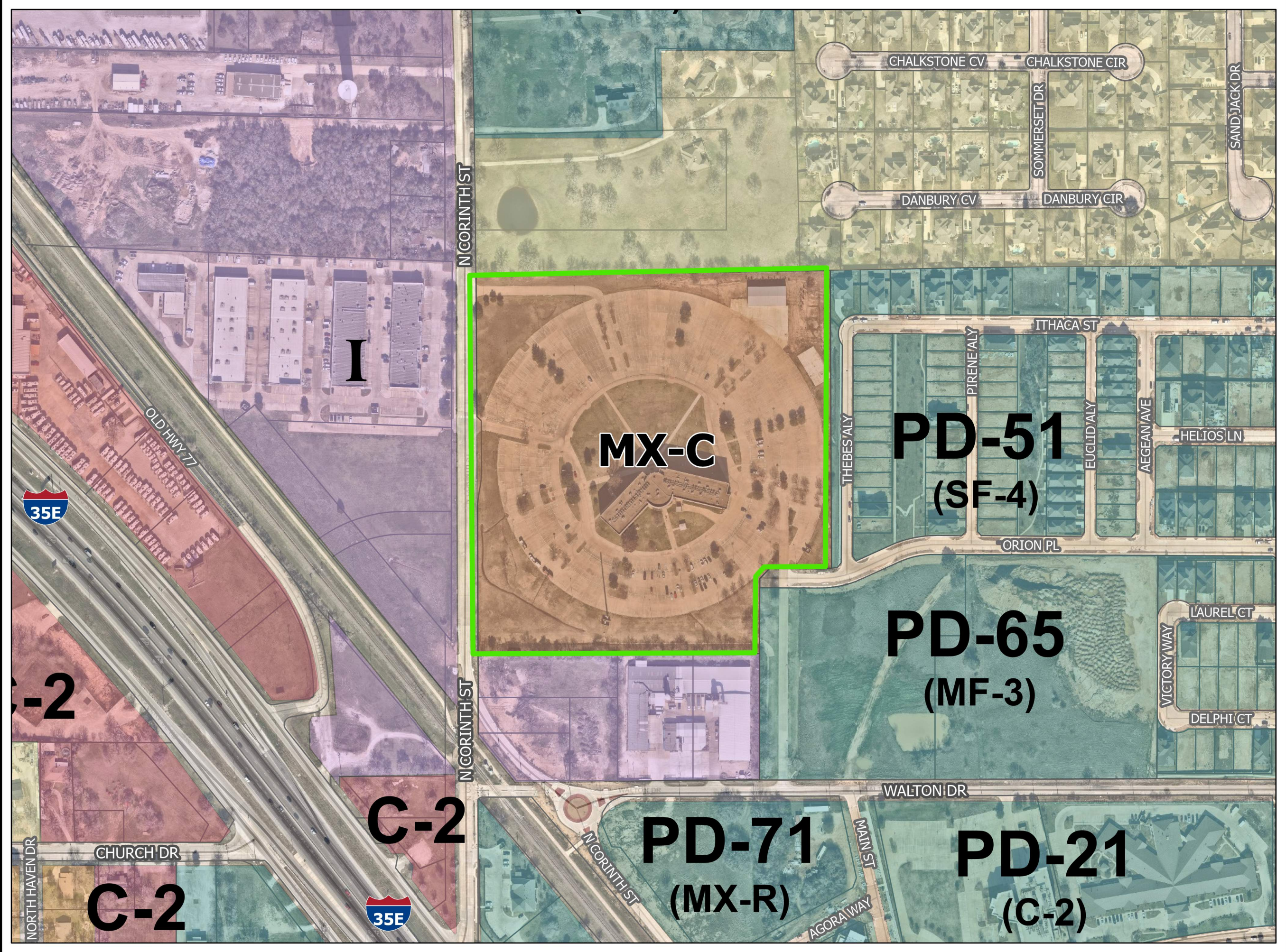
Attachment 2
Proposed Zoning

- Zoning Districts**
- C-2 Commercial
 - I Industrial
 - MX-C Mixed Use Commercial
 - PD Planned Development
 - SF-2 Single Family Residential
 - SF-3 Single Family Residential
 - Zoning Area

6/18/2024



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City of Corinth Land Use and Development Strategy

Future Land Use Classification

- Neighborhood
- Mixed-Residential
- Mixed Use - TOD
- Mixed Use - Node
- Retail/Commercial
- Corridor Commercial
- Office/Employment
- Institutional/Public/Civic
- Parks/Open Space

Road Classes

- Highway
- Major/Minor Arterial
- Collector
- Local

Revisions

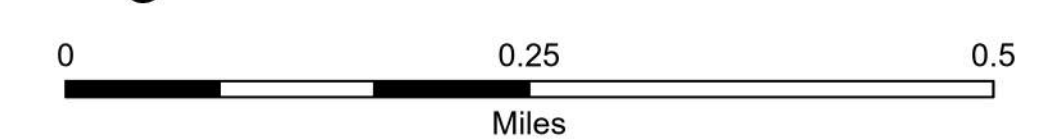
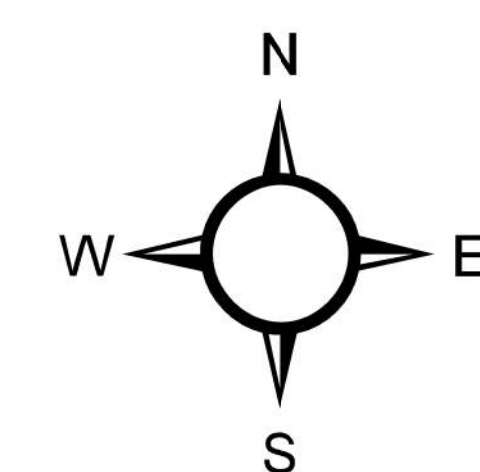
| Date | Ordinance # |
|------------|-------------|
| 12/17/2020 | 20-12-17-40 |
| 5/5/2022 | 22-05-05-13 |
| 3/2/2023 | 23-03-02-04 |
| 3/2/2023 | 23-03-02-06 |
| 1/18/2024 | 24-01-18-03 |

Note: This Plan is to be administered in coordination with the Active Transportation Plan & Master Thoroughfare Plan

***A Comprehensive Plan shall not constitute zoning regulations or establish zoning boundaries**

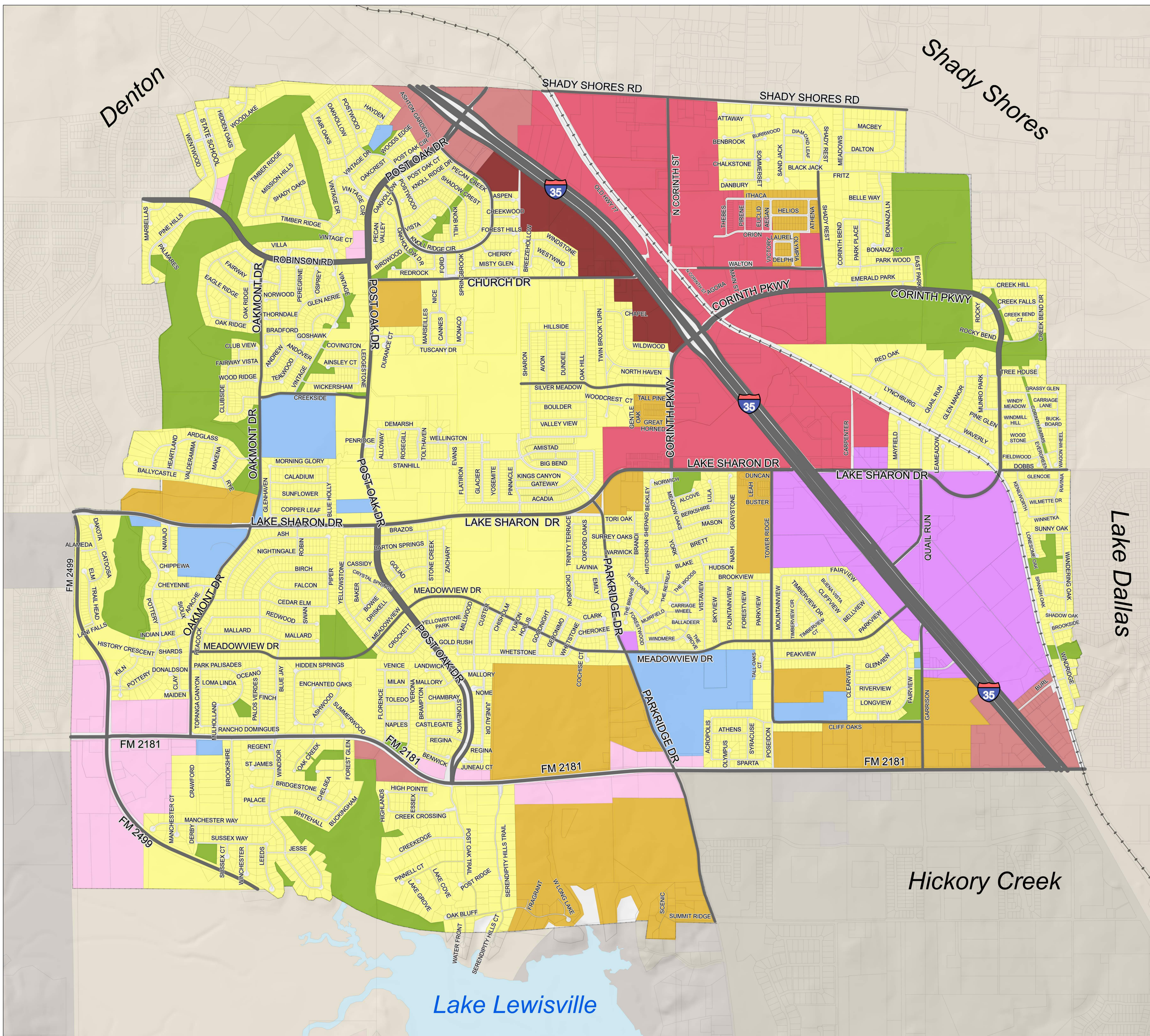


CORINTH
TEXAS



1/18/2024

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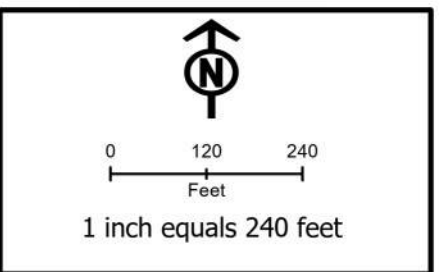
Proposed Zoning Change

Property Being Rezoned to
 MX-C (ZMA24-0002)

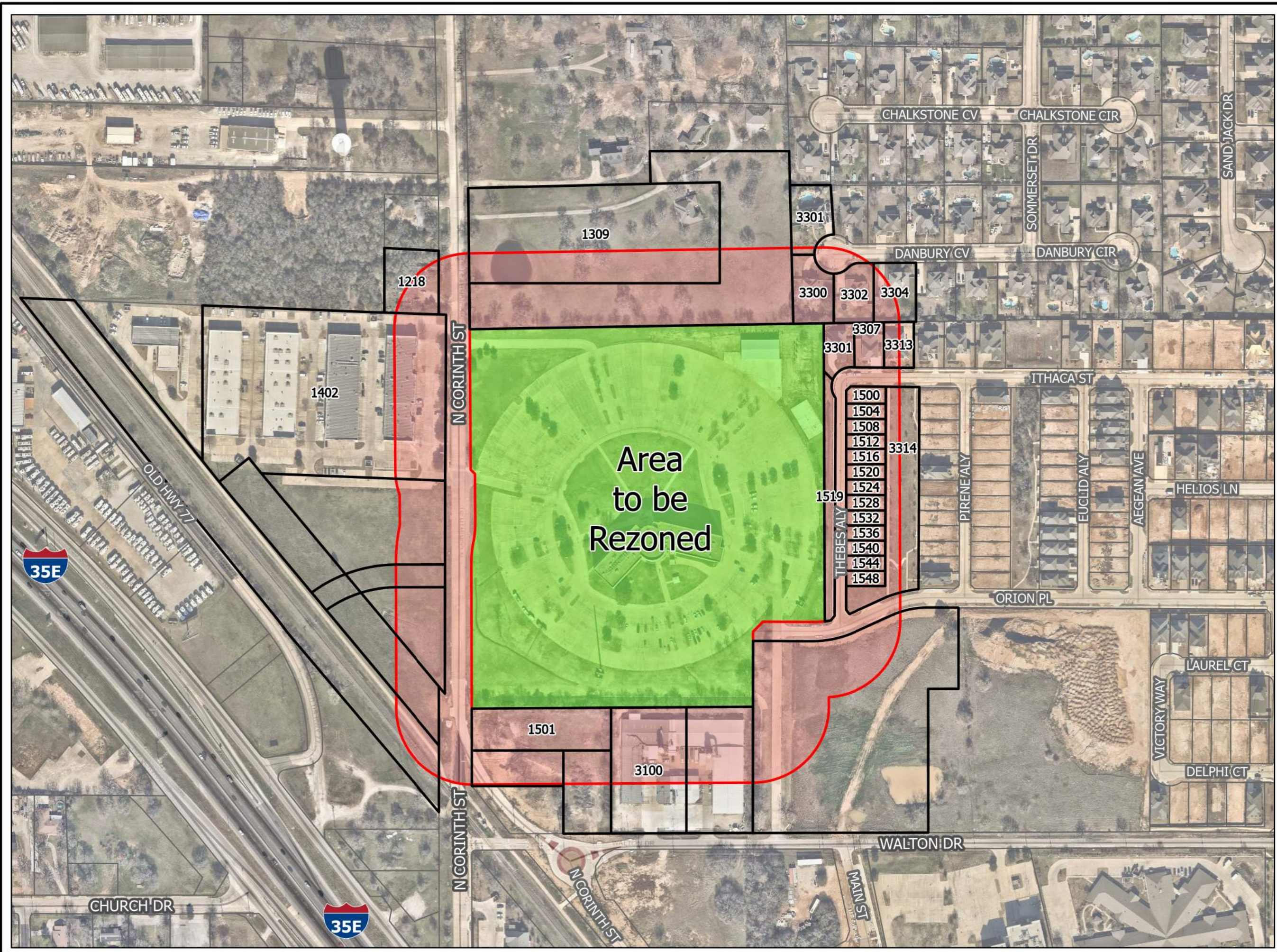
- Area to Be Rezoned
- Properties within 200 ft of area proposed to be rezoned from I Industrial to MX-C Mixed-Use Commercial

Attachment 4

6/5/2024



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CITY OF CORINTH
Staff Report

| | | | |
|-------------------------|--|---------------|--|
| Meeting Date: | 6/24/2024 | Title: | City-Initiated Rezoning Request to MX-C for Millenium Development (ZMA24-0004) |
| Strategic Goals: | <input type="checkbox"/> Resident Engagement <input checked="" type="checkbox"/> Proactive Government <input type="checkbox"/> Organizational Development <input type="checkbox"/> Health & Safety <input type="checkbox"/> Regional Cooperation <input checked="" type="checkbox"/> Attracting Quality Development | | |

Item/Caption

Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on City initiated request to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, to rezone 5 properties totaling approximately ±10.9 acres from Planned Development No. 44 (PD-44) to MX-C Mixed Use Commercial, with the subject properties being generally located at the northeast corner of Lake Sharon Dr and S I-35E. (Case No. ZMA24-0004 Millennium MX-C Rezoning)

Item Summary/Background/Prior Action

The City is requesting a rezoning of 5 properties owned by Millenium Place located at S I-35E and Lake Sharon Drive. The applicant has completed a zoning request application authorizing the City to proceed on this request. The 2020 Comprehensive Plan identifies this area and these properties as “Mixed-Use TOD”, or Transit Oriented Development (see Attachment 3 – Land Use and Development Strategy map). The purpose and intent are stated to maximize the development of a mixed-use regional center in conjunction with a commuter rail stop on the DCTA line at Corinth Parkway and Interstate 35E, develop character and context befitting a new downtown with a range of urban residential, retail and office uses, and to become a destination for day and evening dining, entertainment and community festivals and events. An important transit option that is also highly conducive to development is the Denton Katy Trail which runs along the railroad in the downtown area and area south of downtown where this property is located.

The properties are currently zoned PD-44 with base zoning of MX-C. A portion of the property has been developed with two multi-family buildings, a retail building, and a wedding venue. The building form and public realm requirements within MX-C zoning standards are consistent with the intent stated in PD-44 for the Millennium development – to be “Corinth’s premier mixed-use destination for both citizens and passersby to enjoy the dining, retail, office and residential opportunities”. Walkability and connectivity are key elements of PD-44. When PD-44 was adopted in 2016, the current MX-C standards did not exist. MX-C standards that were adopted by the City Council in April of this year are a form-based code with less emphasis on use and more focus on building form. A key component of the MX-C standards address the public realm, creating a walkable, connected development and community. These higher standards for the public realm – walkways and streets - are not a part of PD-44 requirements.

The existing PD-44 includes the design map below which shows multiple development pad sites surrounded by surface parking. MX-C standards allow for a higher density development up to 5 stories (PD-44 allows up to 4 stories) and would not allow for surface parking in front and surrounding each building. PD-44 does not allow for structured parking without a Specific Use Permit while MX-C not only allows structure parking but encourages it by restricting the location of surface parking. Structured parking in MX-C zoning must be wrapped with retail at the ground level. Additionally, a minimum 40’ front setback is required in Area A of the PD-44 development and minimum 30’ front setback in Area B whereas MX-C has a maximum setback of 20’ to encourage development that has a building edge near the property line.



Rezoning to MX-C is consistent with the comprehensive plan goal of Transit Oriented Development and will allow flexibility for a development that will maximize the use of the remaining land in the Millennium development and create a walkable, connected mixed-use development that provides significant retail development opportunities.

Public Notice

Notice of the public hearing was provided in accordance with the City Ordinance and State Law by,

- Publication in the Denton Record-Chronicle
- Written public notices were mailed to the owners of all properties located within 200 feet of the subject property and to the Denton ISD (see Attachment 4 - 200 FT Buffer Exhibit).
- The Applicant posted “Notice of Zoning Change” signs on the subject properties.
- The Public Hearing Notice was posted on the City’s website.

Letters of Support/Protest

As of the date of this report, the City has received no letters of support or opposition from property owners located within 200 feet of the subject property. Letters received after this date will be presented to the Planning and Zoning Commission at the time of Public Hearing.

Staff Recommendation

Staff recommends approval of the proposed amendment as presented.

Motion

“I move to recommend approval of Case No. ZMA24-0004 as presented.”

Alternative Actions by the Planning and Zoning Commission

The Planning and Zoning Commission may also,

- Recommend approval with additional stipulations
- Continue the Public Hearing and table action on the request to a definitive or non-defined date
- Recommend denial of the request

Attachments

1. Existing Zoning Map showing properties proposed to be rezoned
2. Amended Zoning Map showing properties proposed to be rezoned
3. Land Use and Development Strategy Map from 2040 Comprehensive Plan
4. 200-foot Zoning Buffer Exhibit and Correspondence from Property Owners

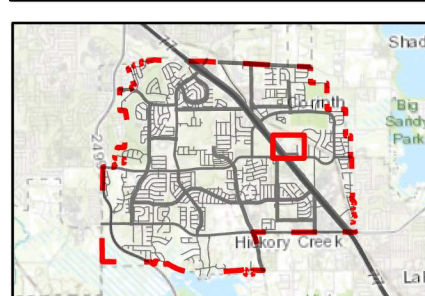
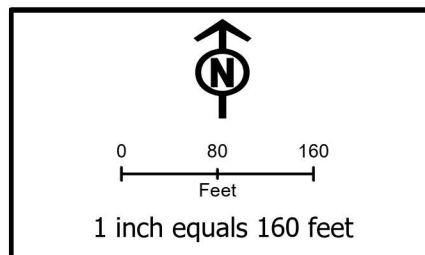
Attachment 1
Existing Zoning

Zoning Districts

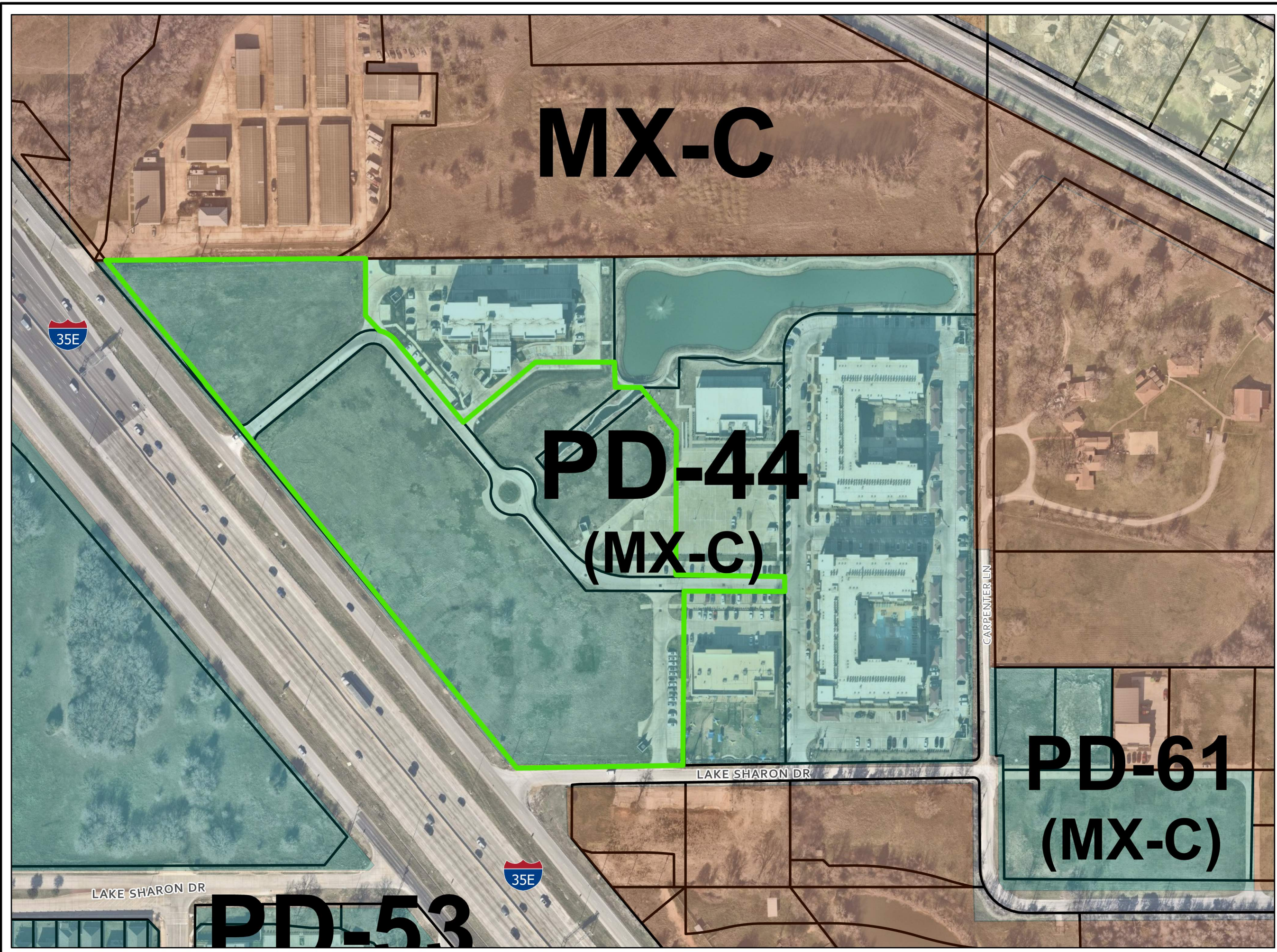
- MX-C Mixed Use Commercial
- PD Planned Development
- SF-2 Single Family Residential
- SF-3 Single Family Residential

Zoning Area

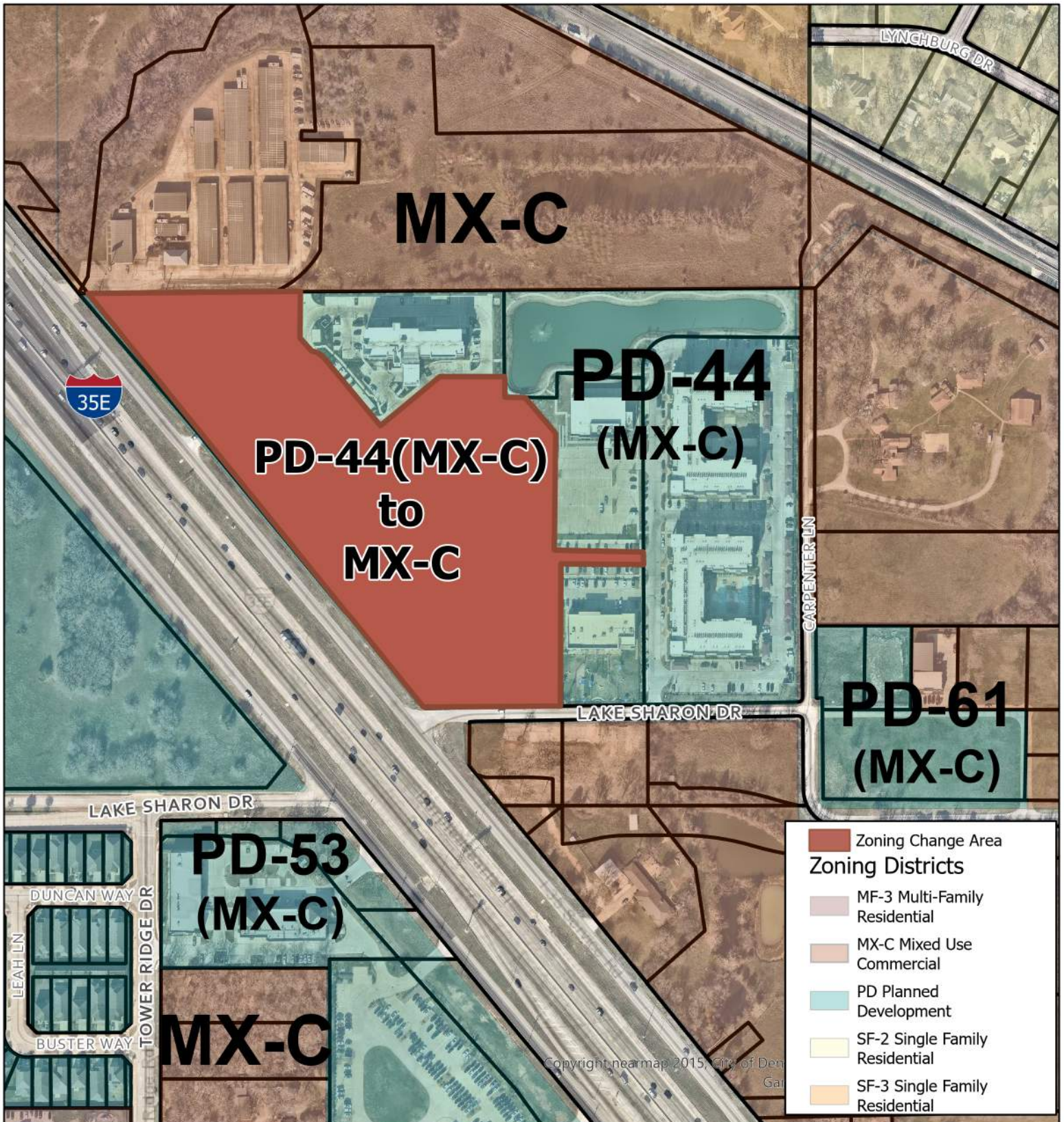
6/18/2024



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Zoning Change Attachment 2
PD-44 (MX-C) to MX-C



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City of Corinth Land Use and Development Strategy

Future Land Use Classification

- Neighborhood
- Mixed-Residential
- Mixed Use - TOD
- Mixed Use - Node
- Retail/Commercial
- Corridor Commercial
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- Institutional/Public/Civic
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- Major/Minor Arterial
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- Local

Revisions

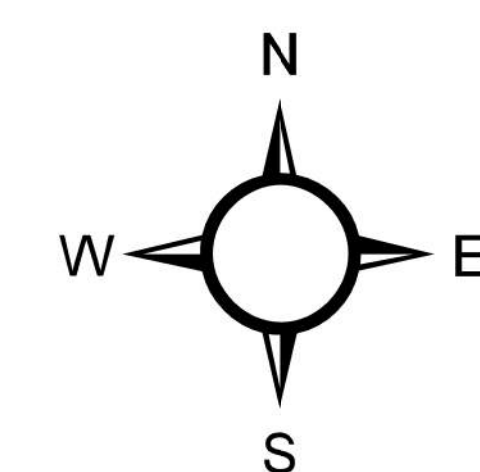
| Date | Ordinance # |
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| 12/17/2020 | 20-12-17-40 |
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| 3/2/2023 | 23-03-02-04 |
| 3/2/2023 | 23-03-02-06 |
| 1/18/2024 | 24-01-18-03 |

Note: This Plan is to be administered in coordination with the Active Transportation Plan & Master Thoroughfare Plan

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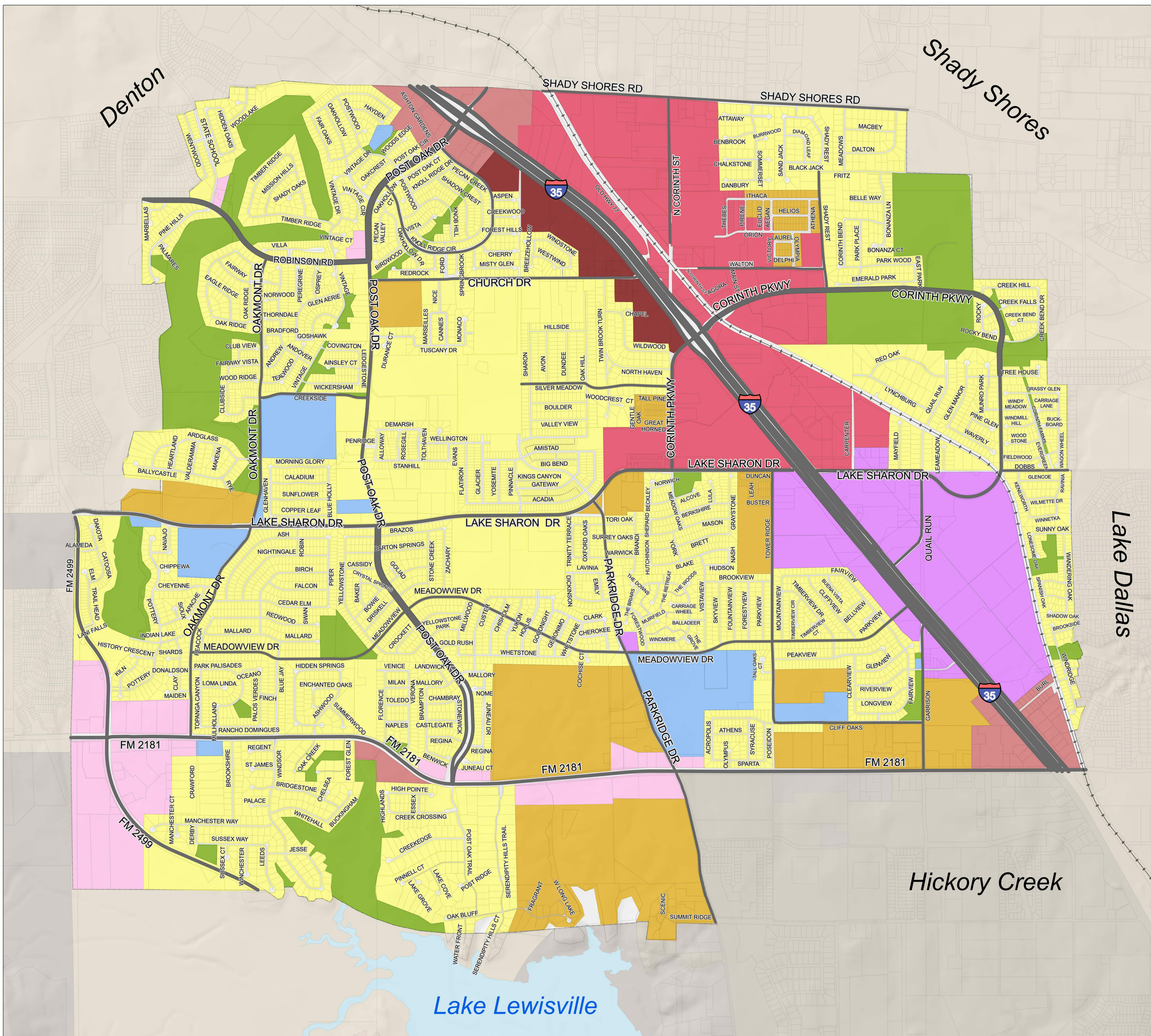


CORINTH
TEXAS



1/18/2024

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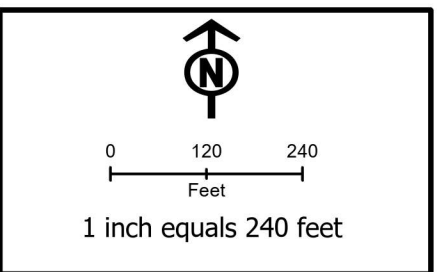


Proposed Zoning Change

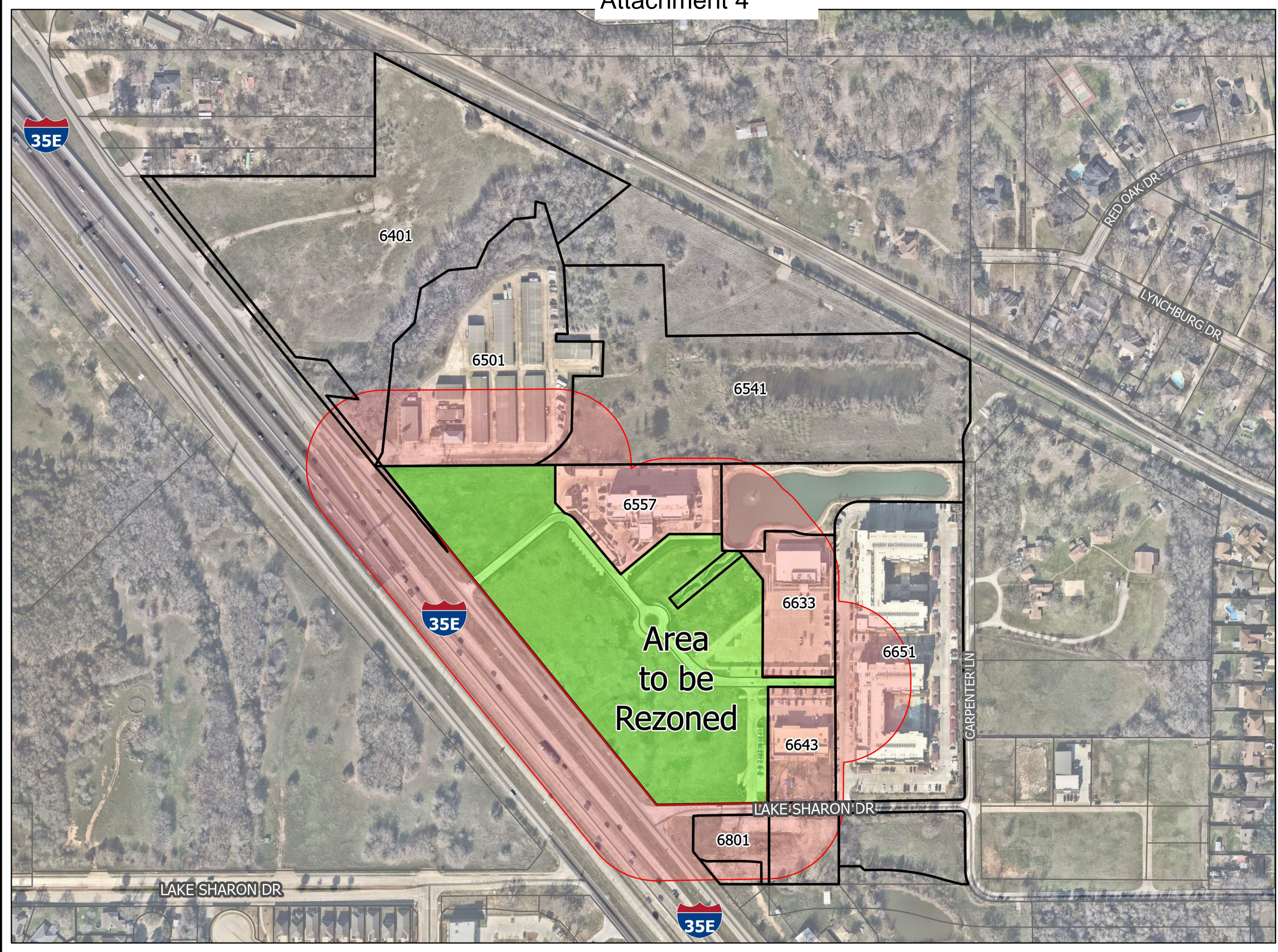
Property Being Rezoned to
MX-C (ZMA24-0004)

- Area to Be Rezoned
- Properties within 200 ft of area proposed to be rezoned from PD-44 to MX-C Mixed-Use Commercial

6/5/2024



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Planning and Zoning Commission Meeting
Date: **MONDAY, June 24, 2024 at 6:30 P.M.**

Section E, Item 6.

City Council Regular Meeting
Date: **THURSDAY, July 18, 2024 at 6:30 P.M.** * (see below for additional information)

Hearings Location: City Hall, 3300 Corinth Parkway, Corinth, TX 76208. The meetings will be broadcast live at <https://www.cityofcorinth.com/remotesession>.

PUBLIC HEARING NOTICE



Dear Property Owner:

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- A request to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, to rezone 5 properties totaling approximately ±10.9 acres from Planned Development No. 44 (PD-44) to MX-C Mixed Use Commercial, with the subject properties being generally located at the northeast corner of Lake Sharon Dr and S I-35E. (Case No. ZMA24-0004 Millennium MX-C Rezoning)

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Additionally, your opinion regarding the request described above may be expressed by notation on this form or by letter. You may support or oppose this request; your opposition will be considered a protest. Signed written comments must be received by the City of Corinth Development Services Department at 3300 Corinth Parkway, Corinth, Texas 76208 (3 days prior to public hearing). Signed comments may be scanned and sent by email to Michelle Mixell, Planning Manager, at planning@cityofcorinth.com. Additionally, if you have any questions regarding this request, you may call 940-498-3262 for assistance.

I am writing in (Check as applicable) Support: Opposition: of the proposal.

my property is 6501 S Stemmons Fwy Cubes mart
TOSCANA Palms LLC
Let Corinth Grow!!

Name/Address/City: **(REQUIRED)**

Signature: **(REQUIRED)**

Ronald Weisfeld, managing Member
(Please Print)

Ronald Weisfeld
(Signature)

rweisfeld@hotmail.com
214-336-9450



Planning and Zoning Commission Meeting
Date: **MONDAY, June 24, 2024 at 6:30 P.M.**

Section E, Item 6.

City Council Regular Meeting
Date: **THURSDAY, July 18, 2024 at 6:30 P.M.** * (see below for additional information)

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- A request to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, by amending the boundary of Planned Development No. 44 (PD-44), as adopted by Ordinance No. 16-08-18-26, to remove 5 properties totaling approximately ±10.9 acres generally located at the northeast corner of Lake Sharon Dr and S I-35E. (Case No. ZAPD24-0005 PD-44 Boundary Amendment)

***The July 18, 2024, City Council Public Hearing will only be held should the Planning & Zoning Commission make a recommendation on June 24, 2024.** Additional information regarding this request can be found on the Upcoming Public Hearings page of the City of Corinth website at: <https://www.cityofcorinth.com/planning-development/page/upcoming-public-hearings>

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I am writing in (Check as applicable) Support: Opposition: of the proposal.

Let Corinth Grow!!

Thank you for your time to serve on the board and council

my property is 6501 Stemmons Frwy - Cubesmart

Name/Address/City: **(REQUIRED)**

Signature: **(REQUIRED)**

Ronald Weisfeld, managing member
 (Please Print)
 Toscana Farms, LLC

Ronald Weisfeld
 (Signature)



CITY OF CORINTH Staff Report

| | | | |
|-------------------------|---|---------------|--------------------------|
| Meeting Date: | 6/24/2024 | Title: | PD-44 Boundary Amendment |
| Strategic Goals: | <input type="checkbox"/> Resident Engagement <input type="checkbox"/> Proactive Government <input type="checkbox"/> Organizational Development <input type="checkbox"/> Health & Safety <input type="checkbox"/> Regional Cooperation <input checked="" type="checkbox"/> Attracting Quality Development | | |

Item/Caption

Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on a request to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, by amending the boundary of Planned Development No. 44 (PD-44), as adopted by Ordinance No. 16-08-18-26, to remove 5 properties totaling approximately ±10.9 acres generally located at the northeast corner of Lake Sharon Dr and S I-35E. (Case No. ZAPD24-0005 PD-44 Boundary Amendment)

Item Summary/Background/Prior Action

The subject properties are identified as Millennium Place, Block B, Lots 1X, 2 and 4, and Block A, Lots 2X and 5R as shown in Attachment 1.

This item is being presented as a companion to a Zoning Change Application (Case No. ZMA24-0004 – MX-C Zoning Change), to change the zoning of the subject sites to MX-C Mixed Use Commercial.

Compliance with the Comprehensive Plan

This boundary adjustment is in compliance with the Envision Corinth 2040 Comprehensive Plan.

Public Notice

Notice of the public hearing was provided in accordance with the City Ordinance and State Law by:

- Publication in the Denton Record-Chronicle
- Written public notices were mailed to the owners of all properties located within the boundaries of PD-44 with a base district of MX-C Zoning, as well as those properties located within 200 feet of the boundaries of PD-44 with a base district of MX-C Zoning (see attached 200 FT Buffer Exhibit).
- The Applicant posted “Notice of Zoning Change” signs on the subject properties.
- The Public Hearing Notice was posted on the City’s website.

Letters of Support/Protest

As of the date of this report, the City has received two (2) letters of support and no letters of opposition for this request. Letters received after this date will be presented to the Planning and Zoning Commission at the time of Public Hearing. See Attachment 2 – 200 ft Zoning Buffer Exhibit

Staff Recommendation

Staff recommends approval as presented, subject to the approval of the companion rezoning request (Case No. ZMA24-0004 – MX-C Zoning Change).

*Should the application for the MX-C Zoning Change be approved, this boundary amendment must be approved to remove the subject properties from PD-44 and allow the MX-C standards to govern the site. Should the application for rezoning to MX-C be denied, this proposed boundary amendment would be denied, and the subject properties would remain as entitled in PD-44, with a base zoning district of MX-C.

Motion

“I move to recommend approval of Case No. ZAPD24-0005 – PD-44 Boundary Amendment, as presented, subject to the approval of Case No. ZMA24-0004 – MX-C Zoning Change”

Alternative Actions by the Planning and Zoning Commission

The Planning and Zoning Commission may also,

- Recommend approval with additional stipulations
- Continue the Public Hearing and table action on the request to a definitive or non-defined date
- Recommend denial of the request

Supporting Documentation

Attachment 1 – Existing PD 44 Boundary Map

Attachment 2 - Amended PD-44 Boundary Map

Attachment 3 – 200 ft Zoning Buffer Exhibit

Attachment 4 – Letters from surrounding Property Owner

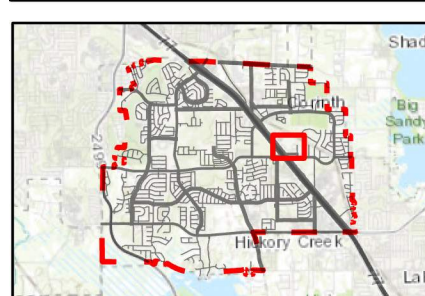
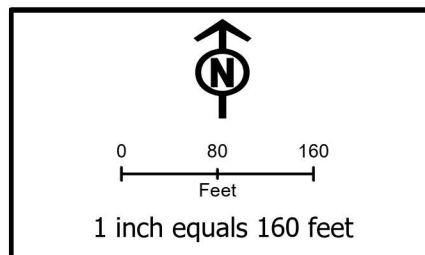
Attachment 1
Existing PD-44
Boundary

Zoning Districts

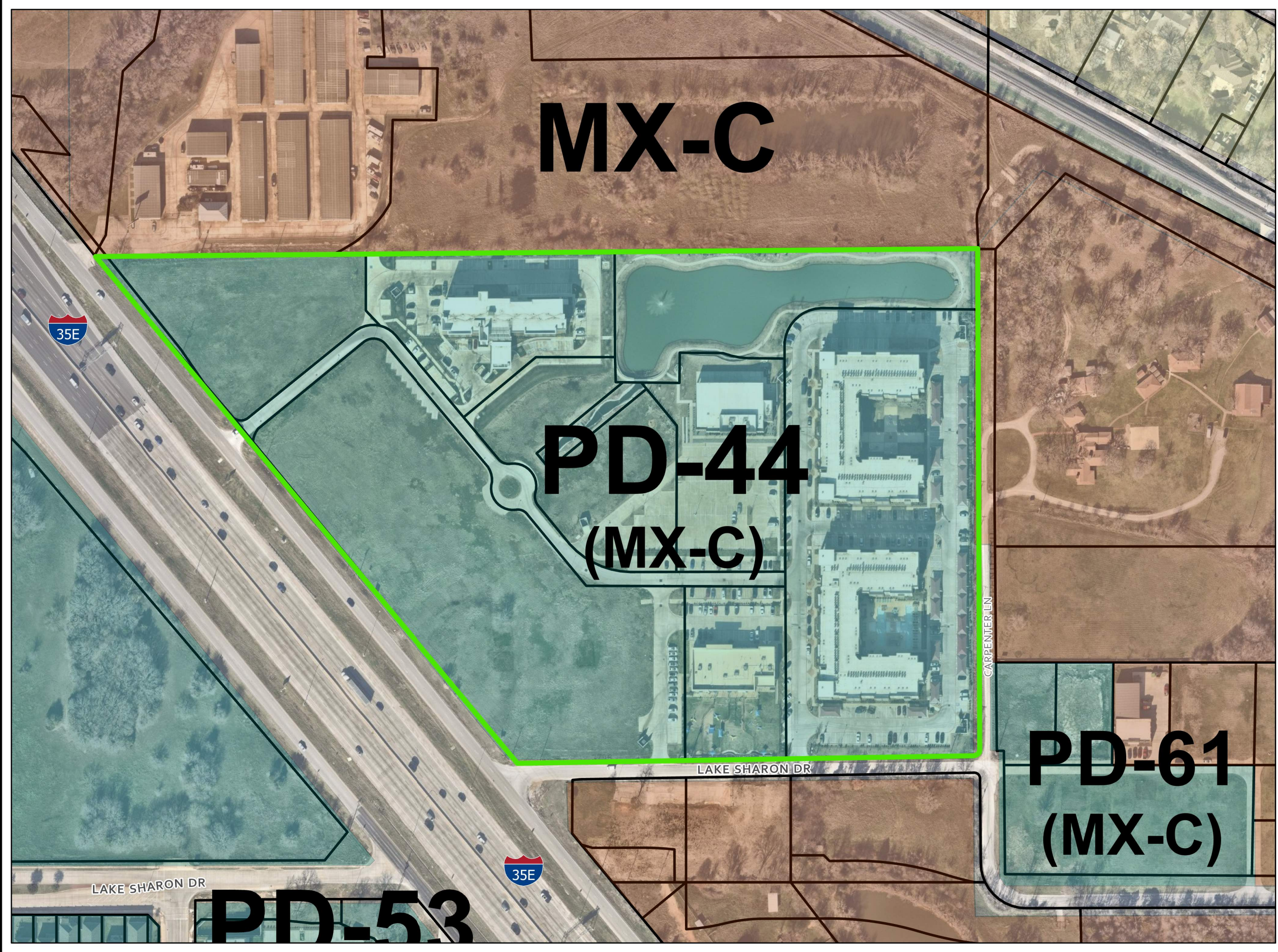
- MX-C Mixed Use Commercial
- PD Planned Development
- SF-2 Single Family Residential
- SF-3 Single Family Residential

Current PD-44 Boundary

6/18/2024



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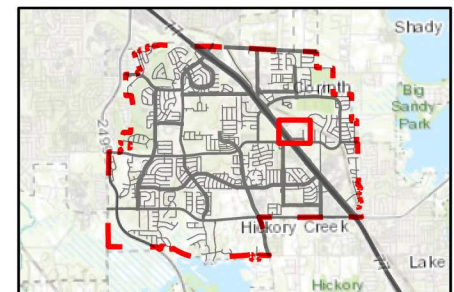
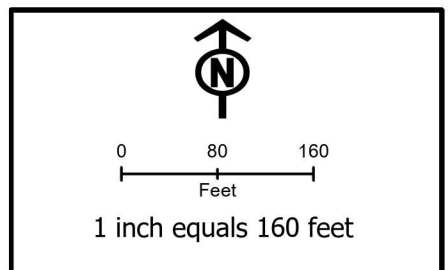
Attachment 2
Amended PD-44
Boundary

Zoning Districts

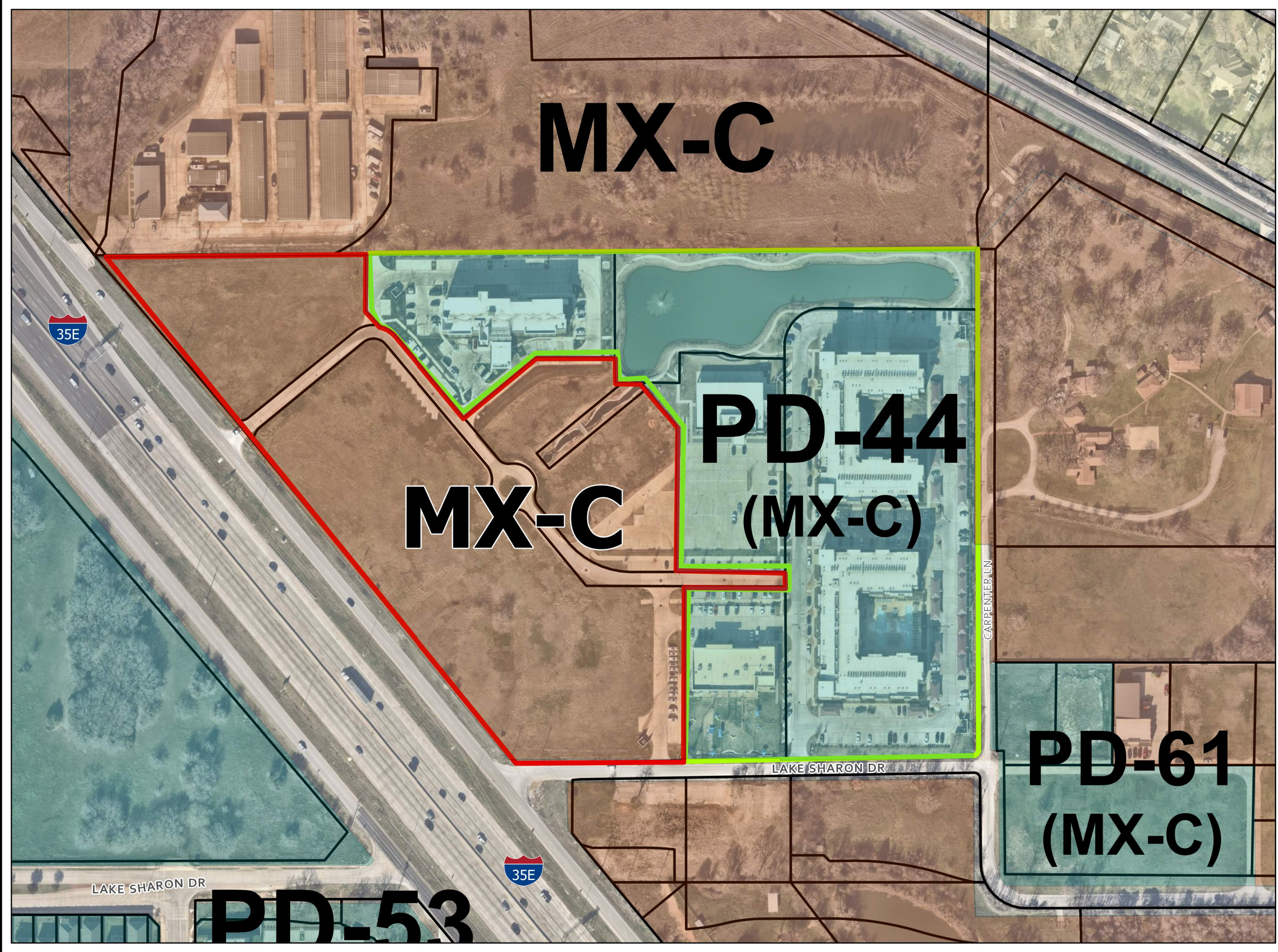
- MX-C Mixed Use Commercial
- PD Planned Development
- SF-2 Single Family Residential
- SF-3 Single Family Residential

- MX-R
- New PD-44 Boundary

6/18/2024



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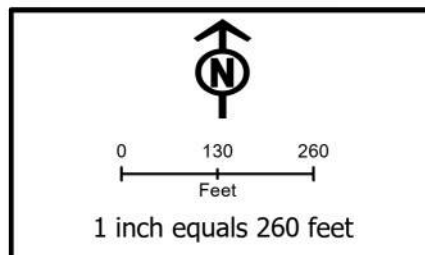
Boundary Alteration

PD-44 Boundary Amendment
 (ZAPD24-0005)

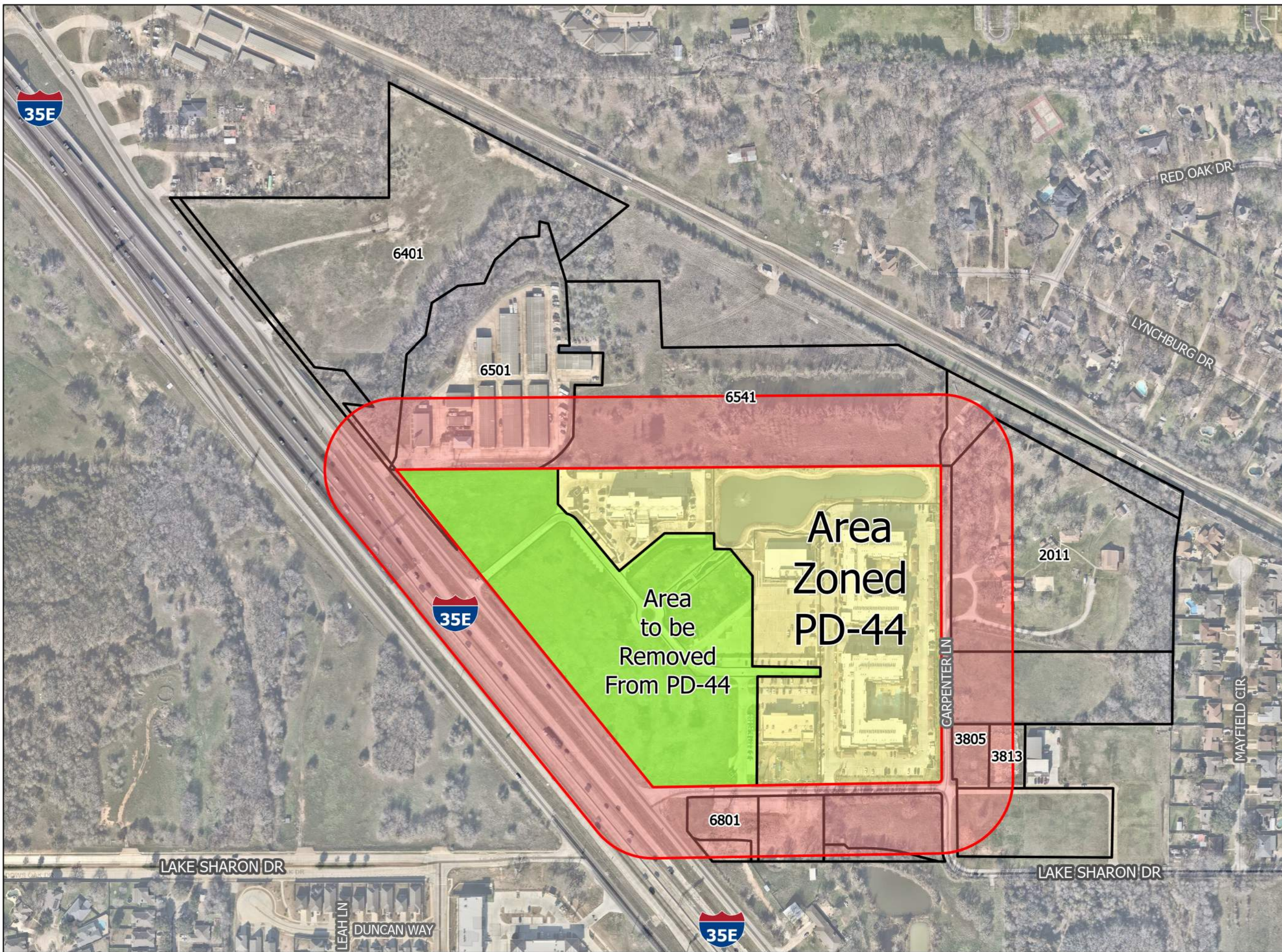
- Area to be removed from PD-44
- Properties within PD-44
- Properties within 200 ft of PD-44

Attachment 3

6/6/2024



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Planning and Zoning Commission Meeting
Date: **MONDAY, June 24, 2024 at 6:30 P.M.**

Section E, Item 7.

City Council Regular Meeting
Date: **THURSDAY, July 18, 2024 at 6:30 P.M.** * (see below for additional information)

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TOSCANA Palms LLC
Let Corinth Grow!!

Name/Address/City: **(REQUIRED)**

Signature: **(REQUIRED)**

Ronald Weisfeld, managing Member
(Please Print)

Ronald Weisfeld
(Signature)

rweisfeld@hotmail.com
214-336-9450



Planning and Zoning Commission Meeting
Date: **MONDAY, June 24, 2024 at 6:30 P.M.**

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Name/Address/City: **(REQUIRED)**

Signature: **(REQUIRED)**

Ronald Weisfeld, managing member
 (Please Print)
 Toscana Farms, LLC

Ronald Weisfeld
 (Signature)



CITY OF CORINTH
Staff Report

| | | | |
|-------------------------|---|---------------|---|
| Meeting Date: | 6/24/2024 | Title: | Tree Preservation Amendments (ZTA24-0004) |
| Strategic Goals: | <input type="checkbox"/> Resident Engagement <input checked="" type="checkbox"/> Proactive Government <input checked="" type="checkbox"/> Organizational Development <input type="checkbox"/> Health & Safety <input type="checkbox"/> Regional Cooperation <input checked="" type="checkbox"/> Attracting Quality Development | | |

Item/Caption

Conduct a Public Hearing to consider testimony and make a recommendation to the City Council on a request to amend UDC Subsection 2.09.02.G. – Mitigation Requirements for Protected Trees Removed to adjust the Sliding Scale Categories for the Replacement Rates for Protected Trees and Credits for Healthy Protected Tree Preservation Efforts. (Case No. ZTA24-0004 UDC Tree Preservation Amendments)

Item Summary/Background/Prior Action

The proposed amendment is to update the caliper inch categories used to calculate the replacement rate multipliers for removed healthy protected trees and the sliding scale credits for preserved healthy protected trees in UDC Subsection 2.09.02.G. The current categories are as follows:

| Replacement Rate Multiplier (Sliding Scale Size Categories) | |
|---|-------------------------------------|
| Size of Protected Tree CI: | CI Replacement rate per CI Removed: |
| 6"–20" | 1:1 |
| 20.1"–30" | 1.5:1 |
| 30.1"–40" | 2.5:1 |
| 40.1" + | 4:1 |

| Sliding Scale Credit Categories | |
|---------------------------------|--|
| Protected Tree CI Categories: | Credit to off-set CI Replacement Required: |
| 6"–12" | 2:1 |
| 12.1"–20" | 3:1 |
| 20.1"–30" | 3.5:1 |
| 30.1"–40" | 4:1 |
| 40.1" + | 5:1 |

Given that caliper inch data on tree surveys is generally provided as a whole number, trees which should be classified into a higher category are presently being rounded down to the whole number and are being classified in a lower category. For example, a 40.1" tree, which rounds down to 40" would require a mitigation fee of \$15,000 rather than a fee of \$24,060 if it were in the higher category. As such, we recommend amending these categories as follows (*text changes are shown in red*):

| Replacement Rate Multiplier (Sliding Scale Size Categories) | |
|--|-------------------------------------|
| Size of Protected Tree CI: | CI Replacement rate per CI Removed: |
| | |
| 6" - 20" <u>6" - 19.9"</u> | 1:1 |
| 20.1" - 30" <u>20" - 29.9"</u> | 1.5:1 |
| 30.1" - 40" <u>30" - 39.9"</u> | 2.5:1 |
| 40.1" + <u>40" +</u> | 4:1 |

| Sliding Scale Credit Categories | |
|---|--|
| Protected Tree CI Categories: | Credit to off-set CI Replacement Required: |
| 6" - 12" <u>6" - 11.9"</u> | 2:1 |
| 12.1" - 20" <u>12" - 19.9"</u> | 3:1 |
| 20.1" - 30" <u>20" - 29.9"</u> | 3.5:1 |
| 30.1" - 40" <u>30" - 39.9"</u> | 4:1 |
| 40.1" + <u>40" +</u> | 5:1 |

By shifting the base number for each category to a whole number, this ensures that rounding to a whole number will not negatively impact required mitigation. Conversely, by changing the credit categories in the same fashion, trees proposed for preservation also receive the benefit of the greater sliding scale credits when rounded down, which is aimed at encouraging additional preservation.

Public Notice

Notice of the public hearing was provided in accordance with the City Ordinance and State Law by,

- Publishment in the Denton Record-Chronicle
- The Public Hearing notice was posted on the City’s Website

Staff Recommendation

Staff recommends approval of the proposed amendment as presented.

Motion

“I move to recommend approval of Case No. ZTA24-0004 as presented.”

Alternative Actions by the Planning and Zoning Commission

The Planning and Zoning Commission may also,

- Recommend approval with additional stipulations
- Continue the Public Hearing and table action on the request to a definitive or non-defined date
- Recommend denial of the request

Attachment

1. Proposed UDC Amendment

ATTACHMENT 1

DRAFT PROPOSED UDC AMENDMENTS – TREE PRESERVATION

(red – new text)

The proposed amendment is to adjust the Sliding Scale Categories outlined in in **2.09.02.G. - Table 16-A: Replacement Rates for Protected Trees** and **Table 16-B: Credits for Healthy Protected Tree Preservation Efforts** as follows:

| Table 16-A: REPLACEMENT RATES FOR PROTECTED TREES | | | |
|---|--|--|--|
| Development Type: | Permit Approval: | Removal: | Replacement Rate Ratio: |
| 1. Existing single-family dwellings or two-family dwellings (after initial development and after occupied as a residence), that is contained within a platted lot of record, and the property is not being developed, redeveloped, platted, replatted, or subdivided. | N/A | Mitigation shall only be required if a tree proposed for removal was required by the Landscape Regulations of the UDC Ordinance at the time of permitting or at the time proposed for removal of such Tree and/or required by the provisions of an approved Tree Protection/Mitigation Plan and/or Planned Development district ordinance for the Property, The Owner shall replace the tree with a three (3) caliper inch or greater tree of the species outlined on Table 15 - Recommended Plant Material List (Section 2.09.01) | N/A, except as noted under "removal" as required to maintain compliance with UDC landscaping or approved Planned Development provisions. |
| 2. Undeveloped Single-Family residential platted lots of record existing as of the adoption date of these provisions. | Administrative Staff approval at time of Building Permit Application | A Tree Removal Permit is required. However, mitigation is only required for removal of Protected Trees when located in an area outside of the building footprint (plus five (5) feet), | CI replacement at rate of 1:1 for CI removed. |

| | | | | | |
|----|---|--|--|--|--|
| | | | outside of utility easements and outside of driveways. | | |
| 3. | Undeveloped land proposed for new development or redevelopment activities | Administrative Staff approval* prior to Release for and grading or construction on the site. Note that the initial review of the permit shall be conducted as part of Site Plan or Plat submission or shall include a preliminary estimate for any Planned Development Rezoning Application to demonstrate preservation and unique provisions that may need to be codified in PD Ordinance text associated with Protected Trees being a part of proposed deed common open space park land dedication, etc. | A Tree Removal Permit is required for removal of Protected Trees and mitigation is required at applicable replacement rates based on the size categories. *Credits may be offered to off-set required CI replacement based on CI preservation percentages outlined Table 16-B (see below). Note that mitigation resulting from the removal of a Heritage Tree shall only be eligible to receive a credit off-set of 50% of the required mitigation. | Replacement Rate Multiplier (Sliding Scale Size Categories) | |
| | | | | Size of Protected Tree CI: | CI Replacement rate per CI Removed: |
| | | | | 6" - 20" <u>6"</u> - <u>19.9"</u> | 1:1 |
| | | | | 20.1" - 30" - 20" - <u>29.9"</u> | 1.5:1 |
| | | | | 30.1" - 40" - 30" - <u>39.9"</u> | 2.5:1 |
| | 40.1" + <u>40"</u> + | 4:1 | | | |

*Approval may be deferred to City Council at the discretion of the Director of Planning

Table 16-B: CREDITS FOR HEALTHY PROTECTED TREE PRESERVATION EFFORTS

| | | | |
|--|--|---|--|
| 1. | <p>Saved Healthy Protected Tree Base Credit (Fixed rate up to 10%): Offered at a rate of 1:1 (1 CI credit for every 1 CI preserved) when up to 10% of the total Healthy Protected Tree CI are preserved on site. Healthy Protected Trees rated good or excellent are eligible for credit as provided in this Section. Protected Trees preserved and noted in fair condition may be categorized as a "Healthy Protected Tree" provided that a statement of sustained viability is included in the Tree Survey as determined by a Certified Arborist and/or Registered Landscape Architect and may receive a 1:1 credit.</p> | | |
| 2. | <p>Saved Healthy Protected Tree Base Credit (Fixed rate 10.1% to 15%): Offered at a rate of 1.5:1 (1.5 CI credit for every 1 CI preserved) when a minimum of 10.1% to 15% of the total Healthy Protected Tree CI are preserved on site. Healthy Protected Trees are eligible for credit. Protected Trees preserved and noted in fair condition may be categorized as a "Healthy Protected Tree" provided that a statement of sustained viability is included in the Tree Survey as determined by a Certified Arborist and/or Registered Landscape Architect and may receive a receive a 1.5:1 credit.</p> | | |
| 3. | <p>Saved Healthy Protected Tree Base Credit (Sliding Scale): When 15.1% or more total Healthy Protected Tree CI is preserved on Property, a sliding scale credit may be applied to reward context sensitive design that effectively incorporates Protected Tree and habitat preservation. Healthy Protected Trees rated with a condition of good or excellent are eligible for sliding scale credit. Protected Trees preserved and noted in fair condition may be categorized as a "Healthy Protected Tree" provided that a statement of sustained viability is included in the Tree Survey as determined by a Certified Arborist and/or Registered Landscape Architect and may receive sliding scale credit.</p> <p>*Bonus Credit: Where groves and habitat pockets and/or corridors of healthy Protected Trees are preserved, an additional 0.5:1 credit may be considered at the discretion of the Director of Planning (and added to each Protected Tree CI Category) where innovative and environmentally sensitive design is demonstrated though the preservation of stands of trees, Heritage Trees (40 CI+), and environmentally sensitive habitat that is incorporated into the overall project design and when such tree preserve areas have been included within otherwise buildable areas of the site. The bonus credit may be applied for Protected Trees saved within otherwise buildable areas (e.g., outside of floodplain).</p> | <p>Sliding Scale Credit Categories</p> | <p>Credit to off-set CI Replacement Required:</p> |
| <p>6" - 12" <u>6" - 11.9"</u></p> | <p>2:1</p> | | |
| <p>12.1" - 20" <u>12" - 19.9"</u></p> | <p>3:1</p> | | |
| <p>20.1" - 30" <u>20" - 29.9"</u></p> | <p>3.5:1</p> | | |
| <p>30.1" - 40" <u>30" - 39.9"</u></p> | <p>4:1</p> | | |
| <p>40.1" + <u>40" +</u></p> | <p>5:1</p> | | |
| 4. | <p>Credit for Healthy Protected Tree "species/types" less than 6 CI: When 20.1% or more total Protected Trees CI on site are saved on the Property within designated common open space lots, a</p> | | |

| | |
|----|---|
| | credit of 1:1 may be offered for trees that are preserved within a tree stand and/or tree grove even though such Protected Trees measure less than the 6 CI Protected Tree threshold. |
| 5. | Landscaping Requirements Credits: Where 20.1% or more of total Healthy Protected Tree CI are preserved on a Property, and where Canopy Shade Trees as designed in Table 15 of Section 2.09.01 as required to be planted within Landscape Edge Buffers, Residential Adjacency buffers, or as part of a landscape plan for detention/retention basins (that have been approved to satisfy "park and/or trail" land and located within deeded common open space), landscape credits for Shade Trees planted (at least 3" CI) may be offered to off-set mitigation requirements. |
| 6. | Public Right-of-Way Credits: When 20.1% or more of total Healthy Protected Tree CI are preserved, the same percentage of Protected Trees preserved may be credited against the CI removed within the public right-of-way when Protected Tree Preservation Areas have been included within otherwise buildable areas of the site. |
| 7. | Credit equal to the replacement rate (Table 16-A) for any Protected Tree required to be removed due to City required street connection as shown on the adopted Master Thoroughfare plan, as may be amended. Such credit may be offered at the discretion of Planning Director if (1) 20.1 % or more CI are of the total Protected Trees on site are preserved and (2) when the overall project design incorporates the principles of conservation or context sensitive design. |
| 8. | Building Footprint: When 20.1% or more of total Healthy Protected Tree CI are preserved on site and effectively incorporated into overall site design (by creating a feature such as common open space or green space and demonstrating conservation and context sensitive design), the CI of Protected Trees located within the building footprint of a non-residential building may be excluded from the mitigation requirements at the discretion of City Council. This exclusion shall require Alternative Compliance Approval in consideration of furthering economic development and promoting the principles outlined in the Comprehensive Plan. Note that Heritage Trees shall not be eligible for mitigation exclusion. |
| 9. | Standard Deduction Credit: The purpose of the Standard Deduction Credit is to reward preservation efforts where a certain base percentage of Healthy Protected Tree CI are preserved on site and effectively incorporated into overall site design by creating a feature such as common open space or green space and demonstrating conservation and context sensitive design. The deduction credit shall be calculated as follows: When the saved base of Protected Trees CI is greater than 10% then the remaining mitigation may be reduced by an additional 10% e.g., if the base percentage (%) saved = 25% then the mitigation may be reduced by (25% + 10%) = 35% of the remaining mitigation requirements after applicable credits above are applied, with the exception of mitigation required for Heritage Trees removed which is capped at 50% credit as noted in Subsection 2.09.02.G.4. above. |