



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

**NOTICE OF A CITY COUNCIL REGULAR SESSION IMMEDIATELY FOLLOWING
A WORKSHOP SESSION
OF THE CITY OF CORINTH
Thursday, May 5, 2016, 5:30 P.M.
CITY HALL - 3300 CORINTH PARKWAY**

CALL TO ORDER:

WORKSHOP BUSINESS AGENDA

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

ADJOURN WORKSHOP SESSION

***NOTICE IS HEREBY GIVEN** of a Regular Session of the Corinth City Council to be held at Corinth City Hall located at 3300 Corinth Parkway, Corinth, Texas. The agenda is as follows:

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE:

Invocation will be delivered by Pastor Wayne Weatheread from Victory Life Church.

CITIZENS COMMENTS

In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes. Comments about any of the Council agenda items are appreciated by the Council and may be taken into consideration at this time or during that agenda item. Please complete a Public Input form if you desire to address the City Council. All remarks and questions addressed to the Council shall be addressed to the Council as a whole and not to any individual member thereof.* Section 30.041B Code of Ordinance of the City of Corinth.

BUSINESS AGENDA

1. Consider and Act on an Ordinance accepting and retaining a portion of a Drainage and Sanitary Sewer Easement over, across, through and under Lot One, Block One of the E. Blount Subdivision to the City; accepting and retaining portions of the Easement as Drainage and Sanitary Sewer Easements and a Temporary Construction Easement and retaining an Easement for any existing facilities located within the Easement; Abandoning portions of the Easement; providing an effective date.

PUBLIC HEARING

2. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT, KYLE VRLA, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER, MONICA UTTER, WITH UTTER PROPERTIES, FOR A ZONING CHANGE ON 12.283 ACRES FROM C-3, COMMERCIAL TO PLANNED DEVELOPMENT C-3 ON PROPERTY LEGALLY DESCRIBED AS BILL UTTER FORD ADDITION BLOCK A, LOT 1 AND A ZONING CHANGE ON APPROXIMATELY 6.255 ACRES FROM C-2, COMMERCIAL TO PLANNED DEVELOPMENT C-2 ON PROPERTY LEGALLY DESCRIBED AS BILL UTTER FORD ADDITION BLOCK A, LOT 2 AND TRACT 26 OUT OF THE L. BATES SURVEY, COUNTY ABSTRACT 204 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

BUSINESS:

Consider and act an ordinance for a zoning change on 12.283 acres from C-3, Commercial to Planned Development C-3 on property legally described as Bill Utter Ford Addition Block A, Lot 1 AND a zoning change on approximately 6.255 acres from C-2, Commercial to Planned Development C-2 on property legally described as Bill Utter Ford Addition Block A, Lot 2 and Tract 26 out of the L. Bates Survey, County Abstract 204 in the City of Corinth, Denton County, Texas.

3. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT JOHN THATCHER, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNERS, TOMMY JOSEPH ROBINSON, BRIAN KEITH ROBINSON, RAYMON MANN ROBINSON, BRANDY DENISE ROBINSON, ROBERT MANLEY ROBINSON, THOMAS MANN ROBINSON, AND TIMOTHY MANLEY ROBINSON FOR A ZONING CHANGE FROM C-1, COMMERCIAL TO PLANNED DEVELOPMENT C-2 COMMERCIAL WITH MODIFIED DEVELOPMENT STANDARDS ON 10.603 ACRES OF LAND LEGALLY DESCRIBED AS LOT 1, BLOCK A, TRI-STEEL ADDITION, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

BUSINESS:

Consider and act on a zoning change from C-1, Commercial to Planned Development C-2 on 10.603 acres of land legally described as Lot 1, Block A, Tri-Steel Addition, in the City of Corinth, Denton County, Texas. (This property is located on the southwest side of I-35E, between Post Oak Drive and Church Drive.)

4. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT RAY HUFFINES AUTHORIZED REPRESENTATIVE FOR DWIGHT WALKER, MANAGING GENERAL PARTNER FOR THE PROPERTY OWNERS DOROTHY WILLIAMS FAMILY PS LTD AND R. O. DUNCAN FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION FROM MIXED USE NON-RESIDENTIAL TO COMMERCIAL ON 13.773 ACRES OF LAND SITUATED IN THE E. A. GARRISON SURVEY, COUNTY ABSTRACT 511 BEING TRACTS 36, 35, 34, 33, AND 24 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. This site is located north of 7100 IH 35E.

BUSINESS:

Consider and act on an ordinance amending the Comprehensive Plan Future Land Use designation from Mixed Use Non-Residential to Commercial on 13.773 acres of land situated in the E. A. Garrison Survey, County Abstract 511 being tracts 36, 35, 34, 33, and 24 in the City of Corinth, Denton County, Texas.

5. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT RAY HUFFINES AUTHORIZED REPRESENTATIVE FOR DWIGHT WALKER, MANAGING GENERAL PARTNER FOR THE PROPERTY OWNERS DOROTHY WILLIAMS FAMILY PS LTD AND R. O. DUNCAN FOR A ZONING CHANGE FROM MX-C, MIXED USE COMMERCIAL TO PLANNED DEVELOPMENT MX-C (PD MX-C) ON 13.773 ACRES OF LAND SITUATED IN THE E. A. GARRISON SURVEY, COUNTY ABSTRACT 511 BEING TRACTS 36, 35, 34, 33, AND 24 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

BUSINESS:

Consider and act on an ordinance for a zoning change from MX-C, Commercial to Planned Development MX-C (PD MX-C) on 13.773 acres of land situated in the E. A. Garrison Survey, County Abstract 511 being tracts 36, 35, 34, 33, and 24 in the City of Corinth, Denton County, Texas.

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

The purpose of this section is to allow each councilmember the opportunity to provide general updates and/or comments to fellow councilmembers, the public, and/or staff on any issues or future events. Also, in accordance with Section 30.085 of the Code of Ordinances, at this time, any Councilmember may direct that an item be added as a business item to any future agenda.

EXECUTIVE SESSION

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

Section 551.071. (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

a. Consultation with the City Attorney regarding legal issues associated with pending zoning change applications on Interstate 35 and comprehensive plan.

b. Consider legal advice regarding Ordinance No. 02-06-20-16 abandoning right-of-way.

c. Consultation with the City Attorney regarding legal issues associated with the matter listed under Section 551.072

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

a. Receive information and discuss, deliberate, and provide staff with direction regarding the potential acquisition of Lot R1-1 and Lot 1R-2, Block One, Pinnell Addition.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

a. Consider appointment, duties, employment, evaluation, reassignment, discipline, or dismissal of the City Manager.

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

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

ADJOURN:

Posted this 29 day of April, 2016 at 11:30 A.M. on the bulletin board at Corinth City Hall.

Kimberly Pence, City Secretary
City of Corinth, Texas

City Council Regular and Workshop Session

Meeting Date: 05/05/2016

Title: Terrace Oaks Easement Abandonment

Submitted For: Fred Gibbs, Director

Submitted By: Elaine Herzog, Business Manager

Approval: Lee Ann Bunselmeyer, Acting City Manager

AGENDA ITEM

Consider and Act on an Ordinance accepting and retaining a portion of a Drainage and Sanitary Sewer Easement over, across, through and under Lot One, Block One of the E. Blount Subdivision to the City; accepting and retaining portions of the Easement as Drainage and Sanitary Sewer Easements and a Temporary Construction Easement and retaining an Easement for any existing facilities located within the Easement; Abandoning portions of the Easement; providing an effective date.

AGENDA ITEM SUMMARY/BACKGROUND

In September 2015, Meritage Homes, the developer of the proposed Terrace Oaks Subdivision obtained an offsite fifty foot (50') Drainage and Sanitary Sewer Easement from adjacent property owners Elmo and Darlene Blount. This easement was dedicated to the City of Corinth and filed in the Real Property Records of Denton County without review, approval or acceptance by City Staff or Corinth City Council. After engineering plans for the proposed development were submitted and the drainage design was being reviewed in detail by city staff and consultants it was determined that the preferred method to handle drainage for the development would need to be changed. With the design change to the drainage plans the easement that had been dedicated and filed was not necessary to accommodate the new drainage design. Staff has been working with the developer to abandon a portion of the previously filed easement that isn't needed, but to retain a portion of the easement to facilitate the drainage and sanitary sewer design.

The Planning and Zoning Commission approved the Final Plat for the Terrace Oaks Subdivision on April 18, 2016 contingent upon City Council action. The action needed is for City Council to (a.) abandon a portion of the previously filed easement and (b.) to have the Ordinance that ensures abandonment of unnecessary easement and retention of easement areas staff deems appropriate for this development filed in the Real Property Records of Denton County, Texas. Attached is the abandonment Ordinance prepared by the City Attorney, Debra Drayovitch. The Ordinance provides for retention of a portion of the original fifty foot (50') Drainage and Sanitary Sewer Easement shown in Exhibit "A-1"; retains a sanitary sewer easement as shown in Exhibit "A-2"; and abandons a portion of the drainage easement as shown in Exhibit "B". A Temporary Construction Easement is provided for during construction of the proposed Terrace Oaks Subdivision.

City Staff met with the property owner, Elmo Blount, and made him aware of the City's intent to abandon portions of the previously dedicated and filed easement; 1.731 acres of the original 3.151 acres of easement he originally granted will be abandoned by this Ordinance and Council action.

RECOMMENDATION

It is the recommendation of Staff that City Council approve the abandonment Ordinance as related to design of the proposed Terrace Oaks Subdivision in the City of Corinth.

Attachments

Ordinance

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING AND RETAINING A PORTION OF A DRAINAGE AND SANITARY SEWER EASEMENT OVER, ACROSS, THROUGH AND UNDER LOT ONE, BLOCK ONE OF THE E. BLOUNT SUBDIVISION TO THE CITY; ACCEPTING AND RETAINING PORTIONS OF THE EASEMENT AS DRAINAGE AND SANITARY SEWER EASEMENTS AND A TEMPORARY CONSTRUCTION EASEMENT AND RETAINING AN EASEMENT FOR ANY EXISTING FACILITIES LOCATED WITHIN THE EASEMENT; ABANDONING PORTIONS OF THE EASEMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the local Government Code; and

WHEREAS, in the autumn of 2015, before the developer submitted a plat application to the City for approval of Phase I of the Terrace Oaks Addition, the developer purchased a drainage and sanitary sewer easement and recorded it as Instrument 2015-108322, in the Real Property Records of Denton County, Texas, and more particularly described in **Exhibit A** (the "Offered Easement"), which the developer proposed to dedicate as a public easement; and

WHEREAS, the City has not accepted the proposed dedication of the Offered Easement, has not made actual appropriation of the Offered Easement by formal acceptance, entry, use, or improvement, and has no duty regarding the maintenance or improvement of the Offered Easement; and

WHEREAS, the Offered Easement is not consistent with the developer's current plan to provide for drainage for Phase II of the Terrace Oaks Addition, and the City staff has recommended that the City formally accept only a portion of the Offered Easement for drainage and sanitary sewer facilities and operations, and waive, abandon, and vacate a portion of the Offered Easement to the underlying fee interest owner, as a portion of the Offered Easement is not needed and the City will not accept any maintenance obligations therewith, subject to the conditions set forth below; and

WHEREAS, the City Council is of the opinion and finds that a portion of the Offered Easement shall be formally accepted as a drainage and sanitary sewer easement, that a portion of the Offered Easement shall be formally accepted as a sanitary sewer easement, that a portion of the Offered Easement shall be formally accepted as a temporary construction easement, and that a portion of the Offered Easement that is not needed for public use should be waived, vacated, and abandoned to the underlying fee interest owner; **NOW, THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:

SECTION 1. That the recitals set forth in the preamble are incorporated herein.

SECTION 2. That the City of Corinth (the "City") hereby accepts a portion and waives, abandons, and vacates the remaining portion of that certain Drainage and Sanitary Sewer Easement over, across, through and under Lot 1, Block 1 of the E. Blount Subdivision, an addition to the City, as recorded in Cabinet K, Page 268, Plat Records, Denton County, Texas, which Easement is recorded as Instrument 2015-108322, of the Real Property Records of Denton County, Texas and more particularly described in **Exhibit A**. The City accepts, reserves and retains the following easements and rights granted by the Offered Easement:

(a) The City accepts, reserves, and retains a drainage and sanitary sewer easement consisting of approximately 0.526 acres as described in **Exhibit A-1**, attached and incorporated by reference herein; subject to all City policies and ordinance requirements applicable to such easements.

(b) The City accepts, reserves, and retains a sanitary sewer easement adjacent to Lot 1, Block A, Haislip Addition to the City of Corinth, and terminating at the approximate location of the proposed Oak Hill Drive, consisting of approximately .89 acres and as described in **Exhibit A-2**, attached hereto and incorporated by reference herein; subject to all City policies and ordinance requirements applicable to such easements.

(c) The City accepts, reserves, and retains a temporary construction easement immediately south of the sanitary sewer easements retained in subsection (b) above and being fifteen feet in width as measured from the southern boundary of the sanitary sewer easements retained in subsection (b) above, until the completion and City's acceptance of the facilities to be constructed within the Offered Easement; and

(d) The right and easements to retain any existing utility and telecommunication facilities within the Offered Easement is retained to the extent the facilities are located within the boundaries of the Offered Easement on the date of adoption of this ordinance; and the relocation, and removal of any such facilities shall only be upon approval by the owner of such facilities and at the cost of the underlying fee owner hereunder, its successors or assigns.

SECTION 3. The description of the portion of the Offered Easement waived, abandoned, vacated, and closed, insofar as the right, title and interest of the public to such Offered Easement are concerned is set forth in **Exhibit B**, attached hereto and incorporated herein. By this ordinance, the City of Corinth does not abandon any other interest other than that described in **Exhibit B** and accepts, reserves, and retains the easement interests in the remaining property described in **Exhibits A-1** and **A-2**, the temporary construction easement, and for the existing facilities.

SECTION 4. That upon passage hereof, the City Secretary is authorized and directed to prepare a certified copy of this ordinance and the City shall record this ordinance in the Real Property Records of Denton County, Texas. The City Secretary is also authorized and directed to prepare a certified copy of this ordinance and furnish the same to Bobby Samuel.

SECTION 5. This ordinance shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Corinth, Texas
on the _____ day of May, 2016.

Bill Heidemann, Mayor

Kimberly Pence, City Secretary

W. Andrew Messer, City Attorney

**EXHIBIT A
(Four Pages)**



EXHIBIT "A"

PAGE 4 OF 19

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OF YOUR DRIVER'S LICENSE NUMBER.

CITY OF CORINTH
PERMANENT DRAINAGE AND SANITARY SEWER EASEMENT

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF DENTON §

THAT, DARLENE S. BLOUNT and ELMO M. BLOUNT (collectively, "GRANTOR"), for an in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration paid by the CITY OF CORINTH ("GRANTEE"), a municipal corporation of Denton County, Texas, receipt of which is hereby acknowledged, do hereby grant, bargain and convey to said City, its successors and assigns, a temporary construction easement (the "Temporary Construction Easement") with a width of fifteen (15) feet along the western and southern boundaries of the Easement Parcel (as hereinafter defined), and a permanent, perpetual right of ingress and egress on, over, through and below the ground level of the Easement Parcel (the "Permanent Drainage and Sanitary Sewer Easement") for the construction, inspection, operation, maintenance, repair and replacement of a detention area and stormwater system, and sanitary sewer line, together with all necessary appurtenances thereto (collectively, the "Drainage and Sanitary Sewer Facilities"), and with the right and privilege at any and all times, to enter said premises, or any part thereof, as it is necessary to the proper use of any other right granted herein, and for the purpose of constructing, reconstructing and maintaining said Drainage and Sanitary Sewer Facilities, and for making connections therewith, in, upon and across that certain tract or parcel of land in Denton County, Texas, being described as follows:

EXHIBIT "A", attached hereto are made a part hereof (the "Easement Parcel").

GRANTOR covenants and agrees that GRANTOR and GRANTOR'S heirs, representatives, successors and assigns shall at no time erect, place or construct, or cause to be erected, placed or constructed in, into, upon, over, across or under any easements granted herein, any temporary or permanent structures, and it is further agreed that GRANTEE shall have the right to excavate and fill upon said Easement Parcel and to remove from said easement, any fences, buildings or other obstructions that may be found upon said Easement Parcel; provided, however, GRANTEE acknowledges that there may be additional utilities located within the Easement Parcel (the "Existing Utilities") and agrees to exercise reasonable care to avoid damage to any Existing Utilities and to restore any damage to such Existing Utilities to substantially their original condition as it existed immediately prior to such construction.

The Temporary Construction Easement shall expire upon completion of the Drainage and Sanitary Sewer Facilities. It is further intended that the Permanent Drainage and Sanitary Sewer Easement herein granted to the GRANTEE shall run with the land and forever by a right in and to the land belonging to the GRANTOR, and GRANTOR'S successors and assigns, and said grant is expressly excepted from any right of revision of said premises under any prior deeds on GRANTOR'S chain of title.

EXHIBIT "A"

PAGE 5 OF 19

TO HAVE AND TO HOLD that Easement Parcel unto the Grantee for the purposes herein set forth, Grantor hereby binds itself, its successors and assigns, to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS MY HAND, this the 10th day of September, 2015.

Darlene S. Blount
DARLENE S. BLOUNT

Elmo M. Blount
ELMO M. BLOUNT

STATE OF ~~Denton~~ Texas
COUNTY OF Denton

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 10th day of September, 2015.

Jennifer Earhart
Notary Public in and for The State of Texas
Commission Expires:

STATE OF Texas
COUNTY OF Denton



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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 10th day of September, 2015.

Jennifer Earhart
Notary Public in and for The State of Texas
Commission Expires:



EXHIBIT "A"
PAGE 6 OF 19



Legal Description

FIELD NOTES to that certain tract being a portion of *Lot 1, Block 1, E. Blount Subdivision* an addition in the Town of Corinth, Denton County, Texas according to the plat recorded in Cabinet K, Page 268 of the Plat Records of Denton County, Texas and described in the deed to Elmo M. Blount & Darlene S. Blount recorded under Instrument Number 93-R0081282 of the Official Public Records of Denton County, Texas; the subject tract being more particularly described as follows:

Beginning at a 5/8 inch rebar found at the northwest corner of Lot 1, Block 1, E. Blount Subdivision, recorded in Cabinet K, Page 268 of the Plat Records of Denton County, Texas;

THENCE NORTH 89 degrees 25 minutes 35 seconds EAST, with the north line of said Lot 1, a distance of 1,137.60 feet to a 1/2 inch rebar found at a reentrant corner of Lot 1;

THENCE NORTH 44 degrees 25 minutes 35 seconds EAST, through the interior of Lot 1, a distance of 118.21 feet to the north line of Lot 1;

THENCE NORTH 88 degrees 51 minutes 17 seconds EAST, with the north line of Lot 1, a distance of 1,357.15 feet to the northeast corner of Lot 1;

THENCE SOUTH 00 degrees 14 minutes 23 seconds EAST, with the east line of Lot 1, a distance of 50.01 feet;

THENCE departing the said east line and through the interior of Lot 1 the following calls:

- 1) SOUTH 88 degrees 51 minutes 17 seconds WEST, being 50.00 feet south of and parallel with the north line of Lot 1, a distance of 1,335.94 feet;
- 2) SOUTH 44 degrees 25 minutes 35 seconds WEST, a distance of 118.50 feet;
- 3) SOUTH 89 degrees 25 minutes 35 seconds WEST, being 50.00 feet south of and parallel with the north line of Lot 1, a distance of 1,108.24 feet;
- 4) SOUTH 00 degrees 39 minutes 14 seconds EAST, being 50.00 feet east of and parallel with the west line of Lot 1, a distance of 132.43 feet;
- 5) SOUTH 89 degrees 20 minutes 46 seconds WEST, a distance of 50.00 feet to the west line of Lot 1;

THENCE NORTH 00 degrees 39 minutes 14 seconds WEST, with the west line of Lot 1, a distance of 182.50 feet returning to the POINT OF BEGINNING and enclosing 3.151 acres (137,264 square feet).

Bearings are based on Grid North - Texas Coordinate System of 1983, North Central Zone

Jewel Chadd
Registered Professional
Land Surveyor, No. 5754
June 11, 2015
jewel@jphls.com
2015.200.005



JPH Land Surveying, Inc.

807 Bluebonnet Drive, Suite C, Keller, Texas 76248

Telephone (817)431-4971

www.jphls.com

TBPLS Firm #100195-00

See attached exhibit of even date

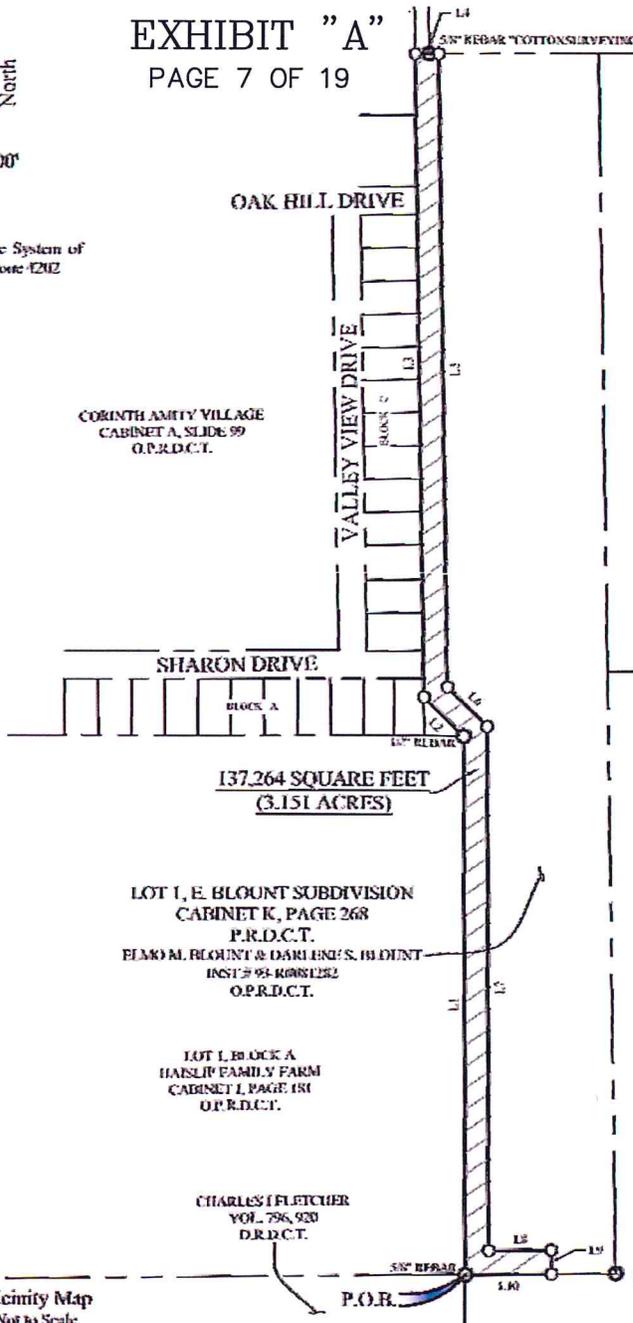
EXHIBIT "A"

PAGE 7 OF 19



Scale: 1" = 300'

Basis of Bearings
The Texas Coordinate System of 1983, North Central Zone 1202



Lite Data Table		
Line #	Distance	Bearing
L1	1137.60'	N89°25'35"E
L2	119.21'	N44°25'35"E
L3	1357.15'	N88°51'17"E
L4	50.01'	S00°14'23"E
L5	1335.94'	S88°51'17"W
L6	118.50'	S44°25'35"W
L7	1108.24'	S89°25'35"W
L8	152.45'	S00°39'14"E
L9	50.00'	S89°20'46"W
L10	182.50'	N00°39'14"W

CORINTH AMITY VILLAGE
CABINET A, SLIDE 99
O.P.R.D.C.T.

FF TAYLOR FARMS LP
INST. # 2009-45486
O.P.R.D.C.T.

SHARON DRIVE

137,264 SQUARE FEET
(3.151 ACRES)

LOT 1, E. BLOUNT SUBDIVISION
CABINET K, PAGE 268
P.R.D.C.T.
ELMO M. BLOUNT & DARLENE S. BLOUNT
INST. # 94-8081282
O.P.R.D.C.T.

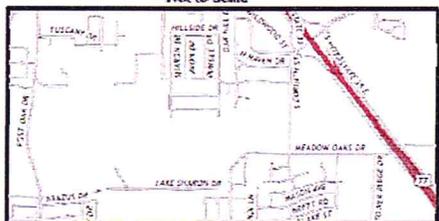
TAYLOR HOMESTEAD FARMS
INST. # 2009-96646
O.P.R.D.C.T.

LOT 1, BLOCK A
HAESLIP FAMILY FARM
CABINET I, PAGE 181
O.P.R.D.C.T.

CHARLES FLETCHER
VOL. 796, 920
D.R.D.C.T.

G. W. ROBINSON AND WIFE
CLAUDE ROBINSON
VOL. 1508, PG. 422
D.R.D.C.T.

Vicinity Map
Not to Scale



LEGEND OF ABBREVIATIONS

- O.P.R.D.C.T. = Official Public Records, Denton County, Texas
- D.R.D.C.T. = Deed Records, Denton County, Texas
- P.R.D.C.T. = Plat Records, Denton County, Texas

See attached legal description of even date.



Exhibit Showing
3.151 acres
(137,264 square feet)
BEING A PORTION OF
Lot 1, Block 1
E. Blount Subdivision
Town of Corinth, Denton County, Texas

EXHIBIT A-1
(Two Pages)

EXHIBIT "A-1"

50 FT. DRAINAGE & SANITARY SEWER EASEMENT

BEING a 0.526 acre easement situated in the W. Wilson Survey, Abstract No. 1383, City of Corinth, Denton County, Texas and being part of Lot 1 of the E. Blount Subdivision, an addition to the City of Corinth, as recorded in Cabinet K, Page 268, Plat Records, Denton County, Texas, said 0.526 acre easement being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod found for the northwest corner of said E. Blount Subdivision and the southwest corner of Lot 1, Block A, Haislip Family Farm, an addition to the City of Corinth, as recorded in Cabinet I, Page 181 of said Plat Records and an exterior ell corner of an 18.789 acre tract of land described in deed to Meritage Homes of Texas, LLC, as recorded in Instrument 2015-107509, Deed Records, Denton County, Texas;

THENCE South 89 degrees 51 minutes 08 seconds East, with the common boundary line of said E. Blount Subdivision and said Haislip Family Farm, a distance of 325.61 feet;

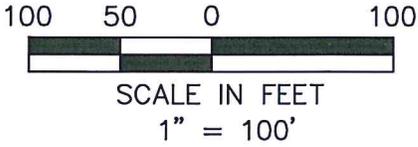
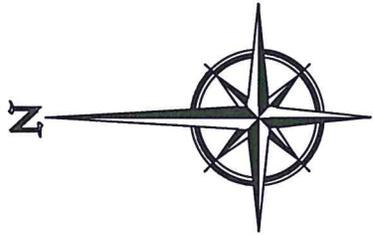
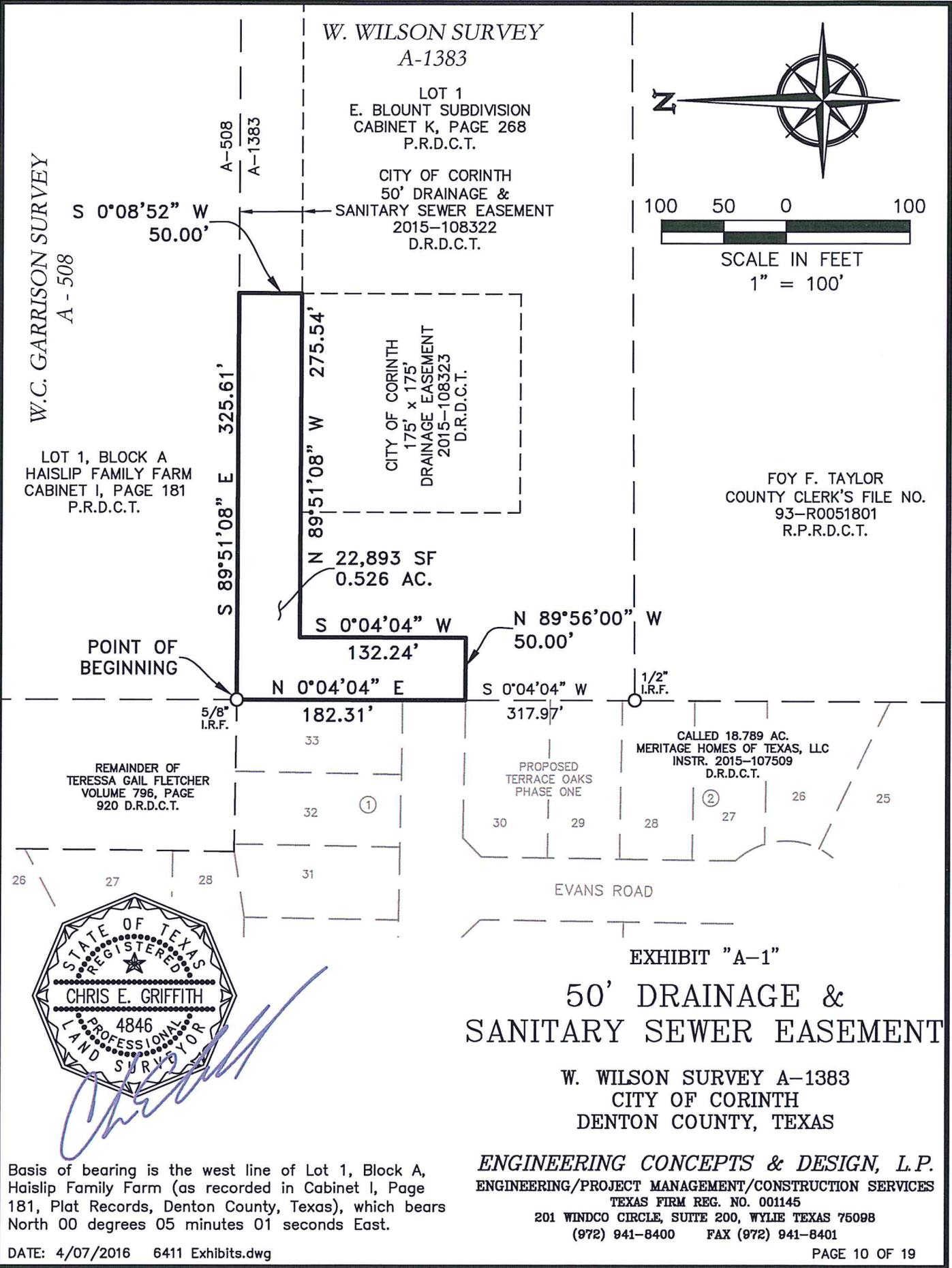
THENCE South 00 degrees 08 minutes 52 seconds West, a distance of 50.00 feet;

THENCE North 89 degrees 51 minutes 08 seconds West, 50 feet from and parallel to the common boundary line of said E. Blount Subdivision and said Haislip Family Farm, a distance of 275.54 feet;

THENCE South 00 degrees 04 minutes 04 seconds West, 50 feet from and parallel to the common boundary line of said E. Blount Subdivision and said 18.789 acre tract, a distance of 132.24 feet;

THENCE North 89 degrees 56 minutes 00 seconds West, a distance of 50.00 feet to a point for corner in the common boundary line of said E. Blount Subdivision and said 18.789 acre tract from which a 1/2-inch iron rod found for the southwest corner of said E. Blount Subdivision bears South 00 degrees 04 minutes 04 seconds West, a distance of 317.97 feet;

THENCE North 00 degrees 04 minutes 04 seconds East, with the common boundary line of said E. Blount Subdivision and said 18.789 acre tract a distance of 182.31 feet to the POINT OF BEGINNING AND CONTAINING 22,893 square feet or 0.526 acres of land.



FOY F. TAYLOR
 COUNTY CLERK'S FILE NO.
 93-R0051801
 R.P.R.D.C.T.

REMAINDER OF
 TERESSA GAIL FLETCHER
 VOLUME 796, PAGE
 920 D.R.D.C.T.

PROPOSED
 TERRACE OAKS
 PHASE ONE

CALLED 18.789 AC.
 MERITAGE HOMES OF TEXAS, LLC
 INSTR. 2015-107509
 D.R.D.C.T.



Chris E. Griffith

EXHIBIT "A-1"
**50' DRAINAGE &
 SANITARY SEWER EASEMENT**

W. WILSON SURVEY A-1383
 CITY OF CORINTH
 DENTON COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
 ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
 TEXAS FIRM REG. NO. 001145
 201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
 (972) 941-8400 FAX (972) 941-8401

Basis of bearing is the west line of Lot 1, Block A, Haislip Family Farm (as recorded in Cabinet I, Page 181, Plat Records, Denton County, Texas), which bears North 00 degrees 05 minutes 01 seconds East.

**EXHIBIT A-2
(Three Pages)**

EXHIBIT "A-2"

16 FT. SANITARY SEWER EASEMENT

BEING a 0.894 acre easement situated in the W. Wilson Survey, Abstract No. 1383, City of Corinth, Denton County, Texas and being part of Lot 1 of the E. Blount Subdivision, an addition to the City of Corinth, as recorded in Cabinet K, Page 268, Plat Records, Denton County, Texas, said 0.894 acre easement being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner in the common boundary line of said E. Blount Subdivision and Lot 1, Block A, Haislip Family Farm, an addition to the City of Corinth, as recorded in Cabinet I, Page 181 of said Plat Records from which a 5/8-inch iron rod found for the northwest corner of said E. Blount Subdivision and the southwest corner of said Haislip Family Farm bears North 89 degrees 51 minutes 08 seconds West, a distance of 325.61 feet;

THENCE South 89 degrees 51 minutes 08 seconds East, with the common boundary line of said e. Blount Subdivision and said Haislip Family Farm, a distance of 811.77 feet;

THENCE North 45 degrees 13 minutes 13 seconds East, a distance of 118.36 feet to a point for corner in the common boundary line of said E. Blount Subdivision and Corinth Amity Village, an addition to the City of Corinth, as recorded in Cabinet A, Page 99 of said Plat Records from which a 1/2-inch iron rod bears South 89 degrees 19 minutes 44 seconds West, a distance of 81.64 feet;

THENCE North 89 degrees 34 minutes 34 seconds East, with the common boundary line of said E. Blount Subdivision and said Corinth Amity Village, a distance of 1042.15 feet to the northwest corner of a Sanitary Sewer Easement, dedicated to the City of Corinth, as recorded in Instrument 2008-80181 of said Deed Records;

THENCE South 00 degrees 25 minutes 26 seconds East, with the west boundary line of said easement, a distance of 16.00 feet to the southwest corner of said easement;

THENCE South 89 degrees 34 minutes 34 seconds West, 16 feet from and parallel to the common boundary line of said E. Blount Subdivision and said Corinth Amity Village, a distance of 1035.62 feet;

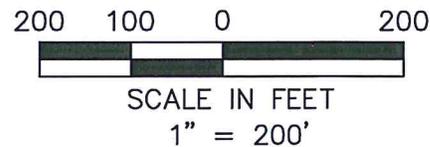
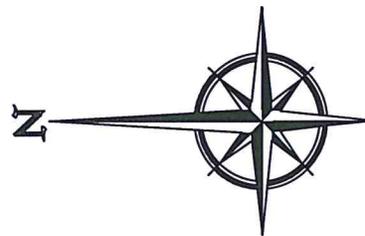
THENCE South 45 degrees 08 minutes 52 seconds West, a distance of 135.28 feet;

THENCE North 89 degrees 51 minutes 08 seconds West, 28 feet from and parallel to the common boundary line of said E. Blount Subdivision and said Haislip Family Farm, a distance of 610.10 feet;

THENCE North 00 degrees 08 minutes 45 seconds East, a distance of 12.00 feet;

THENCE North 89 degrees 51 minutes 08 seconds West, 16 feet from and parallel to the common boundary line of said E. Blount Subdivision and said Haislip Family Farm, a distance of 196.51 feet;

THENCE North 00 degrees 08 minutes 52 seconds East, a distance of 16.00 feet to the POINT OF BEGINNING AND CONTAINING 38,961 square feet or 0.894 acres of land.



LINE TABLE		
NO.	DIRECTION	DISTANCE
L1	N 45°13'13" E	118.36'
L2	S 0°25'26" E	16.00'
L3	S 45°08'52" W	135.28'
L4	N 0°08'45" E	12.00'
L5	N 89°51'08" W	196.51'
L6	N 0°08'52" E	16.00'

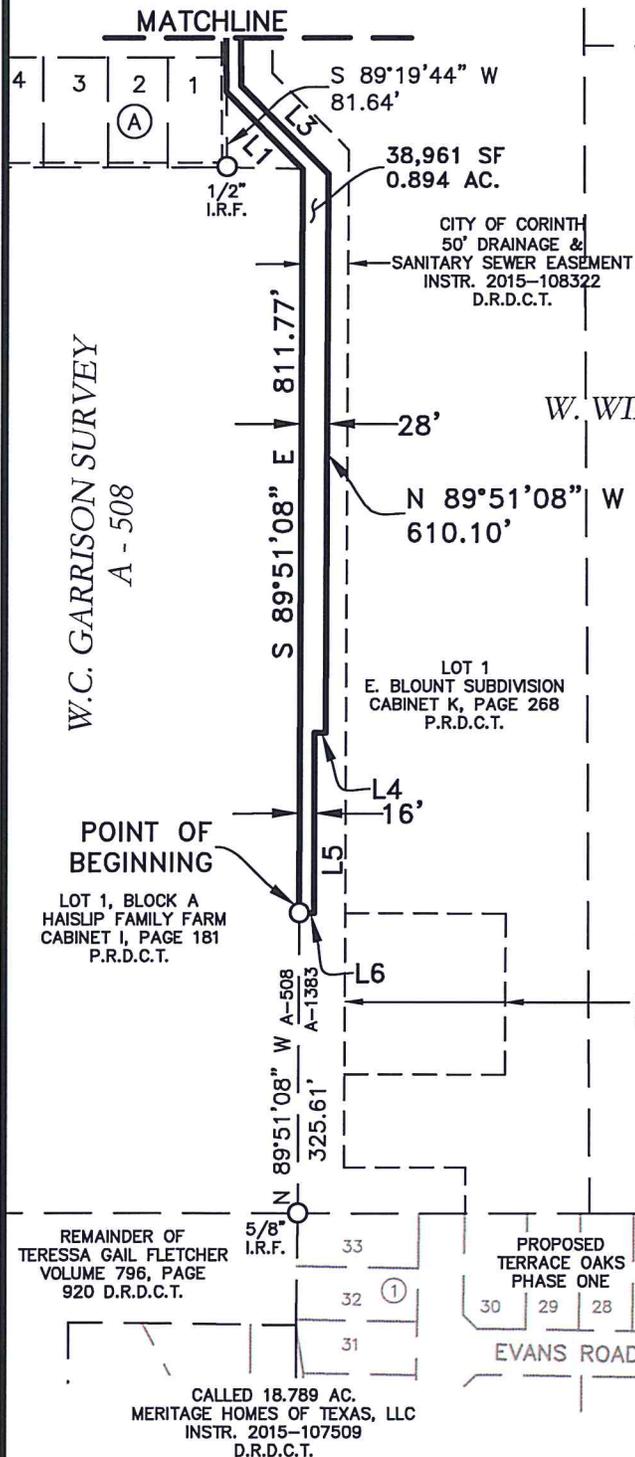
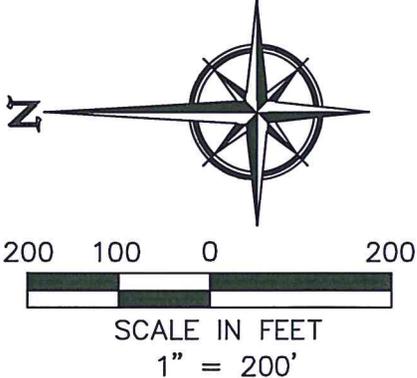
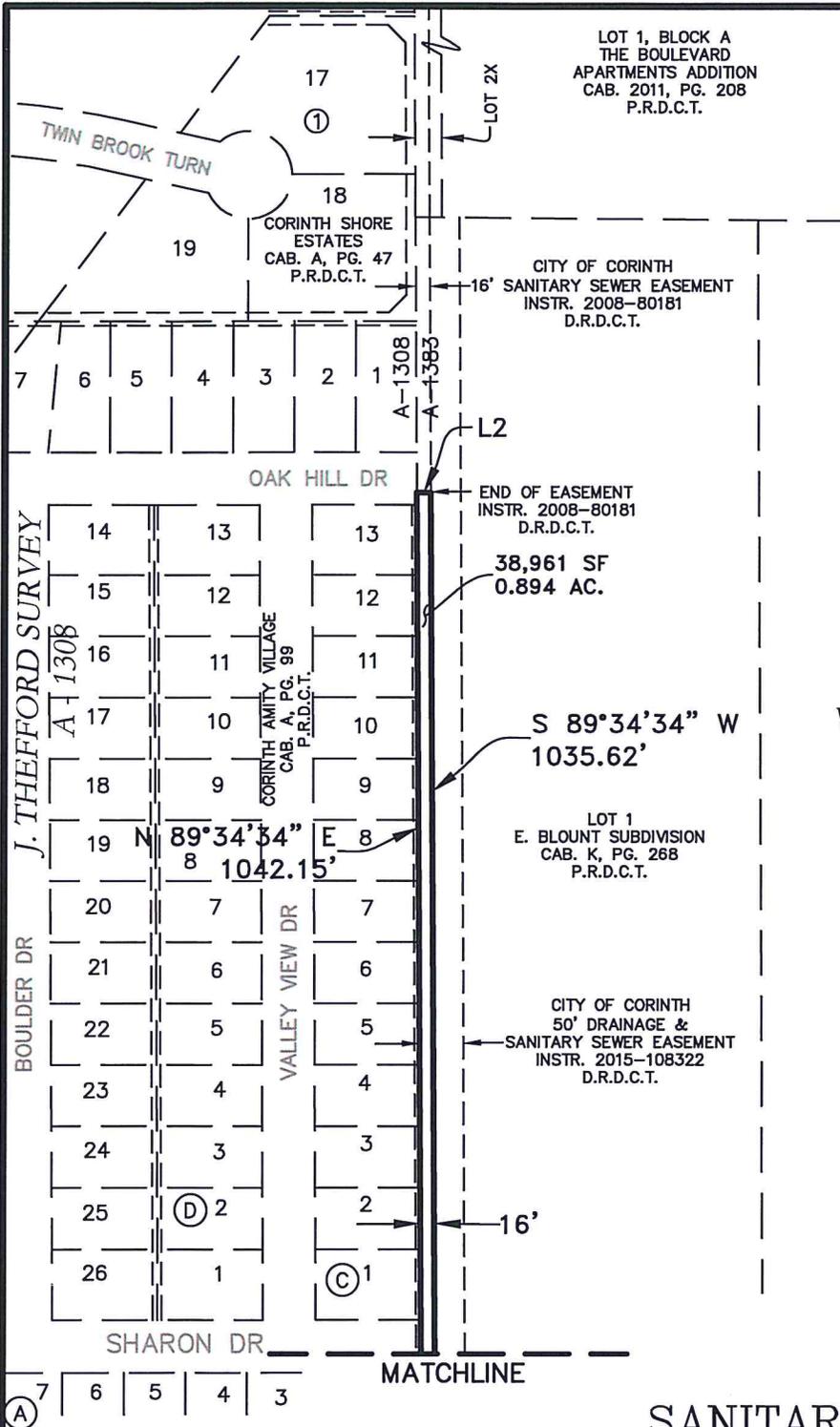


EXHIBIT "A-2"
SANITARY SEWER EASEMENT

W. WILSON SURVEY A-1383
 CITY OF CORINTH
 DENTON COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
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W. WILSON SURVEY
A-1383

REMAINDER 37.52 AC. TR.
ROBERT TAYLOR
TO
DONDI PROP. CORP.
VOL. 1482, PG. 556



EXHIBIT "A-2

SANITARY SEWER EASEMENT

W. WILSON SURVEY A-1383
CITY OF CORINTH
DENTON COUNTY, TEXAS

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DATE: 4/07/2016

6411 Exhibits.dwg

SHEET: 14 OF 19

EXHIBIT B
(Four Pages)

EXHIBIT "B"

EASEMENT ABANDONMENT

BEING a 1.731 acre easement situated in the W. Wilson Survey, Abstract No. 1383, City of Corinth, Denton County, Texas and being part of Lot 1 of the E. Blount Subdivision, an addition to the City of Corinth, as recorded in Cabinet K, Page 268, Plat Records, Denton County, Texas, said 1.731 acre easement being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod found for the northwest corner of said E. Blount Subdivision and the southwest corner of Lot 1, Block A, Haislip Family Farm, an addition to the City of Corinth, as recorded in Cabinet I, Page 181 of said Plat Records;

THENCE South 89 degrees 51 minutes 08 seconds East, with the common boundary line of said E. Blount Subdivision and said Haislip Family Farm, a distance of 325.61 feet;

THENCE South 00 degrees 08 minutes 45 seconds West, a distance of 16.00 feet to the POINT OF BEGINNING;

THENCE South 89 degrees 51 minutes 08 seconds East, 16 feet from and parallel to the common boundary line of said E. Blount Subdivision and said Haislip Family Farm, a distance of 196.51 feet;

THENCE South 00 degrees 08 minutes 45 seconds West, a distance of 12.00 feet;

THENCE South 89 degrees 51 minutes 08 seconds East, 28 feet from and parallel to the common boundary line of said E. Blount Subdivision and said Haislip Family Farm, a distance of 610.10 feet;

THENCE North 45 degrees 08 minutes 52 seconds East, a distance of 135.28 feet to a point for corner from which a 1/2-inch iron rod found to an exterior ell corner of said E. Blount Subdivision bears North 80 degrees 21 minutes 38 seconds West, a distance of 89.55 feet;

THENCE North 89 degrees 34 minutes 34 seconds East, 16 feet from and parallel to the common boundary line of said E. Blount Subdivision and Corinth Amity Village, an addition to the City of Corinth, as recorded in Cabinet A, Page 99 of said Plat Records, a distance of 1035.62 feet to the southwest corner of a Sanitary Sewer Easement, dedicated to the City of Corinth, as recorded in Instrument 2008-80181 of said Deed Records;

THENCE North 00 degrees 25 minutes 26 seconds West, with the west boundary line of said easement, a distance of 16.00 feet to the northwest corner of said Easement in the north boundary line of said E. Blount Subdivision;

THENCE North 89 degrees 34 minutes 34 seconds East, with the north boundary line of said E. Blount Subdivision, a distance of 315.03 feet to the northeast corner of said E. Blount Subdivision;

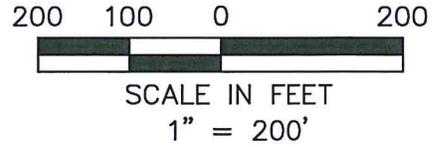
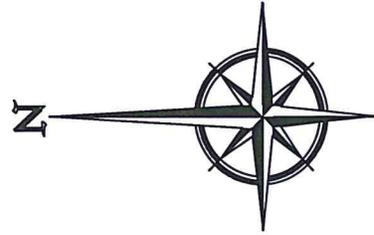
THENCE South 00 degrees 30 minutes 04 seconds West, with the east boundary line of said E. Blount Subdivision, a distance of 50.01 feet;

THENCE South 89 degrees 34 minutes 34 seconds West, 50 feet from and parallel to the north boundary line of said E. Blount Subdivision, a distance of 1335.95 feet;

THENCE South 45 degrees 08 minutes 52 seconds West, a distance of 118.50 feet;

THENCE North 89 degrees 51 minutes 08 seconds West, 50 feet from and parallel to the common boundary line of said E. Blount Subdivision and said Haislip Family Farm, a distance of 832.70 feet;

THENCE North 00 degrees 08 minutes 52 seconds East, a distance of 34.00 feet to the POINT OF BEGINNING AND CONTAINING 75,416 square feet or 1.731 acres of land.



LINE TABLE		
NO.	DIRECTION	DISTANCE
L1	S 89°51'08" E	196.51'
L2	S 0°08'45" W	12.00'
L3	N 45°08'52" E	135.28'
L4	N 0°25'26" W	16.00'
L5	N 89°34'34" E	315.03'
L6	S 0°30'04" W	50.01'
L7	S 45°08'52" W	118.50'
L8	N 0°08'52" E	34.00'

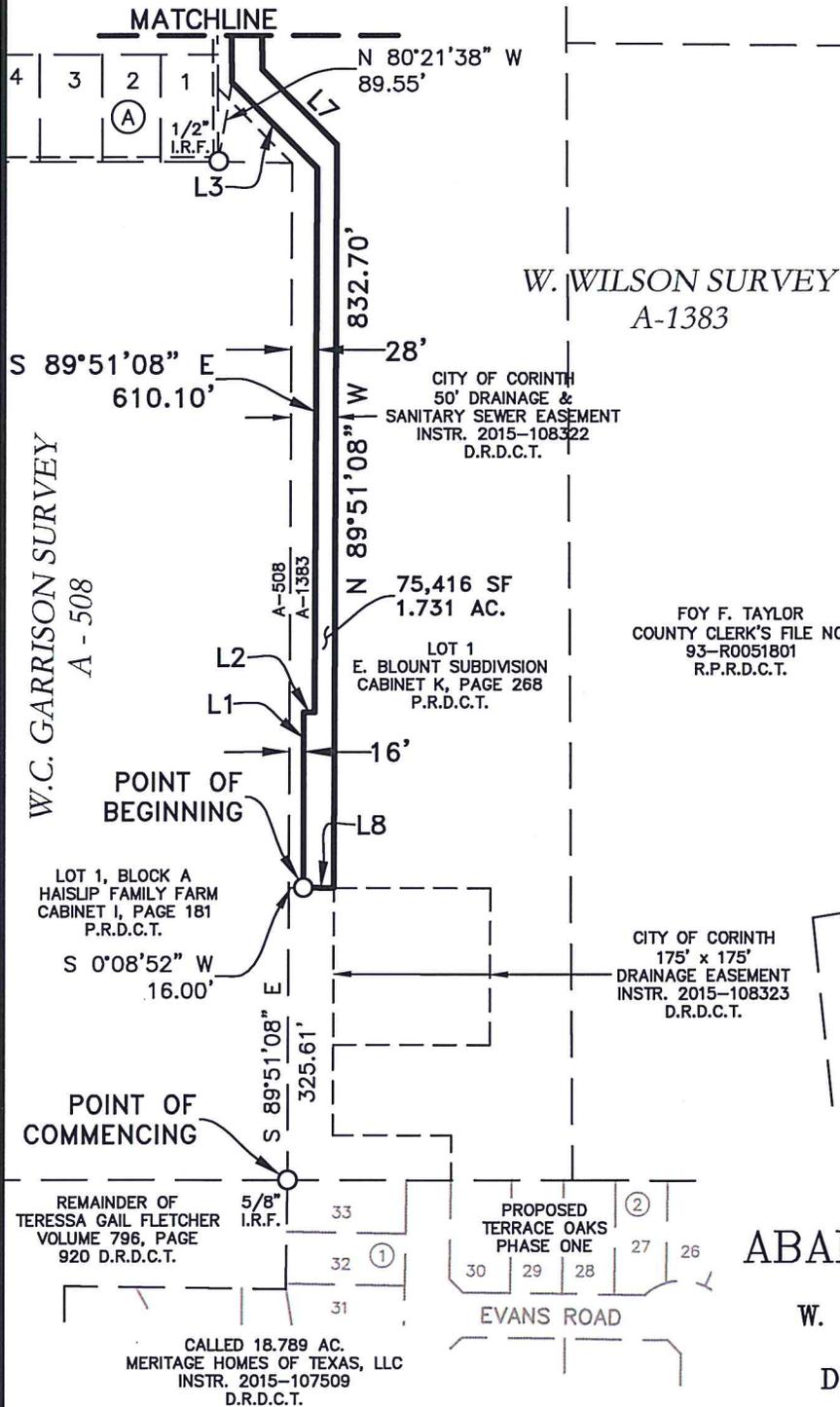
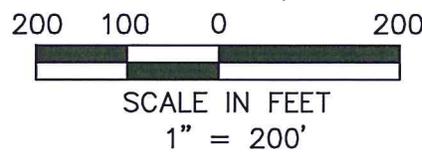
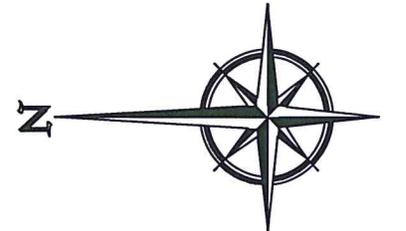
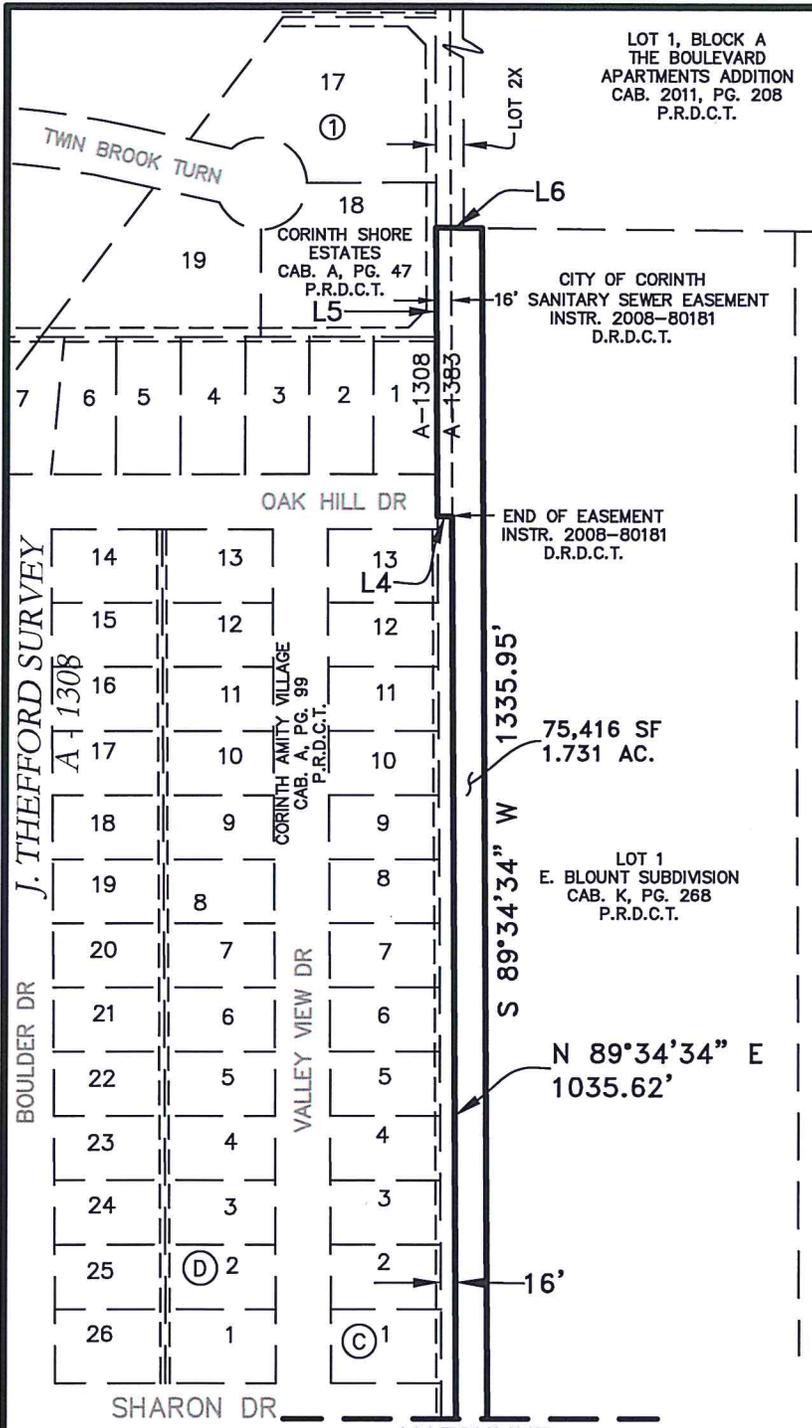


EXHIBIT "B"
ABANDONMENT TRACT

W. WILSON SURVEY A-1383
CITY OF CORINTH
DENTON COUNTY, TEXAS

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Chris E. Griffith

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City Council Regular and Workshop Session

Meeting Date: 05/05/2016

Title: Bill Utter Ford Zonng Change Request

Submitted For: Fred Gibbs, Director

Submitted By: Barbara Cabbage, Planning & Development Manager

Approval: Lee Ann Bunselmeyer, Acting City Manager

AGENDA ITEM

TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT, KYLE VRLA, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER, MONICA UTTER, WITH UTTER PROPERTIES, FOR A ZONING CHANGE ON 12.283 ACRES FROM C-3, COMMERCIAL TO PLANNED DEVELOPMENT C-3 ON PROPERTY LEGALLY DESCRIBED AS BILL UTTER FORD ADDITION BLOCK A, LOT 1 AND A ZONING CHANGE ON APPROXIMATELY 6.255 ACRES FROM C-2, COMMERCIAL TO PLANNED DEVELOPMENT C-2 ON PROPERTY LEGALLY DESCRIBED AS BILL UTTER FORD ADDITION BLOCK A, LOT 2 AND TRACT 26 OUT OF THE L. BATES SURVEY, COUNTY ABSTRACT 204 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

BUSINESS:

Consider and act an ordinance for a zoning change on 12.283 acres from C-3, Commercial to Planned Development C-3 on property legally described as Bill Utter Ford Addition Block A, Lot 1 AND a zoning change on approximately 6.255 acres from C-2, Commercial to Planned Development C-2 on property legally described as Bill Utter Ford Addition Block A, Lot 2 and Tract 26 out of the L. Bates Survey, County Abstract 204 in the City of Corinth, Denton County, Texas.

AGENDA ITEM SUMMARY/BACKGROUND

Approval Process

Public hearings will be held during the Planning and Zoning Commission meeting and the City Council meeting. A recommendation from the Planning and Zoning Commission regarding the zoning change request will be presented to City Council.

Agenda Item Description

Kyle Vrla, with Dynamic Engineering Consultants, applicant for the property owner, Monica Utter with Bill Utter Ford and Utter Properties, is requesting a change in zoning on approximately 16.6 acres. The rezoning request is for dual zoning. The intention is to rezone the current developed dealership (11.076 acres) from C-3, Commercial to Planned Development C-3 (PD C-3) and from C-2, Commercial to Planned Development C-2 (PD C-2) on approximately 5.576 acres adjacent to the existing dealership. The dealership intends to continue the existing New and Used Car / Pickup Truck Dealership with service included on the proposed PD C-3 developed site. Besides the Permitted Uses in C-3, Commercial found in the Unified Development Code (UDC) Use Chart; additional uses proposed are "Outside Storage of Inventory" and "Fuel Storage Tanks".

The proposed PD C-2 zoning district of this site proposes uses as listed under the C-2, Commercial section of the Use Chart out of the UDC as well as "Automobile Dealership New and Used" and "Outside Storage of Inventory". Rezoning of the adjacent property owned by Utter Properties is a natural progression from the existing facility. The proposed planned development master plan includes construction of a carwash intended for use by the dealership only, expansion of the existing service shop and service drive as a part of the main building and a proposed expansion of the existing used car building. The additional acreage (6.2) which is proposed as PD C-2 is a proposed expansion of the parking lot and provide additional inventory parking.

Current Zoning

- Subject Property C-3, Commercial
- North C-1, Commercial
- Northeast PD C-2 (PD 33)
- Southeast C-2, Commercial
- West IH 35E Highway Commercial (PD-5) and C-2

Existing Land Use

- Subject Property Commercial / Undeveloped
- North Office / Business Park
- Northeast Undeveloped
- Southeast Commercial
- West IH 35E Commercial

Current Future Land Use Designations

- Subject Property Commercial / Undeveloped
- North Office / Business Park
- Northeast Commercial
- Southeast Commercial
- West IH 35E Commercial

Proposed Zoning

Planned Development C-3 on 12.283 acres proposing additional uses of “Outside Storage of Inventory” and “Fuel Storage Tanks” and Planned Development C-2 on 6.2 acres proposing additional uses of “Automobile Dealership New and Used” and “Outside Storage of Inventory”.

The chart (attached) shows the dimensional regulations that are not the base zoning standard.

The Bill Utter Ford plat was approved in May 1997. The site was developed and striped to 9' x 18' parking spaces. At this time; the applicant has proposed the customer parking at 10' wide on the existing site however the employee parking was not figured into that situation.

Conformance to the Comprehensive Plan

The proposed zoning conforms to the existing Future Land Use designation of the City of Corinth Comprehensive Plan.

Notification to Public

There are five property owners of record whose properties fall within 200' of the subject properties and were mailed letters regarding the Planning and Zoning Commission public hearing on April 18, 2016. Public hearing signs were placed on Lake View and IH 35E in addition to notification sent to the Denton Record Chronicle.

Financial Summary

Source of Funding: No funding is required.

RECOMMENDATION

Automobile Dealership New and Used” is an allowed use in the C-3, Commercial zoning district. It is allowed by Specific Use Permit in the C-2, Commercial Zoning District. The proposed uses are appropriate at this location, and conform to the Comprehensive Plan Future Land Use designation. Staff recommends approval of the proposed rezoning request and associated elevations labeled as and included with "Exhibit C" of the Planned Development Ordinance and with the following recommendation:

- Although a lighting plan is not required with this zoning change request; the lighting plan reviewed by staff

showed that the foot candles existing currently on site are significantly higher than the level foot candles allowed by the UDC. The applicant is asking for leverage on leaving the existing lighting as is unless the main building is increased by 25%. The ordinance sets that limit at 20% and the applicant states the proposed increase is at 24%. It is recommended that the applicant research lighting alternatives to help lessen the intensity of the light at the frontage of the property where the foot candles seem to be the highest.

- Employee parking to comply with the 10' requirements.
- The acreage on the agenda is not what the Council will be approving for the rezoning. The published acreage included the land located in Denton – the ordinance is for the land only in Corinth. If approved the motion should reflect as much:

"... an ordinance for a zoning change on 11.076 acres from C-3, Commercial to Planned Development C-3 on property legally described as Bill Utter Ford Addition Block A, Lot 1 AND a zoning change on approximately 5.576 acres from C-2, Commercial to Planned Development C-2 on property legally described as Bill Utter Ford Addition Block A, Lot 2 and Tract 26 out of the L. Bates Survey, County Abstract 204 in the City of Corinth, Denton County, Texas.

Planning and Zoning Commission Recommendation

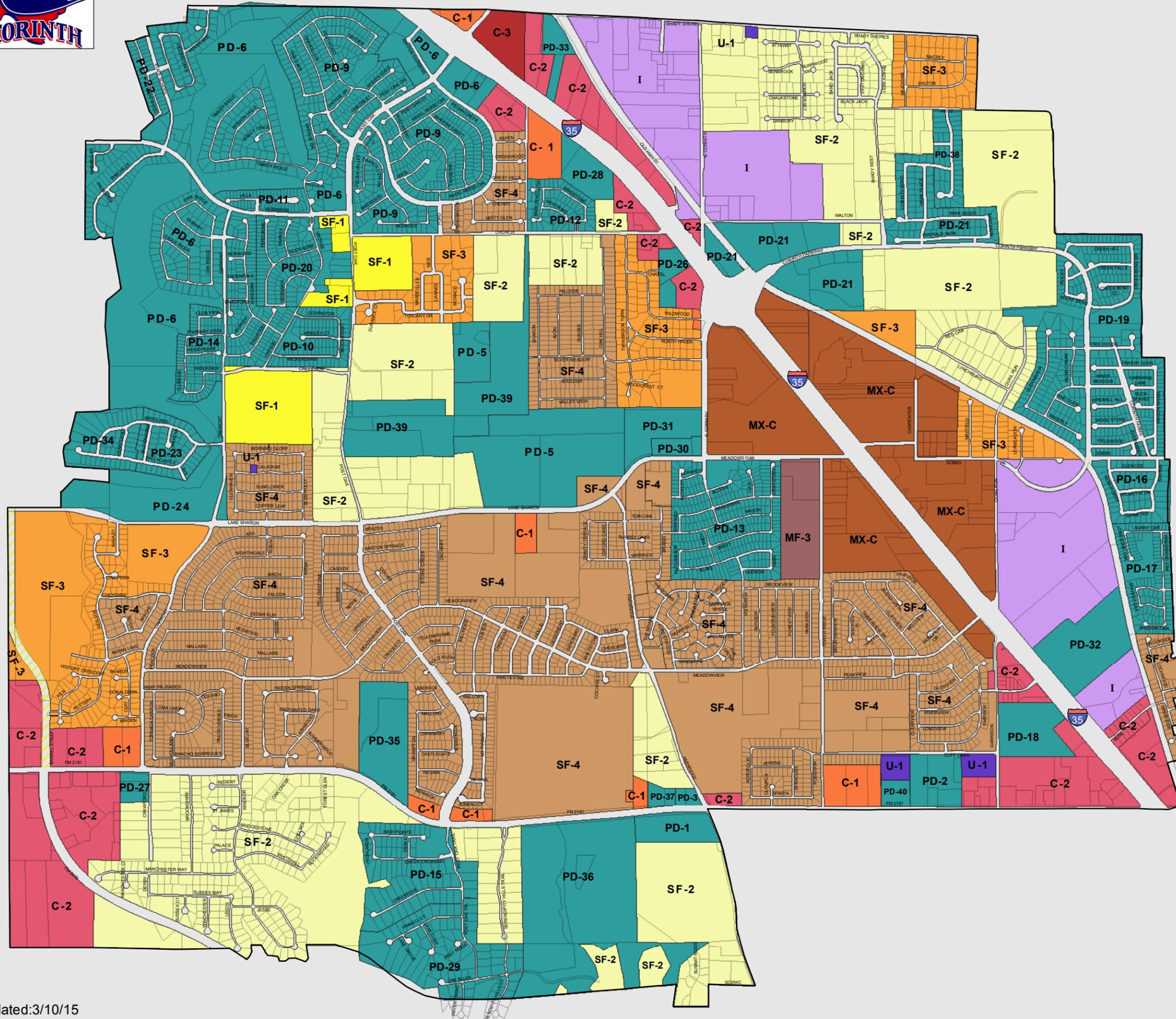
The Planning and Zoning Commission recommended unanimously (5-0) to approve the zoning change as requested with the additional stipulation of one expansion before adhering to the requirements of the lighting and glare regulations of the UDC for the site. (Commissioners present: Brian Rush, (Chairman), Bruce Hanson, (Vice Chair), Marc Powell, Dwayne Zinn, and Bill Morgan, (Alternate). Present but unable to vote: Breien Velde, (Alternate). Absent: Haven Hendrik.)

Attachments

Current Zoning Map
Use Chart UDC 2.07.03
Location Map
Bill Utter Ford Concept Plan
Dimensional Regulations Chart
Masonry Definition
Conditional Standards 2.07.04
Building Facade 2.09.04
Architectural Elevations
Exterior Facade Rendering
Ordinance - Bill Utter Ford PD C-2 C-3



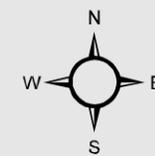
City of Corinth Zoning Map



Legend

Zoning Districts

- Future FM 2499
- C-1 Commercial
- C-2 Commercial
- C-3 Commercial
- I Industrial
- MF-1 Multi-Family Residential
- MF-2 Multi-Family Residential
- MF-3 Multi-Family Residential
- MHD Modular Home District
- MX-C Mixed Use Commercial
- PD Planned Development
- SF-1 Single Family Residential
- SF-2 Single Family Residential
- SF-3 Single Family Residential
- SF-4 Single Family Residential
- U-1 Utility





2.07.03. Use Chart

The use of land or buildings shall be in accordance with those listed in the following [Use Chart](#). No land or building shall hereafter be used and no building or structure shall be erected, altered, or converted other than for those uses permitted in the zoning district in which it is located, as shown in the [Use Chart](#).

Uses	Residential Zoning Districts									Nonresidential Zoning Districts					Special Zoning Districts			Vehicle Parking Regulations
	SF-1, Single Family Residential (detached)	SF-2, Single Family Residential (detached)	SF-3, Single Family Residential (detached)	SF-4, Single Family Residential (detached)	SF-A, Single Family Residential (attached)	MX-D, Mixed Density Residential	MF-1, Multi-Family Residential	MF-2, Multi-Family Residential	MF-3, Multi-Family Residential	C-1, Commercial	C-2, Commercial	C-3, Commercial	I, Industrial	U-1, Utility	MX-R, Mixed Use Residential	MX-C, Mixed Use Commercial	PD, Planned Development	
Legend for Use Chart																		
P	Use is permitted in district indicated																	
	Use is prohibited in district indicated																	
S	Use is permitted in district upon approval of a 2.10.10, Specific Use Permit																	
#	Use is permitted (or permitted by SUP) if the use complies with conditional development standards or limitations in the corresponding numeric end note in 2.07.04, Conditional Development Standards .																	
§	Reference to 2.09.03, Vehicle Parking Regulations																	
Residential Uses																		
Assisted Living/Nursing Home							P	P	P	S	S	S	P		P	S	20	E.7
Carport																	20	None
Dwelling, Single Family (detached)	P	P	P	P	P	P-1	P	P	P							S	20	C.1
Dwelling, Single Family (attached – duplex)					P	P-1	P	P	P						P	S	20	C.1
Dwelling, Single Family (attached – townhouse)					P	P-1	P	P	P						P	S	20	C.1
Dwelling, Multi-Family						P-1	P	P	P						P	S	20	D.2
Guest House/Servants' Quarters	P-2	P-2															20	C.1
Manufactured Home (HUD Code)																	20	C.1
Modular (Industrialized) Home	P-3	P-3	P-3	P-3	P-3	P-3	P-3	P-3	P-3						P-3	S	20	C.1
Retirement Housing							P	P	P						P	S	20	E.
Studio Residence															P	S	20	D.2/E.7
Nonresidential Uses																		
Adult Day-Care Services	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	20	E.3
Agricultural Use	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	20	E.19/26
Ambulance Service											P	P	P			P	20	E.19
Amusement, Commercial (indoors)											P	P	P		P	P	20	E.19
Amusement, Commercial (outdoors)											S-5	S-5	S-5			S-5	20	E.6
Antique Shop										P	P	P	P		P	P	20	E.21
Art Gallery or Museum										P	P	P	P		P	P	20	E.14
Automobile Body Shop												P	P				20	E.19
Automobile or Other Motorized Vehicle Sales and Service											S-6	P	S-6			S-6	20	E.19
Automobile Parts Store										P	P	P	P			P	20	E.19
Automobile Service Garage (Major)											P	P	P			P	20	E.8
Automobile Service Garage (Minor)										P	P	P	P			P	20	E.8
Bank or Financial Institution										P	P	P	P		P	P	20	E.1
Barber or Beauty Shop										P	P	P	P		P	P	20	E.21
Book Store										P	P	P	P		P	P	20	E.21
Bowling Alley										P	P	P	P		P	P	20	E.2
Car Wash, Full Service										P	P	P			S	P		
Car Wash, Self Service											P	P				S		
Carpentry Shop													P				20	E.19
Caterer or Wedding Service										P	P	P	P		P	P	20	E.19
Ceramic and Pottery Manufacturer													P				20	E.19
Child-Care: Foster Family Home (Independent)	P	P	P	P													20	C.1
Child-Care: Foster Group Home (Independent)	P	P	P	P													20	C.1
Child-Care: Licensed Child-Care Center										S	S	S	S		S	S	20	E.3
Child-Care: Licensed Child-Care Home	P	P	P	P													20	E.



Uses	Residential Zoning Districts									Nonresidential Zoning Districts					Special Zoning Districts			Vehicle Parking Regulations
	SF-1, Single Family Residential (detached)	SF-2, Single Family Residential (detached)	SF-3, Single Family Residential (detached)	SF-4, Single Family Residential (detached)	SF-A, Single Family Residential (attached)	MX-D, Mixed Density Residential	MF-1, Multi-Family Residential	MF-2, Multi-Family Residential	MF-3, Multi-Family Residential	C-1, Commercial	C-2, Commercial	C-3, Commercial	I, Industrial	U-1, Utility	MX-R, Mixed Use Residential	MX-C, Mixed Use Commercial	PD, Planned Development	
Legend for Use Chart																		
P	Use is permitted in district indicated																	
 	Use is prohibited in district indicated																	
S	Use is permitted in district upon approval of a 2.10.10. Specific Use Permit																	
#	Use is permitted (or permitted by SUP) if the use complies with conditional development standards or limitations in the corresponding numeric end note in 2.07.04. Conditional Development Standards .																	
§	Reference to 2.09.03. Vehicle Parking Regulations																	
Child-Care: Listed Family Home	P	P	P	P													20	C.1
Child Care: Registered Child-Care Home	P	P	P	P													20	C.1
Church or Other Place of Worship, including Parsonage/Rectory	P	P	P	P	P	P	P	P	P								20	E.4
College or University	S	S	S	S	S	S	S	S	S	S	S	S		S			20	E.10
Computer/Chip Manufacturer												P					20	E.15
Concrete Batch Plant	S	S	S	S	S	S	S	S	S	S	S	S		S	S			
Country Club	P	P	P	P				P	P	P							20	E.19
Dance, Music, or Drama Studio										P	P	P	P		P	P	20	E.21
Donation or Recycling Collection Point	S-7	S-7	S-7	S-7	S-7	S-7	S-7	S-7	S-7	S-7	S-7	S-7		S-7	S-7		20	E.26
Educational Services Office										P	P	P	P		P	P	20	E.16
Electrical Power Substations													P				20	E.15/26
Exterminating Company										P	P	P	P			P	20	E.21
Farmer's Market										S	S	S	S				20	E.19
Feed Store											P	P	P			P	20	E.19
Financial Loan – Credit Access Business													P-8				20	E.1
Financial Loan – Deferred Presentment Transaction													P-8				20	E.1
Financial Loan – Motor Vehicle Title Loan													P-8				20	E.1
Firewood Sales	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	20	E.26
Fix-It Shop, Bicycle Repair, Blade Sharpening, Small Engine Repair												P	P	P	P		20	E.15
Furniture Repair and Upholstering Shop										P	P	P	P		P	P	20	E.15
Gas Regulator Stations or Metering Stations														P			20	E.15/26
Gas or Oil Well and Production	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	E.15/26
Gasoline Filling or Service Station/Car Wash											S-10	P	P			S-10	20	E.8
Golf Course	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	E.9
Grocery Store										P	P	P	P			P	20	E.21
Gym or Health/Fitness Center										P	P	P	P		P	P	20	E.21
Heliport or Helistop											S-11	S-11	S-11	S-11		S-11	20	E.19
Home Based Business	P-12	P-12	P-12	P-12													20	C.1
Hospital, Acute Care											S	S	S		S	S	20	E.11
Hospital, Chronic Care											S	S	S		S	S	20	E.11
Hotel										S	P	P	P		S		20	E.12
Institution for the Care of Alcoholic, Psychiatric, or Narcotic Patients											P	P					20	E.13
Jewelry Manufacturing or Assembly													P				20	E.15
Kennel/Veterinary Office											S-13	S-13	S-13		S-13		20	E.16
Laundry, Commercial											P	P	P			P	20	E.19
Laundry, Dry Cleaning Drop-Off/Pick-Up										P	P	P	P		P	P	20	E.21
Laundry, Self-Service										P	P	P	P		P	P	20	E.21
Leather Product and Saddle Manufacturing													P				20	E.15
Library	P	P	P	P	P	P	P	P	P					P			20	E.14
Light Assembly and Manufacturing Processes													P				20	E.15
Manufactured Home Sales											S	S					20	E.16/26
Manufacturing or Industrial Operations													S				20	E.15



Uses	Residential Zoning Districts									Nonresidential Zoning Districts					Special Zoning Districts			Vehicle Parking Regulations
	SF-1, Single Family Residential (detached)	SF-2, Single Family Residential (detached)	SF-3, Single Family Residential (detached)	SF-4, Single Family Residential (detached)	SF-A, Single Family Residential (attached)	MX-D, Mixed Density Residential	MF-1, Multi-Family Residential	MF-2, Multi-Family Residential	MF-3, Multi-Family Residential	C-1, Commercial	C-2, Commercial	C-3, Commercial	I, Industrial	U-1, Utility	MX-R, Mixed Use Residential	MX-C, Mixed Use Commercial	PD, Planned Development	
Legend for Use Chart																		
P	Use is permitted in district indicated																	
 	Use is prohibited in district indicated																	
S	Use is permitted in district upon approval of a 2.10.10. Specific Use Permit																	
#	Use is permitted (or permitted by SUP) if the use complies with conditional development standards or limitations in the corresponding numeric end note in 2.07.04. Conditional Development Standards .																	
§	Reference to 2.09.03. Vehicle Parking Regulations																	
Medical Clinic										P	P	P	P		P	P	20	E.5
Motel, Motor Hotel, or Tourist Court										S	P	P	P			P	20	E.12
Movie Picture Theatre										S	P	P	P		P	P	20	E.25
Newspaper Printing											P	P	P			P	20	E.19
Office, Professional, Medical, or Business										P	P	P	P		P	P	20	E.16
Outside Display										P-14	P-14	P-14	P-14		P-14	P-14	20	E.19/26
Outside Storage										S-15	S-15	S-15	S-15	S-15		P-15	20	E.19/26
Park, Playground, or Community Center, Public	P	P	P	P	P	P	P	P	P						P		20	E.17
Pet Shop (Retail Sales Only)										P	P	P	P		P	P	20	E.21
Photographer's or Artist's Studio/Film Processing										P	P	P	P		P	P	20	E.19
Plastic Products Manufacturing													P				20	E.15
Play Field or Stadium, Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	E.25/26
Plumbing/Electrical/Air Conditioning Store (Retail Sales Only)										P	P	P	P			P	20	E.19
Police or Fire Station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	E.19
Portable Building	S-16	S-16	S-16	S-16						S-16	S-16	S-16	S-16	S-16		S-16	20	E.19/26
Printing/Duplication Shop or Mailing Center										P	P	P	P		P	P	20	E.19
Private Club										S-21	S-21	S-21	S-21				20	E.20
Public Building										P	P	P	P		P	P	20	E.19
Public Parking Garage										P	P	P	P		P	P	20	E.19/26
Radio or TV Station													P				20	E.19/26
Research and Development Laboratories													P				20	E.15
Restaurant or Cafeteria, with or without Curb or Drive-In Service										S	P	P	P		P	P	20	E.20
Restaurant or Cafeteria, without Curb or Drive-In Service (Service to be entirely within the building)										P	P	P	P			P	20	E.20
Retail Stores and Shops										P	P	P	P		P	P	20	E.21
RV Park																S	20	E.22
School, Career													S		P		20	E.10
School, Private	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	20	E.10/23
School, Public	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	20	E.10/23
Seamstress or Tailor Shop										P	P	P	P		P	P	20	E.19
Sexually Oriented Business												P-17						E.21
Shoe Repair Shop										P	P	P	P		P	P	20	E.19
Storage Units, Mini													S				20	E.24
Tattoo Studio											S	S	S			S	20	E.21
Taxi Garage or Dispatch											P	P	P			P	20	E.19
Telephone Exchange (No Offices or Storage Facilities)	P	P	P	P			P	P	P								20	E.19
Temporary Building for New Construction	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	20	E.19/26
Textile Manufacturing, with dust and odor control																	20	E.15
Tower/Antenna: TV, Radio, Microwave, Telephone, or Cellular													S-19	S-19			20	E.19
Utility Storage/Repair Buildings														P			20	E.19
Water Storage														P			20	E.19
Water Treatment Facility														P			20	E.19
Warehouse													P			S	20	E.24
Wedding Chapel, Reception Facility, Special Events Center										S	S	S	S			S	20	E.21

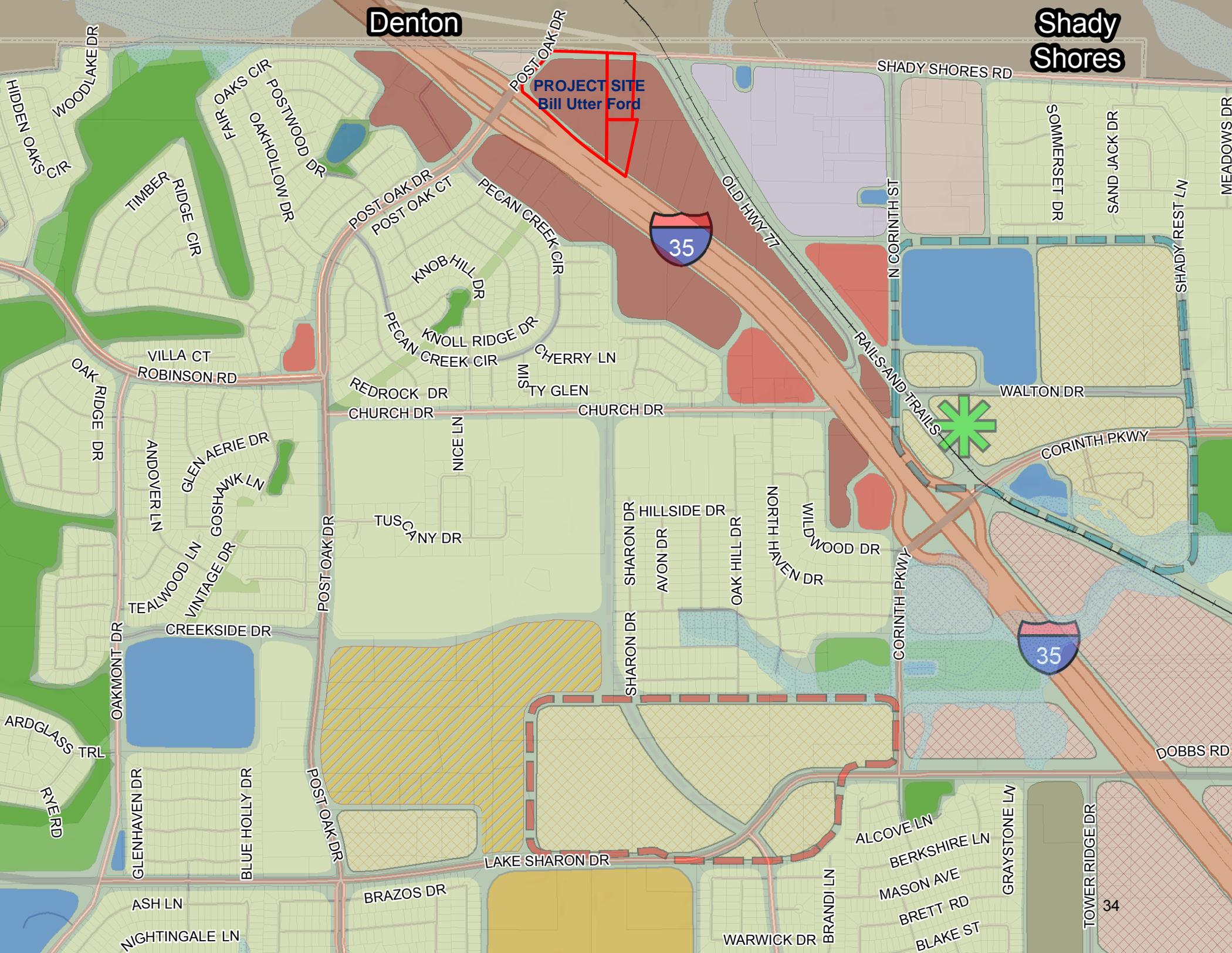


Uses		Residential Zoning Districts								Nonresidential Zoning Districts					Special Zoning Districts			Vehicle Parking Regulations	
Legend for Use Chart		SF-1, Single Family Residential (detached)	SF-2, Single Family Residential (detached)	SF-3, Single Family Residential (detached)	SF-4, Single Family Residential (detached)	SF-A, Single Family Residential (attached)	MX-D, Mixed Density Residential	MF-1, Multi-Family Residential	MF-2, Multi-Family Residential	MF-3, Multi-Family Residential	C-1, Commercial	C-2, Commercial	C-3, Commercial	I, Industrial	U-1, Utility	MX-R, Mixed Use Residential	MX-C, Mixed Use Commercial		PD, Planned Development
P	Use is permitted in district indicated																		
	Use is prohibited in district indicated																		
S	Use is permitted in district upon approval of a 2.10.10. Specific Use Permit																		
#	Use is permitted (or permitted by SUP) if the use complies with conditional development standards or limitations in the corresponding numeric end note in 2.07.04. Conditional Development Standards .																		
§	Reference to 2.09.03. Vehicle Parking Regulations																		
	Weight Loss Center										P	P	P	P		P	P	20	E.21
	Wholesale Center										P	P	P	P			P	20	E.21
	Woodworking and Planing Mill													P				20	E.15

Denton

Shady Shores

PROJECT SITE
Bill Utter Ford



	Current C-3	Current C-2	Proposed PD C-3	Proposed PD C-2
Minimum Front Yard Setback:	40	40	40	40
Minimum Side Yard Setback: Interior Lot	20	0	20 or 0*	0
Minimum Side Yard Setback: Corner Lot	40	10	40 or 0*	10 or 0*
Minimum Rear Yard Setback:	20	20	20 or 0*	20 or 0*
Minimum Lot Area	40,000	30,000	40,000	30,000
Minimum Lot Width	200	175	200	175
Minimum Lot Depth:	150	120	150	150
Maximum Height	40	40	40	40
Maximum Building Area – all buildings	50%	50%	50%	50%

* No setback required along shared zoning line within this PD. Setbacks only required on exterior property/zoning boundaries adjacent to other districts not included in this PD.

electrical systems contained in the structure. The term does not include a [Mobile Home](#) or [Manufactured Home – HUD Code](#) as defined in the [Texas Manufactured Housing Standards Act \(Article 5221f, V.A.C.S.\)](#). Industrialized homes must meet all applicable local codes and zoning regulations that pertain to construction of traditional site constructed ("stick built") homes. See [Conditional Development Standards](#) subsection [2.07.04. A.3](#) for [Modular \(Industrialized\) Home](#) regulations.

198. *Manufacturing or Industrial Operations*

An establishment engaged in manufacturing, assembly, fabrication, packaging or other industrial processing of products primarily from extracted/raw materials or the bulk storage and handling of such products and materials, or an industrial establishment having potential to produce noise, dust, glare, odors or vibration beyond its property line.

199. *Masonry Construction*

a. Class 1: Masonry Construction

Class 1: Masonry Construction shall include the following exterior construction materials: fired brick, natural and manufactured stone, granite, and marble.

b. Class 2: Masonry Construction

Class 2: Masonry Construction shall include the following exterior construction materials: all Class 1: Masonry Construction, architectural concrete block, 3-step stucco process, and tilt wall concrete panels.

c. Class 3: Masonry Construction

Class 3: Masonry Construction shall include the following exterior construction materials: all Class 1: Masonry Construction, Class 2: Masonry Construction, EIFS, and sealed and painted concrete block.

200. *Medical Clinic*

A group of offices for one or more physicians, surgeons, chiropractors or dentists, engaged in treating the sick or injured, but not including rooms for the abiding of patients.

201. *Minor Plat*

A plat dividing land into no more than four (4) lots that meets the submission and approval requirements of Section [3.03.04. Minor Plat](#). Such plat may be approved by the [Director of Planning](#). Such plat is also considered a [Final Plat](#).

202. *Minor Replat*

Pursuant to [Texas Local Government Code 212.0065](#), a [Minor Replat](#) is a [Replat](#) involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities. See Section for [3.03.05. G.2 Minor Replat](#) details.

203. *Minor Subdivision Waiver*

See [Waiver, Minor Subdivision](#).

204. *Modular (Industrialized) Home*

See [Modular \(Industrialized\) Home \(also called Modular Prefabricated Structure\)](#) under the definition of [Manufactured Housing](#) (Definition #197).

205. *Motel, Motor Hotel, or Tourist Court*

- a. An establishment offering to the transient public the use of guest rooms or sleeping accommodations for compensation.
- b. Such an establishment consists of a group of attached or detached guest rooms or sleeping accommodations the majority of which have private and direct access from parking areas not through common entrance and lobby.
- c. The establishment furnishes customary [Hotel](#) (Definition #163) services and many contain a restaurant, club, lounge, banquet hall and/or meeting rooms.



consider the evidence and determine, by a preponderance of the evidence, if the revocation should be upheld. The determination of the [City Manager](#) is final.

5. [Amusement, Commercial \(outdoors\)](#) Standards
 - a. Allowed by [Specific Use Permit](#).
 - b. All exterior light sources shall be of a down-light type, indirect, diffused, or shielded type luminaries and so installed as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets.
 - c. No intermittent or flashing lights shall be permitted.
 - d. Luminaries shall be mounted at a height not to exceed thirty (30) feet as measured vertically from the horizontal surface of the nearest parking pavement.
 - e. No exterior auditory devices shall be permitted.
6. **Automobile or Other Motorized Vehicle Sales and Service Standards**
 - a. Allowed by [Specific Use Permit](#).
 - b. All exterior light sources shall be of a down-light type, indirect, diffused, or shielded type luminaries and so installed as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets.
 - c. No intermittent or flashing lights shall be permitted.
 - d. Luminaries shall be mounted at a height not to exceed thirty (30) feet as measured vertically from the horizontal surface of the nearest parking pavement.
 - e. All building facades shall be constructed with the same masonry materials that meet the masonry regulations for the zoning district in which the property is located.
 - f. No exterior auditory devices shall be permitted.
7. [Concrete Batch Plant](#) Standards
 - a. The purpose of the Section is to establish requirements for a Specific Use Permit for a Concrete Batch Plant. This use may be approved by specific use permit in all zoning district as a temporary use, not to exceed six month intervals with two extensions if authorized by the City.
 - b. All associated equipment and buildings shall be fenced for safety with a chain link fence.
 - c. A specific use permit granted to operate a Concrete Batch Plant must meet the following requirements:
 - d. A site plan which complies with the requirements of [2.10.08. Site Plans](#) of the Unified Development Code submitted and is approved.
 - e. A building permit is approved.
 - f. The minimum building setback for all Concrete Batch Plant structures and equipment shall be established and maintained for all yards at the distances specified for the zoning district adjoining the complex as shown below:
 - g.

<u>Adjoining Zoning District</u>	<u>Required Setback</u>
h. C-1, C-2, MXC, LI	100 feet
i. All Neighboring Residential Districts	300 feet

2.09.04. Building Façade Material Standards

A. Exterior Material Requirements for all Single Family Units

1. Applicability

This section applies to all single family (attached and detached) units.

2. Residential Material Standards

a. The exterior façades of a main building or structure shall be constructed of eighty-five (85) percent [Class 1: Masonry Construction](#) or stucco unless otherwise specified in this [UDC](#).

i. Individual exterior walls shall contain no less than fifty (50) percent [Class 1: Masonry Construction](#) or stucco.

b. Fiber cement siding may constitute fifty (50) percent of stories other than the first story, where located over the roofline.

i. Fiber cement siding may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers of rear entry garages, columns, chimneys not part of an exterior wall, or other architectural features.

B. Exterior Material Requirements for all Multi-family Units

1. Applicability

This section applies to all multi-family units.

2. Residential Material Standards

The exterior façades of a main building or structure shall be constructed of eighty-five (85) percent [Class 1: Masonry Construction](#) on the first and second floors and fifty (50) percent on all other floors.

C. Exterior Material Requirements for Nonresidential Districts and Uses

1. Applicability

This section applies to all nonresidential buildings.

2. Nonresidential Material Standards

a. Within Commercial Zoning Districts, exterior façades of a main building or structure shall consist of one hundred (100) percent [Class 2: Masonry Construction](#).

b. Within Industrial Zoning Districts, exterior façades of a main building or structure adjacent to a public street shall consist of one hundred (100) [Class 2: Masonry Construction](#). All exterior façades of a main building or structure shall consist of at least sixty (60) percent [Class 3: Masonry Construction](#).

c. If a nonresidential use is within a residential district, then exterior façades of a main building or structure shall consist of one hundred (100) percent [Class 1: Masonry Construction](#).

3. Maximum Material Coverage

No single building material shall cover more than eighty percent (80%) of the front of any building, with the exception of on-site utility or service structures.

4. Windows

a. Clear glass shall be used for commercial storefront display windows and doors.



- b. Windows shall be individually defined with detail elements such as frames, sills, and lintels, and placed to visually define the building stories.

D. Approval of Alternative Compliance

A request for Alternative Compliance may be submitted and acted upon in accordance with [2.10.02. Alternative Compliance](#). The City Council may approve the following, based upon a finding that the proposed alternative meets the spirit and intent of this [2.09.04. Building Façade Material Standards](#).

1. Alternative Materials

For nonresidential and multi-family buildings, the following alternative materials or percentages may be approved:

- a. Any new material not specified in the definition of masonry construction that the City Council determines is equal or superior in appearance, safety and quality to masonry.
- b. Any use of a veneer which simulates a masonry material and that the City Council determines equal or superior in appearance, safety, and quality to masonry.
- c. A reduction of the required masonry percentage by a maximum of ten percent (10%) when a unique and attractive architectural design is used.

2. Original Building Materials

For existing nonresidential buildings undergoing expansion, the use of materials used on the original building provided they are allowed materials or an integral part of the character of the building.

3. Transfer the Location of Masonry Materials

For existing nonresidential buildings undergoing expansion, the transfer of the required masonry materials to the front (i.e., more visible) façade(s) of the building in lieu of placing the required masonry materials on a side or rear façade.

4. Non-Masonry Building Materials

The use of non-masonry building materials for portable buildings, if extra landscaping is provided to offset any visual effects.

5. Cement Fiberboard Siding

The use of cement fiberboard siding (also commonly referred to as “HardiePlank” or “SmartBoard”) for single family, two-family and townhouse residential buildings.

6. Supporting Evidence

- a. It shall be the sole responsibility of the Applicant to provide evidence in support of the specified criteria in subsections [2.09.04. D.1](#) through [2.09.04. D.5](#) above.
- b. The Applicant’s evidence shall include any additional information and/or sample materials requested by the [Director of Planning, Planning and Zoning Commission](#), or [City Council](#) that would assist in a decision to approve or deny the request.



ORDINANCE NO. 16-05-05-___

BILL UTTER FORD PLANNED DEVELOPMENT DISTRICT

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE, ORDINANCE NO. 13-05-02-08 BY AMENDING THE ZONING CLASSIFICATION FOR A ZONING CHANGE ON 11.076 ACRES FROM C-3, COMMERCIAL TO PLANNED DEVELOPMENT C-3 ON PROPERTY LEGALLY DESCRIBED AS BILL UTTER FORD ADDITION BLOCK A, LOT 1 AND A ZONING CHANGE ON APPROXIMATELY 5.576 ACRES FROM C-2, COMMERCIAL TO PLANNED DEVELOPMENT C-2 ON PROPERTY LEGALLY DESCRIBED AS BILL UTTER FORD ADDITION BLOCK A, LOT 2 AND TRACT 26 OUT OF THE L. BATES SURVEY, COUNTY ABSTRACT 204 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.; PROVIDING FOR A PD DESIGN STATEMENT AND PD DESIGN MAP; APPROVING A PLANNED DEVELOPMENT MASTER PLAN; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas has adopted Ordinance 13-05-02-08, which adopts a Unified Development Code, which includes the Comprehensive Zoning Ordinance and which, in accordance with the City's Comprehensive Plan, establishes zoning districts and adopts a Zoning Map; and

WHEREAS, the hereinafter described property is zoned as C-3 Commercial and C-2 Commercial Classifications under the City's Unified Development Code and a person having a proprietary interest in the property has requested a change in the zoning classification of said property; and

WHEREAS, the Planning and Zoning Commission of the City of Corinth and the City Council of the City of Corinth, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the City of Corinth City Council is of the opinion that said change in zoning should be made; and

WHEREAS, the City Council considered the following factors in making a determination as to whether the requested change should be granted or denied: safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the sites; safety from fire hazards and damages; noise producing elements and glare of the vehicular and stationary lights and effect of such lights on established character of the neighborhood; location, lighting and types of signs and relation of signs to traffic control and adjacent property; street size and adequacy of width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood; adequacy of parking as determined by requirements of this ordinance for off-street parking facilities; location of ingress and egress points for parking and off-street loading spaces, and protection of public health by surfacing on all parking areas to control dust; effect on the promotion of health and the general welfare; effect on light and air; effect on the over-crowding of the land; effect on the concentration of population, and effect on transportation, water, sewerage, schools, parks and other public facilities; and

WHEREAS, the City Council further considered among other things the character of the districts and their peculiar suitability for particular uses and the view to conserve the value of the buildings, and encourage the most appropriate use of the land throughout this City; and

WHEREAS, the City Council finds that the change in zoning promotes the health and the general welfare, provides adequate light and air, prevents the over-crowding of land, avoids undue concentration of population, and facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and the general health, safety and welfare of the community;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:

SECTION I - LEGAL PROPERTY DESCRIPTION; AMENDMENT

That in accordance with the Unified Development Code, the Zoning Map of the City of Corinth is hereby amended on 11.076 acres of land being Lot 1, Block A, Bill Utter Ford Addition from C-3, Commercial to Planned Development C-3 Commercial described in "Exhibit A-1" AND from C-2 Commercial to Planned Development C-2 Commercial as described in "Exhibit A-2" on 5.576 acres of land being Lot 2, Block A, Bill Utter Ford Addition and Tract 26 situated in the L. Bates Survey, Abstract No. 204 in the City of Corinth, Denton County, Texas,.

SECTION II – PLANNED DEVELOPMENT ZONING EXHIBIT

The PD Design Statement and PD Concept Design Map documents approved and described as "Exhibit B" attached hereto and made a part hereof are approved.

SECTION III – LAND USE REGULATIONS

- A. The Zoning and Land Use Regulations set forth in "Exhibit C" attached hereto and made a part hereof for all purposes shall be adhered to in its entirety for the purposes of this Planned Development Mixed Use-Commercial District. In the event of conflict between the provisions of "Exhibit C" and provisions of any other exhibit, the provisions of "Exhibit C" control.
- B. That the zoning regulations and districts as herein established have been made in accordance with the Comprehensive Plan for the purpose of promoting the health, safety, morals and the general welfare of the community. They have been designed, with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future; to lessen congestion in the streets; to provide adequate light and air; to prevent over-crowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, drainage and surface water, parks and other commercial needs and development of the community. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community
- C. If, after two years from the date of approval of the Planned Development Master Plan, no substantial development progress has been made within the PD, then the Planned Development Master Plan shall expire. If the Planned Development Master Plan expires, a new Planned Development Master Plan must be submitted and approved according to the procedures within the Unified Development Code, Planned Development Application and Review. An extension of the two year expiration shall be granted if a development Application for the PD has been submitted and is undergoing the development review process or if the Director of Planning determines development progress is occurring.

- D. The Planned Development Master Plan shall control the use and development of the property, and all building permits and development requests shall be in accordance with the plan until it is amended by the City Council. The property owner shall furnish a reproducible copy of the approved PD Concept Design Map for signature by the Mayor and acknowledgement by the City Secretary. The Planned Development Master Plan, including the signed map shall be made a part of the permanent file and maintained by the City Secretary.

SECTION IV – PENALTY FOR VIOLATIONS

Any person, firm, or corporation violating any of the provisions of this ordinance shall upon conviction be fined a sum not to exceed two thousand dollars (\$2,000.00); and each and every day that these provisions are violated shall constitute a separate and distinct offense.

SECTION V – SEVERABILITY CLAUSE

If any section, paragraph, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION VI – EFFECTIVE DATE

This ordinance shall become effective after approval and publication as provided by law.

PASSED AND APPROVED THIS 5th DAY OF May, 2016.

APPROVED:

Bill Heidemann, Mayor

ATTEST:

Kimberly Pence, City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A-1"

METES AND BOUNDS LEGAL DESCRIPTION

PROPOSED ZONING PD C-3 – 11.076 ACRES

BEING all that certain lot, tract, or parcel of land situated in the M.E.P. and P.R.R. Company Survey Abstract Number 911 and in the L. H. Bates Survey Abstract Number 204 in the City of Corinth, being a part of Lot 1, Block A, Bill Utter Ford Addition, an addition to the City of Denton and the City of Corinth, Denton County, Texas according to the plat thereof recorded INN Cabinet P, Page 357, Plat Records, Denton County, Texas, and being more particularly described as follows:

COMMENCING at an "X" in concrete found for corner in the east line of Interstate Highway Number 35-E, a public roadway having a variable width right-of-way, said point being the southwest corner of Lot 1, Block A of Streetwerks Addition, an addition to the City of Corinth, Denton County, Texas according to the plat thereof recorded in Cabinet O, Page 74, Plat Records, Denton County, Texas;

THENCE N 51° 47' 59" W, 192.07 feet with said east line of said Interstate Highway to a point for **PLACE OF BEGINNING**, said point being the most southerly point of said Lot 1, Block A of said Bill Utter Ford Addition;

THENCE N 51° 47' 59" W, 353.78 feet with said east line of said Interstate Highway to an iron rod found for corner;

THENCE N 47° 07' 20" W, 598.79 feet with said east line of said Interstate Highway to an iron rod found for corner;

THENCE N 52° 08' 00" W, 80.51 feet with said east line of said Interstate Highway to an iron rod found for corner at a right-of-way flare;

THENCE N 01° 41' 04" W, 44.63 feet with said right-of-way flare to an iron rod found for corner in the southeast line of Post Oak Drive, a public roadway having a right-of-way of 80.0 feet;

THENCE N 45° 16' 08" E, 242.18 feet with said southeast line of said Post Oak Drive to an iron rod found for corner;

THENCE along the arc of a curve to the left having a central angle of 08° 36' 49", a radius of 810.00 feet, an arc length of 121.77 feet, whose chord bears N 41° 00' 12" E, 121.66 feet with said southeast line of said Post Oak Drive to a point for corner in the south City Limit Line of the City of Denton, Texas and in the south line of the Gideon Walker Survey Abstract Number 1330;

THENCE S 89° 53' 31" E, 543.75 feet with said Denton City Limit Line and with said south line of said Gideon Walker Survey to a point for corner in the west line of Lot 2, Block A, Bill Utter Ford Addition, an addition to the City of Denton and the City of Corinth, Denton County, Texas according to the plat thereof recorded under Document Number 2015-135, Plat Records, Denton County, Texas;

THENCE S 00° 52' 18" W, 573.47 feet with said west line of said Lot 2, Block A of said Bill Utter Ford Addition to a point for corner;

THENCE S 00° 43' 51" W, 408.12 feet with the west line of that certain tract of land conveyed by deed from Dee Ann Wood to Utter Properties LLC recorded under Document Number 2013-3823, Real Property Records, Denton County, Texas to the **PLACE OF BEGINNING** and containing 11.076 acres of land.

EXHIBIT "A-2"

METES AND BOUNDS LEGAL DESCRIPTION

PROPOSED ZONING PD C-2 – 5.576 ACRES

BEING all that certain lot, tract, or parcel of land situated in the M.E.P. and P.R.R. Company Survey Abstract Number 911 and in the L. H. Bates Survey Abstract Number 204 in the City of Corinth, being a part of Lot 2, Block A, Bill Utter Ford Addition, an addition to the City of Denton and the City of Corinth, Denton County, Texas according to the plat thereof recorded under Document Number 2015-135, Plat Records, Denton County, Texas and being all that certain tract of land conveyed by deed from Dee Ann Wood to Utter Properties LLC recorded under Document Number 2013-3823, Real Property Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at an "X" in concrete found for corner in the east line of Interstate Highway Number 35-E, a public roadway having a variable width right-of-way, said point being the southwest corner of Lot 1, Block A of Streetwerks Addition, an addition to the City of Corinth, Denton County, Texas according to the plat thereof recorded in Cabinet O, Page 74, Plat Records, Denton County, Texas;

THENCE N 51° 47' 59" W, 192.07 feet with said east line of said Interstate Highway to a point for corner, said point being the most southerly point of Lot 1, Block A of Bill Utter Ford Addition, an addition to the City of Corinth, Denton County, Texas according to the plat thereof recorded in Cabinet P, Page 357, Plat Records, Denton County, Texas;

THENCE N 00° 52' 18" E, 573.47 feet with the east line of said Lot 1, Block A of said Bill Utter Ford Addition to a point for corner;

THENCE N 00° 43' 51" E, 408.12 feet with the east line of said Lot 1, Block A of said Bill Utter Ford Addition to a point for corner in the south City Limit Line of the City of Denton, Texas and in the south line of the Gideon Walker Survey Abstract Number 1330;

THENCE S 89° 53' 31" E, 249.04 feet with said Denton City Limit Line and with said south line of said Gideon Walker Survey to a point for corner in the west line of that certain tract of land conveyed by deed from AKP Stillwater Partnership to Don Valk recorded under Document Number 2013-103071, Real Property Records, Denton County, Texas;

THENCE S 01° 58' 48" W, 608.15 feet with said west line of said Valk tract to an iron rod found for corner, said point being the southwest corner of said Valk tract;

THENCE N 88° 54' 33" E, 35.96 feet with the south line of said Valk tract to an iron rod found for corner, said point being the northwest corner of said Lot 1, Block A of said Streetwerks Addition;

THENCE S 14° 27' 04" W, 508.78 feet with the west line of said Streetwerks Addition to the **PLACE OF BEGINNING** and containing 5.576 acres of land.

EXHIBIT B PD CONCEPT DESIGN STATEMENT

Statement of Purpose: The purpose of this PD ordinance is to allow for the development and expansion of the automobile dealership in operation at 4901 South I-35E in Corinth, Texas. The purpose of these general requirements and stipulations is to provide a framework for quality development consistent with City of Corinth zoning criteria and to provide consideration for existing properties adjacent to this property.

This planned development shall be called, Bill Utter Ford PD. The owners, Utter Properties LLC, are developing the property. The site is generally located at the Southeast corner of I-35E and Lakeview Blvd. To the northwest, across Lakeview Blvd, the property is zoned as C-1 Commercial and currently used a Medical office center. Immediately to the north, exists a remnant piece of undeveloped land zoned as C-3 Commercial. To the northeast, exists an undeveloped property formerly zoned as C-2 and now zoned as PD-33. To the southeast, the existing site is zoned as C-2 Commercial and is currently developed as Caliber Collision body shop.

The site's existing use is an automobile dealership with sale of new and used vehicles along with a body shop. The proposed use includes the same automobile dealership with the sale of new and used vehicles along with a body shop, the addition of a carwash, aboveground fuel storage tanks, and outside storage of vehicle inventory. The proposed use fits the surrounding area and land usage and will not have a detrimental impact on the value. The proposed carwash is only for use by dealership personnel. It will not be open to the public, strictly for use by staff to clean customer's vehicles as a part of their service. Same with the aboveground fuel storage tank. Usage of the tank is strictly for staff to fill vehicles prior to sale and will not be open to the public. The outside storage of inventory is to better classify the large inventory parking on-site. Inventory parking may include double stack parking for additional storage space. Double stack parking means the vehicles will be "double parked." This is a typical practice for dealerships to increase inventory space without an additional drive aisle. These spaces are intended only for automobile inventory only and not for customer or employee usage.

Proposed re-zoning of these parcels includes re-zoning the existing dealership property (11.076 acres) from C-3 Commercial to Planned Development C-3 (PD C-3) described in "Exhibit A-1". The adjoining parcels to the northeast and southeast (5.576 acres) will be re-zoned from C-2 Commercial to Planned Development C-2 (PD C-2) described in "Exhibit A-2". Only the land area located in the City of Corinth will be re-zoned. The small portion of property located in the City of Denton will remain as-is.

The proposed site layout includes an expansion of the existing service shop and service drive as a part of the main building. An expansion will be made to the used car building and the addition of a carwash facility will be included in the redevelopment. The parking lot will be expanded and configured to provide a more navigable and accessible lot.

There are no existing PD zoning districts in the development area however the northeast corner shares a property line with PD-33.

The selection of C-3 and C-2 Commercial districts have been selected as a base districts for the overall development. (See "Exhibit A-1" and "Exhibit A-2" and "Exhibit B" and "Exhibit C", the PD Design Map for descriptions of the proposed districts.)

Special development regulations or modified regulations to the base zoning districts have been provided in "Exhibit C". Major waivers, variances, alternative compliances or adjustments that are known to be

necessary either to the regulations listed in “Exhibit C” or requested later in the process include the following:

- Addition of Automobile Dealership New and Used, Outside Storage of Inventory and Fuel Storage tanks to the allowed uses for the districts. (These are typical accessory uses with most dealerships and will not have a negative impact on the surrounding community.)
- Landscape reductions throughout the inventory parking area, corner regulations and along the frontage to increase visibility of the vehicles for sale.
- As an offset to the reductions, a landscape entry feature will be provided at the corner of the intersection of Lakeview Blvd and I-35E.
- Tree Preservation. Alternative compliance will be used to mitigate heavily wooded area at the south corner of the property. There are lots of existing trees on the site to be developed. The site layout has been re-configured multiple times to limit the number of trees affected. Most of the 2.20 acre property at the southwest corner of the development is remaining undeveloped to protect the existing trees in place.
- Lighting. Existing lighting on the site may remain. Proposed lighting on the new addition will meet code. We have adjusted the regulation for existing lighting to come into effect with a 25% increase in building square footage. The cumulative proposed increase of building square footage calculates to a 24% increase, therefore the existing lights may remain.
Existing Cumulative Building Square Footage: 59,807 SF
Proposed Cumulative Building Square Footage: 78,605 SF
 $1 - (59,807 / 78,605) = 0.24$
- Parking. Customer parking spaces on the existing site will be re-striped to 10’x18’. Other existing parking will remain as-is. Proposed inventory storage parking spaces will be 9’x18’. Employee parking will remain 9’x18’.
- Trash enclosure screening. Dumpsters/compactor will be within screened body shop parking area and will not have individual screening structures.
- Building façade. The building will be renovated to meet Ford’s new Trusmark design. Modifications to the allowed building facade materials have been made to allow this renovation.

Existing streets around the development in question are:

- North (Lakeview Blvd.)
- West - I-35E
- East (Shady Shores Rd.)
- South (N/A)

No proposed public roads are proposed within this development.

The elevation of the existing site ranges from 630’ to 585’ above sea level. Existing slopes range from moderate to steep. A few areas on site exist at approximately a 12% slope. Proposed conditions provide approximately 6% slope in pavement areas and 3:1 slopes at tie in points (33%). Multiple trees exist on the site including a heavily wooded area on the southern portion of the site. The proposed improvements have been designed in such a way to avoid the most dense area of trees and allow them to remain. The existing and proposed sites generally drain to the southeast. A small portion of the existing site drains to Lakeview Blvd and to I-35E.

The existing site drains in three general directions. The northern portion of the site (4.19 acres) drains to the north toward Lakeview Blvd and Shady Shores Road where the water is collected into existing underground storm sewers. A small portion of the site (0.4 acres) along the western property line drains toward I-35E. The flow is collected in TxDOT’s existing drainage ditch parallel to the frontage road and routed to the south toward an existing drainage channel. A large portion of the site (13.6 acres) drains

toward the southeast and eventually flows into an existing drainage channel that runs toward the east toward Old US Highway No. 77. An existing TxDOT culvert exists at the southwest corner of the site. The culvert is currently a 3-30" RCP but will be replaced with 2-6'x4' RBC per the Phase 1 I-35E plans from TxDOT. The culvert will be replaced in place. There are no FEMA flood plains within the proposed development.

The proposed development maintains the existing drainage patterns and flows. The proposed outfall will be located along the existing drainage channel. Locating the outfall at this specific location improves the existing conditions of full site drainage flowing to the adjacent property before making its way into the existing channel.

Proposed public utility lines include an 8" fire loop with two proposed fire hydrants within a proposed 16' water easement. Per the request of the Fire Department, two fire hydrants have been provided in the vehicle inventory parking area as well as a fire lane. One private 2" service will be installed for the proposed carwash facility. Additionally, one private 4" sanitary sewer service will be installed with a sand/oil separator to serve the carwash and shop expansion. All other utility services are existing and will use existing connections for the building expansions.

As mentioned before, this project will be expanding the existing service bay, service shop, used car sales, adding a car wash facility, and expanding the outside vehicle inventory storage lot. All proposed structures will match the existing structures in size and appearance. The showroom will also receive a facelift renovation to keep with the current Ford Trustmark design theme as seen at many other new or renovated Ford dealerships.

EXHIBIT "B" PD CONCEPT DESIGN MAP

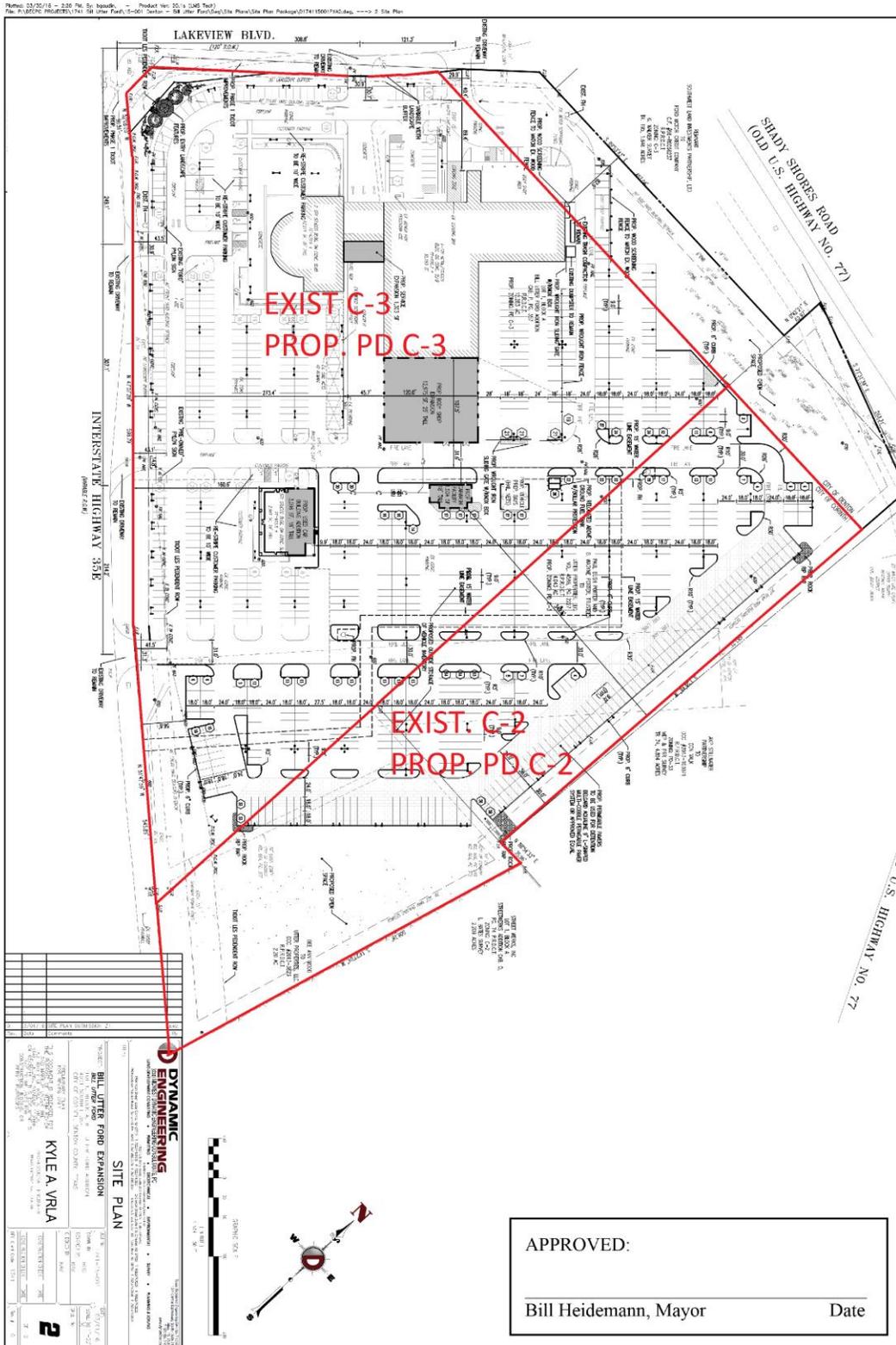


EXHIBIT “C” LAND USE REGULATIONS

SECTION 1: REGULATIONS

A. Purpose

The regulations set forth provide development standards for the Planned Development C-3, Commercial District and the Planned Development C-2 District. The Planned Development (PD) District is identified by metes and bounds called out in “Exhibit A-1” and “Exhibit A-2” and is depicted on the PD Design Map provided as “Exhibit B”. Every use not authorized herein is expressly prohibited in this Planned Development (PD) District.

B. Base Districts

C-3, Commercial District, regulations of the Corinth Unified Development Code, Ordinance No. 13-05-02-08, as amended, shall apply except as modified herein on 11.076 acres as called out in “Exhibit A-1” and is depicted on “Exhibit B”.

C-2, Commercial District, regulations of the Corinth Unified Development Code, Ordinance no. 13-05-02-08, as amended, shall apply except as modified herein on 5.576 acres as called out in “Exhibit A-2” and is depicted on “Exhibit B”.

SECTION 2: USES AND AREA REGULATIONS

A. Purpose

The purpose of this PD ordinance is to allow for the development and expansion of an automobile dealership. The purpose of these general requirements and stipulations is to provide a framework for quality development consistent with City of Corinth zoning criteria and to provide consideration for existing properties adjacent to this property.

B. Permitted Uses and Use Regulations

The Permitted Uses in the C-3, Commercial Districts, as listed in Subsection 2.07 of the Unified Development Code shall be permitted uses in the areas defined in “Exhibit A-1” and depicted on “Exhibit B” PD Design Map and shall include the following uses.

1. Outside Storage of Inventory (accessory)
2. Fuel Storage Tanks (accessory)

The Permitted Uses in the C-2, Commercial District, as listed in Subsection 2.07 of the Unified Development Code shall be permitted uses in the areas defined in “Exhibit A-2” and depicted on “Exhibit B” PD Design Map and shall include the following uses.

1. Automobile Dealership New and Used (main)
2. Outside Storage of Inventory (accessory)

A. Dimensional Regulations

The Dimensional Regulations described in Section 2.08 of the Unified Development Code, Ordinance No. 13-05-02-08, for the C-3 and C-2, Commercial Districts, shall apply to the development of the property, except as follows:

1.

Regulation	“Exhibit A-1” PD C-3	“Exhibit A-2” PD C-2
Minimum Side Yard Setback: Interior Lot	20 or 0*	0
Minimum Side Yard Setback: Corner Lot	40 or 0*	10 or 0*
Minimum Rear Yard Setback:	20 or 0*	20 or 0*

* No setback required along shared zoning line within this PD. Setbacks only required on exterior property/zoning boundaries adjacent to other districts not included in this PD.

B. Development Standards

The Development Standards are the development standards for the C-3 Commercial Subsection 2.05.03 and the C-2 Commercial District Subsection 2.05.02 of the City’s Unified Development Code for the specified areas as shown in “Exhibit A-1” and Exhibit A-2’ in this Master Planned Development except as otherwise stated herein.

1. UDC 2.07.07 **Accessory Buildings** and Uses shall apply except:

- a. One (1) stand-alone carwash building is allowed.
- b. Permanent hail nets are allowed throughout the site.
 - (i) Hail nets shall cover no more than a maximum of 40% of vehicle parking spaces.
 - (ii) Hail nets shall not conflict with fire protection and fire apparatus accessibility.
 - (iii) Foundations for hail nets may not be constructed within easements.
 - 1. Spanning of the hail nets over easements lines is allowed with approval from the easement grantee. (Excluding Fire Lanes.)

2. UDC 2.09.01 **Landscape Regulations** shall apply except:

- a. Existing landscape buffer dimensions shall remain in place along the frontages within the area of land known as Lot 1 Block A, Bill Utter Ford Addition.
 - (i) A twenty (20) landscape buffer exists along I-35E.
 - (ii) Due to previous R.O.W. take for the expansion of Lakeview Blvd, a variable width (19’ to 7’) landscape buffer exists along Lakeview Blvd.
 - (iii) The property will not be required to meet any specific landscape buffer with any future R.O.W. takes along both I-35E and Lakeview Blvd.
- b. New development along I-35E shall be set back a minimum of 55’ from the existing R.O.W. line in anticipation for R.O.W. expansion.
 - (i) The property will not be required to meet any specific landscape buffer with any future R.O.W. take along I-35E.
 - (ii) Shrubs will be provided in lieu of required trees along I-35E in areas of new development to provide frontage visibility of the vehicles for sale.

- c. Existing landscaping throughout existing site where no improvements are occurring may remain as-is and not be required to be improved.
 - d. There shall be ten (10) square feet of interior Parking Lot Landscaping for each parking space or fraction thereof.
 - e. There shall be one (1) shade tree (3" caliper minimum) or an ornamental tree for every twenty (20) spaces or fraction thereof.
 - f. To offset the above reductions in landscaping, a landscape feature shall be provided at the property corner near the intersection of I-35E and Lakeview Blvd.
 - (i) The landscape and display feature must include a variety of plantings, shrubs, and ornamental trees.
 - (ii) Flag poles at a maximum height of 40' may be allowed as a part of this feature.
3. UDC 2.09.02 **Tree Preservation Regulations** shall apply:
4. UDC 2.09.03 **Vehicle Parking Regulations** shall apply except:
 - a. Existing parking spaces on site may remain in their current configuration and size.
 - (i) All inventory parking spaces will be 9' x 18'.
 - (ii) Existing two (2) Electric Vehicle (EV) spaces on site will suffice for EV requirement. Inventory parking spaces shall not apply to EV requirement.
 - b. Three (3) stacking spaces shall be provided per bay for the Car Wash.
 - c. Existing customer parking will be increased to 10' in width.
5. UDC 2.09.04 **Building Façade Material Standards** shall apply except:
 - a. Exterior materials for the proposed building and future development may include, but not limited to, architectural metal panels in flat, smooth, flat seamed, ribbed and s panel configurations, EFIS, brick, CMU or natural stone masonry, glass storefront and steel canopies. Other materials as allowed by City of Corinth ordinances shall be acceptable.
 - b. Existing building façade may remain as-is for portion of the existing building not being renovated.
6. UDC 2.09.05 **Residential Adjacency Standards** shall apply.
7. UDC 2.09.06 **Nonresidential Architectural Standards** shall apply.
8. UDC 2.09.07 **Lighting and Glare Regulations** shall apply except:
 - a. If a person makes any change or addition to the existing buildings that result in a cumulative increase in the size of the buildings by more than twenty-five (25) percent, the person shall ensure that the existing outdoor lighting shall conform to the provisions of this UDC.
9. UDC 4.01 **Sign Regulations** shall apply except:
 - a. Existing signage may remain in place and operational on site.
10. UDC 4.02 **Fence and Screening Regulations** shall apply except:

- a. Existing pipe rail fencing may remain around perimeter of site to provide vehicle restraint as a security measure.
- b. Additional pipe rail fencing around perimeter shall match existing fence.
- c. Screening fence around body shop area may be wood fence to match existing screening fence.
 - (i) Dumpsters located within screened fence area (i.e. body shop) will not require individual screening enclosures.

City Council Regular and Workshop Session

Meeting Date: 05/05/2016
Title: Carmax PD
Submitted For: Fred Gibbs, Director
Submitted By: Lori Levy, Senior Planner

Approval: Lee Ann Bunselmeyer, Acting City Manager

AGENDA ITEM

TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT JOHN THATCHER, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNERS, TOMMY JOSEPH ROBINSON, BRIAN KEITH ROBINSON, RAYMON MANN ROBINSON, BRANDY DENISE ROBINSON, ROBERT MANLEY ROBINSON, THOMAS MANN ROBINSON, AND TIMOTHY MANLEY ROBINSON FOR A ZONING CHANGE FROM C-1, COMMERCIAL TO PLANNED DEVELOPMENT C-2 COMMERCIAL WITH MODIFIED DEVELOPMENT STANDARDS ON 10.603 ACRES OF LAND LEGALLY DESCRIBED AS LOT 1, BLOCK A, TRI-STEEL ADDITION, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

BUSINESS:

Consider and act on a zoning change from C-1, Commercial to Planned Development C-2 on 10.603 acres of land legally described as Lot 1, Block A, Tri-Steel Addition, in the City of Corinth, Denton County, Texas. (This property is located on the southwest side of I-35E, between Post Oak Drive and Church Drive.)

AGENDA ITEM SUMMARY/BACKGROUND

APPROVAL PROCESS

A public hearing will be held for the rezoning request. The rezoning request is in conformance with the Comprehensive Plan. Therefore, no amendment to the Comprehensive Plan is required in order for the Planning and Zoning Commission to consider this request.

However, the proposed automobile and truck sales facility, new and/or pre-owned (used) is **not** currently allowed in a C-1 Commercial zoning district and is **only** allowed in C-2 Commercial district **upon approval of an SUP with conditions**. Please see the following chart below listing the allowable uses by the C-1 and C-2 zoning districts for all of the proposed uses, including the accessory uses for this request.

Proposed Non-Residential Uses	C-1	C-2
Automobile and Truck Sales Facility, new and/or pre-owned (used)	Not Allowed	SUP with Conditions
Automobile Parts Store	Allowed	Allowed
Automobile Service Garage (Minor)	Allowed	Allowed
Outside Display	Allowed with Conditions	Allowed with Conditions
Outside Storage	SUP with Conditions	SUP with Conditions
Gasoline Filling/Car Wash	Not Allowed	SUP with Conditions

AGENDA ITEM DESCRIPTION

The applicant is proposing a rezoning from C-1 Commercial on 10.603 acres, to a Planned Development C-2 Commercial with modified development standards in order to develop a Carmax, automobile and truck sales facility, new and/or pre-owned (used) and accessory uses, such as new auto sales parts (tires and accessories),

automobile service garage for routine services and minor repairs to be conducted inside the building, one (1) non-public car wash building, and an underground fuel storage area with one (1) fuel pump.

The applicant is proposing the following in lieu of the C-2 dimensional regulations per Section 2.08.05 of the UDC as shown in the chart below.

C-2	REQUIRED	PROVIDED
Minimum Side Yard Setbacks: Interior Lots:		
East	0' feet	15' feet
West	15' feet	25' feet
Minimum Rear Yard Setback	20' feet	50' feet

The applicant is meeting or exceeding all other requirements of the UDC, except the following:

1. UDC 2.09.01 Landscape Regulations shall apply except:

- a. Interior parking lot landscaping in the outdoor automobile sales display area or the automobile sales staging area shall not be required. The interior parking lot trees that would be required in the sales display/staging area shall be planted and maintained in the residential adjacency area landscape edge buffer yards along the west and south property lines, and along I-35E as shown on the Design Map/Concept Plan, as shade trees with a minimum 3” caliper size (per Table 15: Approved Plant Material List). Additionally, parking lot trees per 3” caliper minimum (per Table 15: Approved Plant Material List) shall be planted per the Interior Parking Lot Landscaping requirements.
- b. A 50' wide tree preservation area shall be established along the south property line to provide an increased landscape buffer to the adjacent single family residential property, with the provision that limited drainage improvements shall be provided within this area as needed.
- c. In addition to the required landscaping/screening for parking lots adjacent to residential areas, a 15' wide tree preservation area shall be established and maintained along the west property line.

2. UDC Section 2.09.02 **Tree Preservation** shall apply except:

- a. A 50' wide tree preservation area shall be established along the south property line to provide an increased landscape buffer to the adjacent single family residential, with the provision that drainage requirements are met.
- b. A 15' wide tree preservation area shall be established along the west property line.

3. UDC Section 2.09.03 **Vehicle Parking Regulations** shall apply except:

- a. Parking space dimensions for sales display may be 9' x 17' with 20' wide maneuvering/drive aisle lanes only.

4. UDC Section 2.09.07 **Lighting and Glare Regulations** shall apply except:

(a) Required Turning Off of Property Luminaires

- (i) All luminaires within the property, except those required for security, shall be extinguished within

one hour after the end of business hours and remain extinguished until one hour prior to the commencement of business hours. Normal business hours shall be similar to other Texas CarMax locations which are 9:00 AM to 9:00 PM.

(ii) A maximum average level of five foot-candles at building and gated parking lot entrances is permitted and a maximum level of one foot-candle on the rest of the structure. A maximum level of two foot-candles is permitted along the staging and preparation area security wall in the southwest portion of the site. The site shall comply with the shielding requirements of Section 2.09.07.C.1 so that substantially all the directly emitted luminous flux falls within the property line.

5. UDC Section 4.02 **Fence and Screening Regulations** shall apply except:

a. The masonry screening wall separating nonresidential used and/or zoned areas from residential uses as required under Section 4.02.11 shall be eight (8') feet in height and shall be placed at the edge of the parking areas on the south and west sides in the general locations shown on the PD Concept Design Map, instead of at the property line, to provide for the above described Tree Preservation Areas.

NOTIFICATION TO PUBLIC

Prior to the Planning and Zoning Commission meeting, public hearing notifications were sent to the 34 property owners located within 200' of the subject property. A notice of public hearing was posted on the subject property along I-35E. On April 18, 2016, we received 2 public hearing notification letters in opposition.

SURROUNDING PROPERTIES ZONING

- | | |
|--------------------|---|
| ● Subject Property | C-1, Commercial -1 |
| ● North | N/A (I-35E) |
| ● South | PD (SF-1), Single Family Residential |
| ● East | PD (C-2), Commercial-2 |
| ● West | SF-4, Single Family Residential/C-2, Commercial |

SURROUNDING PROPERTIES EXISTING LAND USE

- | | |
|--------------------|--|
| ● Subject Property | Vacant Commercial (Demolition in Progress) |
| ● North | N/A (I-35E) |
| ● South | Single Family, Residential |
| ● East | Undeveloped/Motor Vehicle Sales |
| ● West | Single Family, Residential/Motor Vehicle Sales |

SURROUNDING PROPERTIES FUTURE LAND USE

- | | |
|--------------------|------------------------------------|
| ● Subject Property | Commercial |
| ● North | Commercial |
| ● South | Low Density Residential |
| ● East | Commercial |
| ● West | Low Density Residential/Commercial |

PROPOSED LAND USE

The applicant is proposing auto sales and service with accessory uses in order to develop a Carmax facility.

CONFORMANCE TO THE COMPREHENSIVE PLAN

The Unified Development Code requires consistency between a Zoning Map Amendment (Rezoning) and the Comprehensive Plan. The proposed zoning is in conformance with the Comprehensive Plan. Therefore, a Comprehensive Plan Amendment is not necessary.

FINANCIAL SUMMARY

Source of Funding: No funding is required.

RECOMMENDATION

Staff does Not recommend Approval of this request for the following reasons:

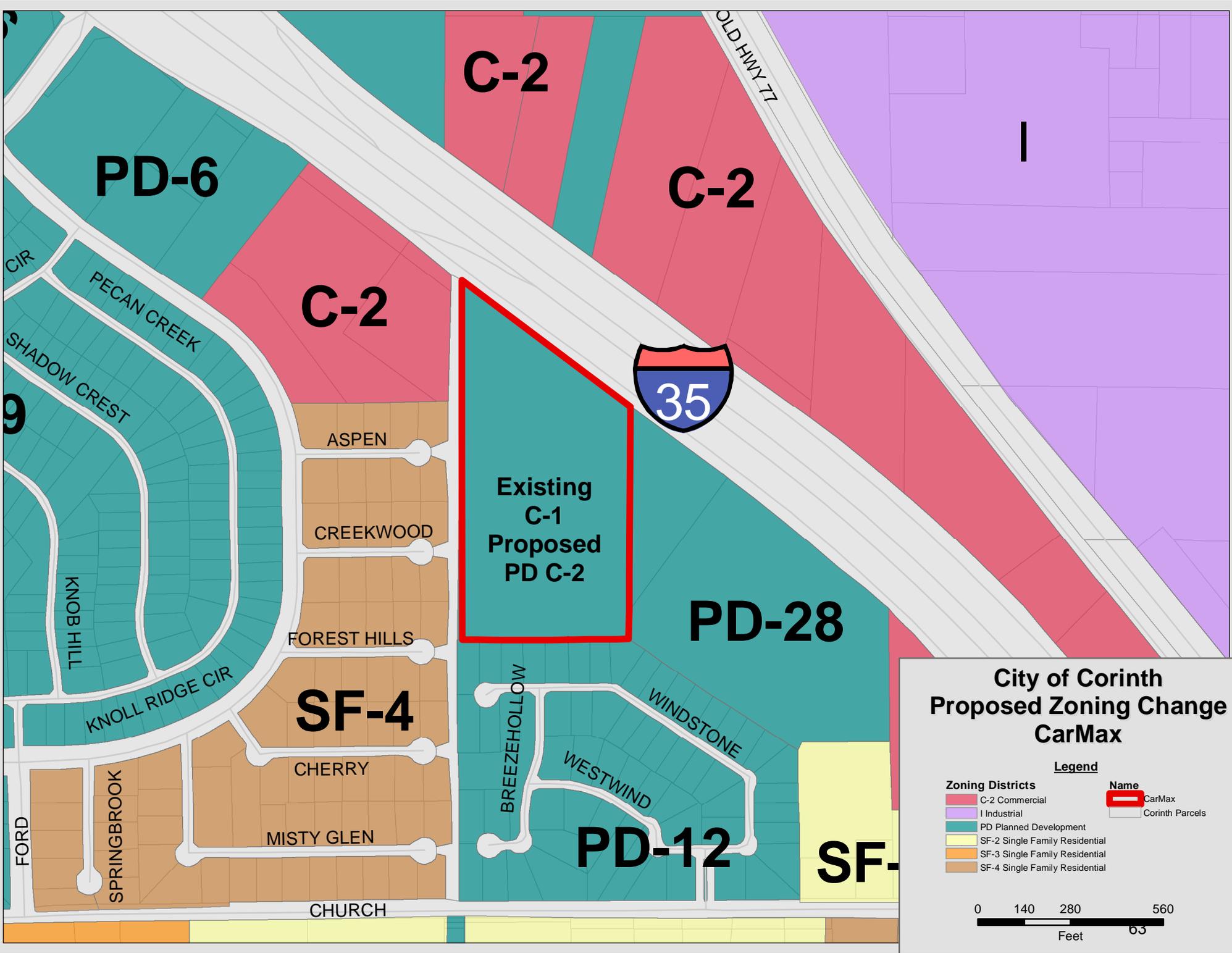
1). The proposed use is too intensive for this location, as it is surrounded on the south and west by single family residentially zoned and developed properties. 2). There are already a large number of motor vehicle sales along this major I-35E corridor within the City of Corinth. 3). There are limited available parcels remaining along this major I-35E corridor within the City of Corinth for retail, corporate campus office, hospitality, medical and entertainment opportunities which market studies show this area can support. 4). I-35E is a major corridor within the City of Corinth that provides excellent visibility and access making it attractive for future retail, office, medical and entertainment development. 5). Retail development is crucial to a healthy tax base. 6). Neighborhood services, such as retail, restaurant, employment and recreational/entertainment opportunities are appropriate in this location and are vital in providing for the health, and welfare of our current and future residents and families within the City of Corinth.

PLANNING AND ZONING COMMISSION RECOMMENDATION

On April 18, 2016, the Planning and Zoning Commission recommended **Approval** of the request as presented by a vote of 4-1.

Attachments

Location Map
Ordinance



City of Corinth Proposed Zoning Change CarMax

- Legend**
- C-2 Commercial
 - I Industrial
 - PD Planned Development
 - SF-2 Single Family Residential
 - SF-3 Single Family Residential
 - SF-4 Single Family Residential
- Name**
- CarMax
 - Corinth Parcels



ORDINANCE NO. 16-05-05-__

CARMAX PLANNED DEVELOPMENT DISTRICT

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE, BY AMENDING THE ZONING CLASSIFICATION FROM C-1, COMMERCIAL 1 TO PLANNED DEVELOPMENT (PD C-2) ON 10.603 ACRES OF LAND LEGALLY DESCRIBED AS LOT 1, BLOCK A, TRI-STEEL ADDITION, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS, PROVIDING FOR A DESIGN STATEMENT; PROVIDING A LEGAL PROPERTY DESCRIPTION; APPROVING A PLANNED DEVELOPMENT CONCEPT PLAN; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas has adopted Ordinance 13-05-02-08, which adopts a Unified Development Code, which includes the Comprehensive Zoning Ordinance and which, in accordance with the City's Comprehensive Plan, establishes zoning districts and adopts a Zoning Map; and

WHEREAS, the hereinafter described property is zoned as C-1 Commercial 1 Classification under the City's Unified Development Code and an authorized person having a proprietary interest in the property has requested a change in the zoning classification of said property; and

WHEREAS, the Planning and Zoning Commission of the City of Corinth and the City Council of the City of Corinth, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the City of Corinth City Council is of the opinion that said change in zoning should be made; and

WHEREAS, the City Council considered the following factors in making a determination as to whether the requested change should be granted or denied: safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the sites; safety from fire hazards and damages; noise producing elements and glare of the vehicular and stationary lights and effect of such lights on established character of the neighborhood; location, lighting and types of signs and relation of signs to traffic control and adjacent property; street size and adequacy of width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood; adequacy of parking as determined by requirements of this ordinance for off-street parking facilities; location of ingress and egress points for parking and off-street loading spaces, and protection of public health by surfacing on all parking areas to control dust; effect on the promotion of health and the general welfare; effect on light and air; effect on the overcrowding of the land; effect on the concentration of population, and effect on transportation, water, sewerage, schools, parks and other public facilities; and

WHEREAS, the City Council further considered among other things the character of the districts and their peculiar suitability for particular uses and the view to conserve the value of the buildings, and encourage the most appropriate use of the land throughout this City; and

WHEREAS, the City Council finds that the change in zoning promotes the health and the general welfare, provides adequate light and air, prevents the over-crowding of land, avoids undue concentration of population, and facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and the general health, safety and welfare of the community;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:

SECTION I - LEGAL PROPERTY DESCRIPTION; AMENDMENT

That in accordance with the Unified Development Code, the Zoning Map of the City of Corinth is hereby amended by amending the zoning map of the City of Corinth, Texas on 10.603 acres of land described in "Exhibit A" attached, from C-1 Commercial 1 District to Planned Development C-2 (PD C-2) District.

SECTION II – PLANNED DEVELOPMENT MASTER PLAN

The Concept Plan Exhibit and Concept Design Map Statement documents approved and described as “Exhibit B” attached hereto and made a part hereof are approved.

SECTION III – LAND USE REGULATIONS

- A. The Zoning and Land Use Regulations set forth in “Exhibit C” attached hereto and made a part hereof for all purposes shall be adhered to in their entirety for the purposes of this Planned Development Commercial 2 District. In the event of conflict between the provisions of “Exhibit C” and provisions of any other exhibit, the provisions of “Exhibit C” control.

- B. That the zoning regulations and districts as herein established have been made in accordance with the Comprehensive Plan for the purpose of promoting the health, safety, morals and the general welfare of the community. They have been designed, with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future; to lessen congestion in the streets; to provide adequate light and air; to prevent over-crowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, drainage and surface water, parks and other commercial needs and development of the community. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community

- C. If, after two years from the date of approval of the Planned Development Master Plan, no substantial development progress has been made within the PD, then the Planned Development Master Plan shall expire. If the Planned Development Master Plan expires, a new Planned Development Master Plan must be submitted and approved according to the procedures within the Unified Development Code, Planned Development Application and Review. An extension of the two year expiration shall be granted if a development Application for the PD has been submitted and is undergoing the development review process or if the Director of Planning determines development progress is occurring.
- D. The Planned Development Master Plan shall control the use and development of the property, and all building permits and development requests shall be in accordance with the plan until it is amended by the City Council. The property owner shall furnish a reproducible copy of the approved PD Concept Design Map for signature by the mayor and acknowledgement by the City Secretary. The Planned Development Master Plan, including the signed map shall be made a part of the permanent file and maintained by the City Secretary.
- E. If a change to the Concept Plan, if any, is requested, the request shall be processed in accordance with the development standards in effect at the time the change is requested for the proposed development.

SECTION IV – PENALTY FOR VIOLATIONS

Any person, firm, or corporation violating any of the provisions of this ordinance shall upon conviction be fined a sum not to exceed two thousand dollars (\$2,000.00); and each and every day that these provisions are violated shall constitute a separate and distinct offense.

SECTION V – SEVERABILITY CLAUSE

If any section, paragraph, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION VI – EFFECTIVE DATE

This ordinance shall become effective after approval and publication as provided by law.

PASSED AND APPROVED THIS 5th DAY OF MAY, 2016.

APPROVED:

Bill Heidemann, Mayor

ATTEST:

Kimberly Pence, City Secretary

APPROVED AS TO FORM:

Mack Reinwand, City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION
10.603 ACRE TRACT

Lot 1, Block A, Tri-Steel Addition, City of Corinth, Denton County, Texas.

EXHIBIT "B"
CARMAX PD CONCEPT PLAN
PD DESIGN STATEMENT

The CarMax Planned Development is intended to provide for the development of an automobile and truck sales facility, both new and/or pre-owned (used) and the following associated ancillary uses: car wash, vehicle preparation/minor repair and fuel storage. The site development for this use is designed to preserve the existing trees and open space along the south and west property lines to provide buffers to the adjacent single family residential development.

PD DESIGN MAP
PD CONCEPT PLAN



Illustrative Depiction Subject to Change



CORINTH, TX
April 2016



0' 20' 40' 80'

Prepared by:
CARmax, Inc. www.carmax.com
1300 Berges Parkway, Suite A-200
Corinth, TX 76022
352.551.4924

Prepared for:
Carroll-Patt International, Inc.
1300 Berges Parkway, Suite A-200
Corinth, TX 76022

PD Concept Design Map

LAND USE REGULATIONS

SECTION 1: PLANNED DEVELOPMENT DISTRICT REGULATIONS

A. Purpose

The regulations set forth in this Exhibit provide development standards for Commercial designations within this Planned Development (PD) District identified by metes and bounds on Exhibit A and is depicted on Exhibit B. Every use not authorized herein is expressly prohibited in this Planned Development (PD) District.

B. Base District

If a change to the Concept Plan, if any, is requested, the request shall be processed in accordance with the development standards in effect at the time the change is requested for the proposed development.

SECTION 2: USES AND AREA REGULATIONS

A. Purpose

The CarMax Planned Development is intended to provide for the development of an automobile and truck sales facility, both new and/or pre-owned (used) and associated ancillary uses to include private car wash, vehicle preparation/minor repair and private fuel storage. The site development for this use will strive to preserve the existing trees and open space along the south and west property lines to provide buffers to the adjacent single family residential development.

B. Permitted Uses and Use Regulations

In the Planned Development (PD) District for C-2, Commercial 2 District, no building or land shall be used and no building shall be hereafter erected, reconstructed, enlarged or converted, unless permitted by the C-2, Commercial 2 District regulations of the Unified Development Code except as otherwise included in this PD ordinance.

The Permitted Uses in the C-2, Commercial 2 District as listed in Subsection 2.05 of the Unified Development Code, shall be permitted uses and shall also include the following uses:

1. Automobile Sales, Automobile Parts Store, and Automobile Service Garage (Minor), being defined as selling new automobile parts, tires and accessories; and being a facility for routine automobile services or minor repairs, with all work being conducted inside the building.

C. Dimensional Regulations

The Dimensional Regulations described in Section 2.05.01 of the Unified Development Code, Ordinance No. 13-05-02-08, for the Commercial -2 (C-2) District shall apply to this district.

D. Development Standards

The Development Standards for this PD are the development standards for C-2 Commercial 2 District, Section 2.05.02 of the City's Unified Development Code except as otherwise stated herein.

(1) UDC Section 2.07.07 **Accessory Buildings** and Uses shall apply except:

- (a) One (1) stand-alone non-public car wash building is allowed.
- (b) Underground Fuel Storage with one fuel pump.

(2) UDC Section 2.08.05 **Nonresidential Dimensional Regulations Chart** for C-2 shall apply except:

- (a) The rear yard setback along the south property boundary shall be increased from 20' to 50'.
- (b) The side yard setback along the west property boundary shall be increased from 15' to 25'.
- (c) The side yard setback along the east property boundary shall be increased from 0' to 15'.

(3) UDC Section 2.09.01 **Landscape Regulations** shall apply except, as follows:

- (a) Interior parking lot landscaping in the outdoor automobile sales display area or the automobile sales staging area shall not be required. The interior parking lot trees that would be required in the sales display/staging area shall be planed and maintained in the residential adjacency area landscape edge buffer yards along the west and south property lines, and along I-35E as shown on the Design Map/Concept Plan, as shade trees with a minimum 3" caliper size (per Table 15: Approved Plant Material List). Additionally, parking lot trees per 3" caliper minimum (per Table 15: Approved Plant Material List) shall be planted per the Interior Parking Lot Landscaping requirements.
- (b) A 50' wide tree preservation area shall be established along the south property line to provide an increased landscape buffer to the adjacent single

family residential property, with the provision that limited drainage improvements shall be provided within this area as needed.

- (c) In addition to the required landscaping/screening for parking lots adjacent to Residential areas, a 15' wide tree preservation area shall be established and maintained along the west property line.
- (4) UDC Section 2.09.002 **Tree Preservation** shall apply except:
 - (a) A 50' wide tree preservation area shall be established along the south property line to provide an increased landscape buffer to the adjacent single family residential, with the provision that drainage requirements are met.
 - (b) A 15' wide tree preservation area shall be established along the west property line.
- (5) UDC Section 2.09.03 **Vehicle Parking Regulations** shall apply except:
 - (a) Parking space dimensions for sales display may be 9' x 17' with 20' wide maneuvering/drive aisle lanes only.
- (6) UDC Section 2.09.04 **Building Façade Material Standards** shall apply.
- (7) UDC Section 2.09.05 **Residential Adjacency Standards** shall apply.
- (8) UDC Section 2.09.06 **Nonresidential Architectural Standards** shall apply.
- (9) UDC Section 2.09.07 **Lighting and Glare Regulations** shall apply except: (a)
Required Turning Off of Property Luminaires
 - (i) All luminaires within the Property, except those required for security, shall be extinguished within one hour after the end of business hours and remain extinguished until one hour prior to the commencement of business hours. Normal business hours shall be similar to other Texas CarMax locations which are 9:00 AM to 9:00 PM.
 - (ii) A maximum average level of five foot-candles at building and gated parking lot entrances is permitted and a maximum level of one foot-candle on the rest of the structure. For reasons of security, a maximum level of two foot-candles is permitted along the staging and preparation area security wall in the southwest portion of the site. The site shall comply with the shielding requirements of Section 2.09.07.C.1. so that substantially all the directly emitted luminous flux falls within the property line.
- (10)UDC Section 4.01 **Sign Regulations** shall apply.

(11)UDC Section 4.02 **Fence and Screening Regulations** shall apply except:

- (a) The masonry screening wall separating nonresidential used and/or zoned areas from residential uses as required under Section 4.02.11 shall be eight (8') feet in height and shall be placed at the edge of the parking areas on the south and west sides in the general locations shown on the PD Concept Design Map, instead of at the property line, to provide for the above described Tree Preservation Areas.

City Council Regular and Workshop Session

Meeting Date: 05/05/2016

Title: Huffines Comp Plan Amendment

Submitted For: Fred Gibbs, Director

Submitted By: Barbara Cubbage, Planning & Development Manager

Approval: Lee Ann Bunselmeyer, Acting City Manager

AGENDA ITEM

TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT RAY HUFFINES AUTHORIZED REPRESENTATIVE FOR DWIGHT WALKER, MANAGING GENERAL PARTNER FOR THE PROPERTY OWNERS DOROTHY WILLIAMS FAMILY PS LTD AND R. O. DUNCAN FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION FROM MIXED USE NON-RESIDENTIAL TO COMMERCIAL ON 13.773 ACRES OF LAND SITUATED IN THE E. A. GARRISON SURVEY, COUNTY ABSTRACT 511 BEING TRACTS 36, 35, 34, 33, AND 24 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. This site is located north of 7100 IH 35E.

BUSINESS:

Consider and act on an ordinance amending the Comprehensive Plan Future Land Use designation from Mixed Use Non-Residential to Commercial on 13.773 acres of land situated in the E. A. Garrison Survey, County Abstract 511 being tracts 36, 35, 34, 33, and 24 in the City of Corinth, Denton County, Texas.

AGENDA ITEM SUMMARY/BACKGROUND

Approval Process

Public hearings are required at both the Planning and Zoning Commission meeting and the City Council meeting. A recommendation from the Planning and Zoning Commission will be presented to City Council.

This requested Comprehensive Plan Land Use Amendment as well as the applicant’s proposed zoning change on this site are intertwined and related. However, when it is time to consider and act on this item; the Comprehensive Plan Amendment ordinance must be considered first per the UDC as the requirements asserts, "a Zoning Map Amendment (Rezoning) must be consistent with the Comprehensive Plan Future Land Use designation".

Proposed Project

The Applicant is requesting an Amendment to the Future Land Use Plan of the Comprehensive Plan, from Mixed Use Non-Residential to Commercial. The Applicant is also requesting a zoning change from MX-C, Mixed Use Commercial to Planned Development MX-C. This proposed development includes land development and construction of new (KIA and Subaru) automobile dealerships, with service areas, a used car facility and an auto body shop. This proposed development would cover more than 13 acres of land with the dealerships and service entrances fronting on IH 35E and the auto body shop would be located towards the back side of the property fronting on Tower Ridge Drive. With this zoning change request, if approved, an amendment to the Comprehensive Plan would be required.

Current Zoning

Subject Property	MX-C, Mixed Use Commercial
North	MX-C, Mixed Use Commercial
South	MX-C, Mixed Use Commercial
East	MX-C, Mixed Use Commercial with IH 35E divider
West	MF-3, Multi-Family Residential

Existing Land Use

Subject Property	Undeveloped
North	Residential
South	Commercial – Destiny Dallas
East	Low Density Residential / Undeveloped / Office with IH 35E divider
West	Low Density Residential / High Density Residential

Future Land Use

Subject Property	Mixed Use Non-Residential
North	Mixed Use Non-Residential
South	Mixed Use Non-Residential
East	Mixed Use Non-Residential with IH 35E divider
West	High Density Residential

Proposed Land Use Amendment

Application has been made to amend the Future Land Use Designation and Map of Corinth’s Comprehensive Plan from Mixed Use Non-Residential to Commercial on 13.773 acres.

The Current Land Use – Mixed Use Non-Residential does not support these uses - “Automobile Sales and Service” and “Auto Body Shop”. The Comprehensive Plan Future Land Use category for Mixed Use Non-Residential specifically calls out this area to have an emphasis on design and appearance. Public Spaces, with design regulations; should be strictly enforced to ensure a positive visual perception along IH 3E.

The Proposed Land Use – Commercial is more appropriate for these uses; “Automobile Sales and Service” and “Auto Body Shop”. The Commercial Land Use category which encompasses the automobile-related services industry includes more outside storage which is described in this Land Use designation as being an area that would tend to lessen the visual perception of such roadways.

The Current Land Use includes an element of residential. Although the Base District MX-C allows for this use; the PD would eliminate that residential element as it is not an allowed element in the Proposed Land Use – Commercial.

The subject property is currently zoned MX-C, Mixed Use Commercial.

The proposed Zoning is Planned Development MX-C. With regards to zoning - the uses, “Automobile Sales and Service” use would require approval of a Specific Use Permit however “Auto Body Shop” would not be allowed in MX-C zoning. The proposed Planned Development would also include above ground fueling tanks and outside display which is expected with an automobile dealership. The proposed zoning change would exclude any residential component from the zoning district.

Don Paschal, with Paschal Consulting, agent for the applicant, Ray Huffines, submitted an application for an amendment to the Land Use designation of the Comprehensive Plan and a zoning change; both mentioned above. The Unified Development Code “Use Chart” regulates “Automobile Sales and Service” by SUP in the MX-C zoning district. However an “Auto Body Shop” is a permitted use only in C-3 Commercial and Industrial zoned districts.

The rezoning request is to allow for both “Automobile Sales and Service” and “Auto Body Shop” in this proposed project. In order to accommodate both of these uses; a Planned Development (PD) would be the only zoning option – hence the proposed "Planned Development MX-C". Basically the planned development zoning would allow the inclusion of both proposed main uses but only in conjunction with the Land Use amendment. Along with the proposed zoning change, Staff requested that the residential element of the MX-C base district be removed from the uses within the PD development regulations. Removal of the residential element would be necessary because of the land use and zoning needing to compliment - if the zoning change is approved to allow either or both the “Automobile Sales and Service” and “Auto Body Shop” a Comprehensive Plan Amendment would be necessary

for this site with a Commercial designation and a "residential" use would not be allowed in a Commercial Land Use designation. However as mentioned above – the Land Use Amendment process would be done first.

Neither “Automobile Sales and Service” nor “Auto Body Shop” uses are allowed in the Mixed Use Non-Residential Land Use designation of the City of Corinth Comprehensive Plan but the MX-C zoning designation allows for some residential.

“Automobile Sales and Service” and “Auto Body Shop” uses are allowed in the Commercial Land Use designation. This is where the removal of the residential element of the proposed ordinance is necessary as the residential element is not a component of the Commercial Land Use.

Conformance to the Comprehensive Plan

The Unified Development Code requires consistency between a Zoning Map Amendment (Rezoning) and the Comprehensive Plan Future Land Use designation. The Comprehensive Plan Amendment of the Future Land Use Designation is necessary but would not make sense without recommending approval of the Rezoning.

Financial Responsibility

Source of Funding: No funding is required.

RECOMMENDATION

Staff recommends denial of the proposed Amendment to the Comprehensive Plan Land Use Designation. The Comprehensive Plan and the proposed change does not portray the vision of the Comprehensive Plan. Staff is not supportive of this change as it is not an appropriate change nor a good fit for this area.

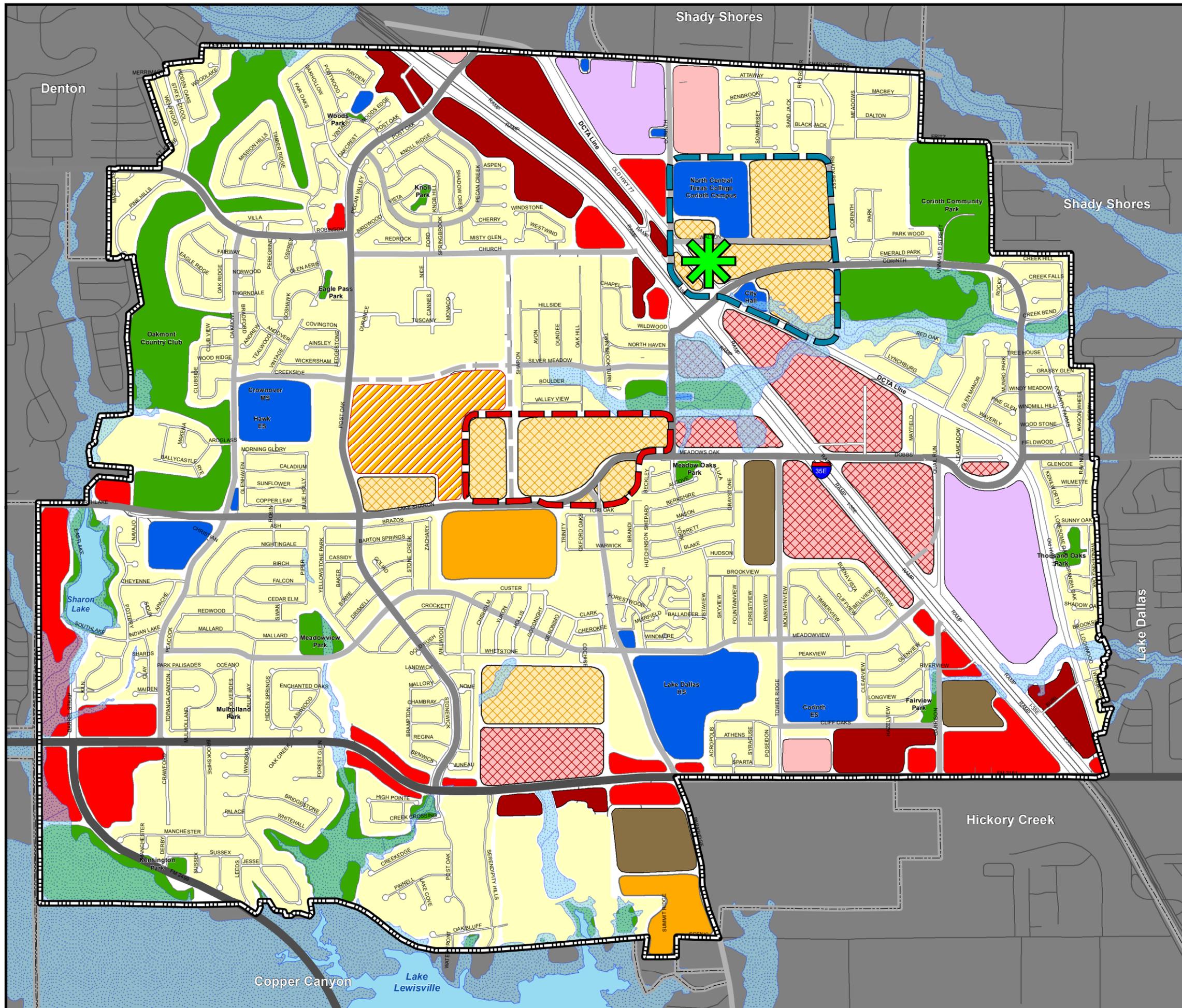
However, should Council approve the request to Amend the Comprehensive Plan as well as the rezoning request, it is recommended that the City consider amending the Land Use designation of the adjoining properties sometime in the future.

Planning and Zoning Commission Recommendation

The Planning and Zoning Commission recommended 4-1 denial of the amendment to the Comprehensive Plan Future Land Use.

Attachments

Current - Future Land Use Map
UDC Comp Plan Amendment Rule
Comp Plan Land Use Designations
Proposed Future Land Use Site
App Packet - Letter of Intent
App Packet - Comp Plan Amend Exhibit
Future Land Use City - Proposed Huffines Site
Ordinance - Proposed Comp Plan Amend



Future Land Use Plan



Future Land Use

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Residential
- Mixed Use with Residential
- Parks and Open Space
- Public/Semi-Public
- Mixed Use Non-Residential
- Office/Business Park
- Retail
- Commercial
- Industrial

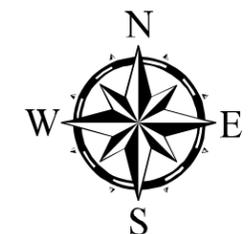
- Multi-Modal Transit Center
- Transit Oriented Development
- Corinth City Center

Road Types

- Major Arterial
- Minor Arterial
- Collector
- Corinth City Limits
- FEMA 100 Year Floodplain

Plate 4-1

Note:
A Comprehensive Plan shall not constitute zoning district regulations or establish zoning district boundaries.





1.03.03. Comprehensive Plan Adoption or Amendment

A. Creation of a Comprehensive Plan

The [Planning and Zoning Commission](#) shall have the responsibility to recommend to the [City Council](#) the adoption of or the amendment to a [Comprehensive Plan](#) for the physical development of the City, including any areas outside its boundaries that, in the judgment of the [Commission](#), bear relation to the planning of the city.

1. Purposes of Comprehensive Plan

The Comprehensive Plan shall be made with the general purpose of guiding and accomplishing coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, best promote the health, safety, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development.

2. Studies in Preparing Comprehensive Plan

In the preparation of such Comprehensive Plan, the [Commission](#) shall make careful and comprehensive surveys and studies of present conditions and future growth of the city, with due regard to its relation to neighborhood territory.

3. Contents of Comprehensive Plan

The Comprehensive Plan with the accompanying maps, charts, and descriptive matter shall show the recommendations of the [Commission](#) for the development of the City.

B. Adoption and Amendments of the Comprehensive Plan

1. Commission Recommendation for Adoption and Amendments Required

Before the [City Council](#) takes action on the adoption or amendment of a Comprehensive Plan, a recommendation pertaining to such [Council](#) action shall be made by the [Planning and Zoning Commission](#).

2. City Council Action on Adoption and Amendments

After the prerequisite of [Section 1.03.03. B.1](#) has been fulfilled, the [City Council](#) may adopt or amend a Comprehensive Plan by ordinance.

3. Public Hearings

- a. Before the [Planning and Zoning Commission](#) recommends action to the [City Council](#), the Commission shall hold at least one public hearing.
- b. Before the [City Council](#) considers action on a Comprehensive Plan adoption or amendment, the Council shall hold at least one public hearing.



C. Consistency between a Zoning Map Amendment (Rezoning) and the Comprehensive Plan

1. Consistency Rule

A [Zoning Map Amendment \(Rezoning\)](#) shall be consistent with the [Comprehensive Plan](#).

2. Cases Requiring a Comprehensive Plan Amendment Prior to Rezoning Approval

- a. There are cases where the Council may wish to approve a rezoning request that is not consistent with the Comprehensive Plan.
- b. If this case occurs, the Council may amend the Comprehensive Plan and related maps prior to the approval of the rezoning request.
- c. This Comprehensive Plan amendment may occur jointly with the rezoning request, provided the Council acts first upon the Comprehensive Plan amendment.

COMPREHENSIVE PLAN

CURRENT LAND USE DESIGNATION

This category is specifically designed to address land use along Interstate 35-E, a concern expressed by the members of the Steering Committee. Mixed use non-residential is intended to incorporate planned business campus developments, office, retail, and light assembly/ warehouse distribution centers into one general area with an emphasized focus on quality design and appearance. Public spaces, design regulations, and landscape standards should be strictly enforced in order to ensure a positive visual perception along Interstate 35-E. Although this classification is intended to promote a mixture of non-residential uses, higher density residential options may be considered but should not account for more than 10 percent of the total land use area. It is recommended that mixed use non-residential account for 6.3 percent of the future land use within Corinth.



Mixed Use Non-Residential

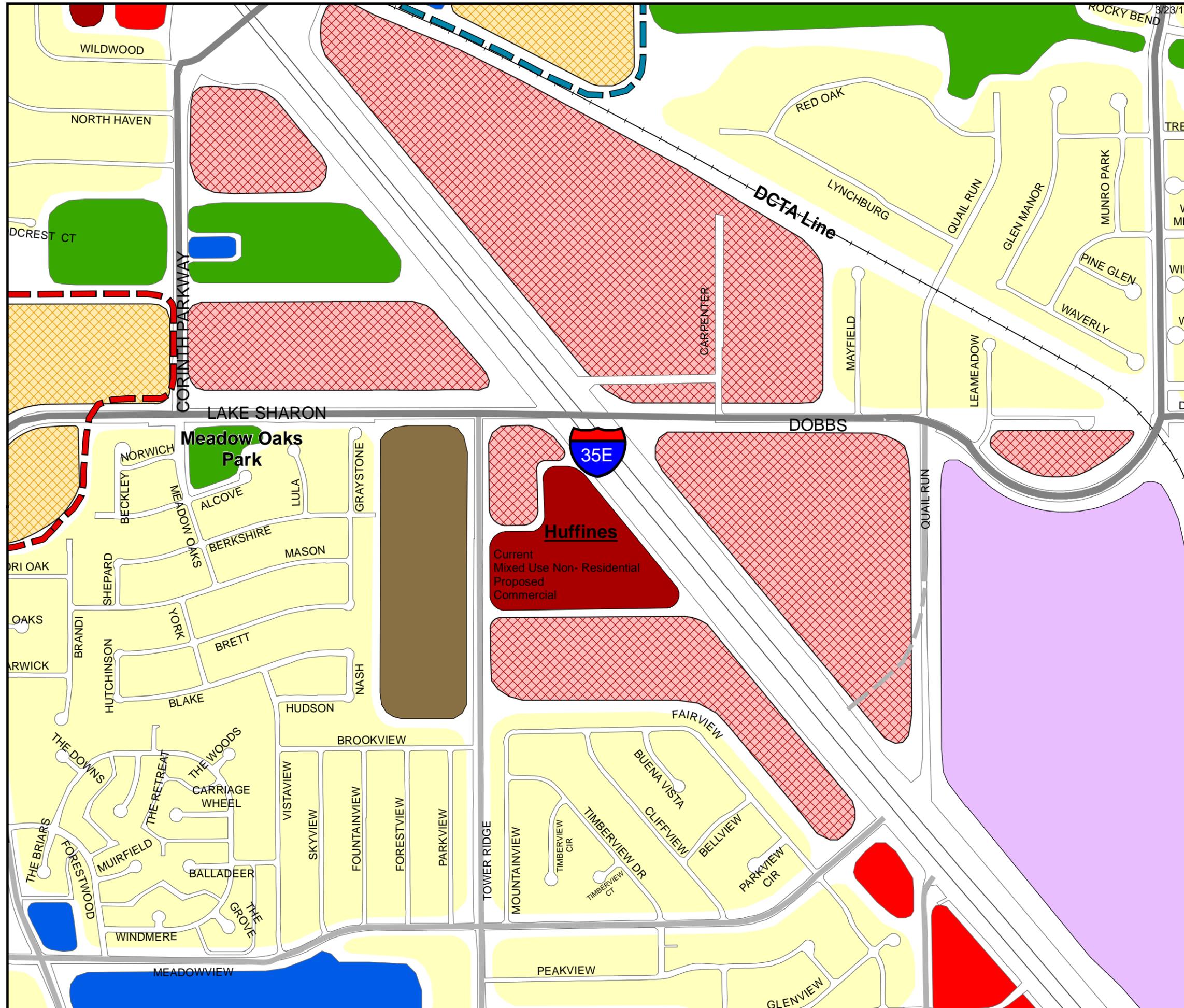
PROPOSED

Commercial land use encompasses a wide range of services and uses including banks, automobile-related services, manufactured home sales, self storage units, and lodging locations. Commercial uses often locate along major thoroughfares and freeways in order to ensure adequate accessibility. The challenge lies in the fact that commercial uses generally have a greater need for outside storage areas and such areas tend to lessen the visual perception of such roadways. Commercial land uses in Corinth compose 3.4 percent of the total future land use and are primarily located in areas with existing commercial functions



Commercial

Proposed Future Land Use Plan Changes



- Future Land Use**
- Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Mixed Residential
 - Mixed Use with Residential
 - Parks and Open Space
 - Public/Semi-Public
 - Mixed Use Non-Residential
 - Office/Business Park
 - Retail
 - Commercial
 - Industrial
 - Multi-Modal Transit Center
 - Transit Oriented Development
 - Corinth City Center
- Road Types**
- Major Arterial
 - Minor Arterial
 - Collector
 - Corinth City Limits
 - FEMA 100 Year Floodplain

Huffines

Current
Mixed Use Non- Residential
Proposed
Commercial

Meadow Oaks Park

Note:
A Comprehensive Plan shall not constitute zoning district regulations or establish zoning district boundaries.



PASCHAL CONSULTING

DONALD E. PASCHAL, JR.

904 Parkwood Court McKinney, TX 75070

Tel & Fax 972-529-1325

email: don@paschalconsulting.com

April 5, 2016

Mr. Fred Gibbs
Director of Planning & Community Development
3300 Corinth Parkway
Corinth, Texas 76208

Subject: Comprehensive Plan Amendment Letter of Intent – Huffines Auto Dealerships

Dear Mr. Gibbs:

Please accept this letter, on behalf of Mr. Ray Huffines, as an explanation of the proposed Comprehensive Plan Amendment for approximately 13.773 acres of land generally located south of the intersection of Meadows Oak Drive and I-35 E, and east of Tower Ridge Drive. We are requesting a Comprehensive Plan Amendment upon recommendation by the staff of the City of Corinth.

The Zoning Map indicates that the site is currently zoned as Mixed Use – Commercial (MX-C); we are submitting a request for a Planned Development concurrently with this application for a Comprehensive Plan Amendment. According to the Master Plan, the site is designated as Mixed-Use, Non-Residential Uses. We respectfully request to modify the existing land use designation to Commercial Uses plus allowing automobile sales and the related components as specified in the proposed PD ordinance. An exhibit supporting this application has also been submitted.

Huffines Auto Dealerships has operated franchised automobile car dealerships in Corinth for over 20 years and throughout that period of time has been a positive corporate citizen of the City, contributing to the community tax base by property improvement, inventory tax, sales tax, and quality jobs. Perhaps equally important is that Huffines has consistently maintained its property in a quality fashion and has demonstrated the highest standards of service to its customers, whether in the area of auto sales, vehicle service, or parts distribution. The heritage that Huffines has exhibited mirrors the image and reality of conscientious community service that the City of Corinth strives to provide and prides itself on.

The existing Corinth dealership site is inadequate for the existing dealerships to remain on the property. The reality of I-35E ROW acquisition by the TXDOT for highway widening and reconstruction has rendered the property unusable in its present configuration and impractical to re-build. Additionally, both dealerships require new facilities to fit the design standard of appearance, quality, and accessibility required for both current business needs as well as growth dictated by the automobile market. The existing site is simply not usable as a quality car dealership due to the loss of property to TXDOT ROW making the site too small and losing virtually all parking in front of the existing buildings.

The magnitude of this project will have a positive impact on Corinth, including: property and building values that are multiples of the current site; up to two and a half times the inventory which translates to inventory value, and multiple times more service and parts, which is also subject to sales tax. Additionally, employment will be expanded immediately upon opening, and will grow about 30% as the site matures; these will be quality jobs in the workforce and are expected to average \$55,000 per position or more. We will provide more specifics as needed in the review process of the economic impact with our final submittal.

The proposed Comprehensive Plan Amendment will have no adverse effect on public health, safety and welfare for the citizens of Corinth. The plan for this site includes an enhanced landscape buffer that will beautify the I-35 corridor and set an aesthetic standard for future developments. The open design of the project promotes desirable air flows through the property thus benefiting all adjacent properties and the community in general. Night and safety lighting is provided at low level thus eliminating intrusion to adjacent properties. The open / campus design of the project contributes to an uncluttered appearance and certainly prevents any over-crowding of the subject property and adjacent areas. Multiple ingress-egress drives are provided thus disseminating traffic to multiple access points; additionally, a mutual access drive allows positive development for the community for the commercial to the north of the subject site. A unique drainage collection system along with detention facilities will provide for filtering of runoff which provides a positive benefit for all storm water runoff. Preservation and creation of new quality jobs is certainly a benefit that contributes to the economic welfare of the community. Architecturally, the design of the proposed facilities is high quality design and is consistent with the City's Architectural Design Ordinance thus enhancing the built environment. Finally, the extensive front setback and intensive landscape along the frontage in particular (although the entire perimeter is appropriately landscaped) will be the highest quality landscape of any project to date in Corinth. The combination of all the above elements provides quality benefits to the public health, safety, and welfare of the community.

A list of requested waivers and variances has been included in the Planned Development Standards; it is noted that the waivers or variances have been significantly reduced from the prior application. We have endeavored to consider opportunities that will positively impact adjacent properties and we will be pleased to work with these property owners

and the City to help enhance the overall commercial opportunities for the site. A specific list of what we are requesting compared to the UDC requirements has been submitted concurrently with this letter.

Thank you in advance for your consideration of this request. Please do not hesitate to contact me with any questions or comments regarding this application.

Sincerely,



Donald E. Paschal

Project Coordinator and Agent for:

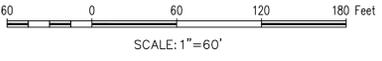
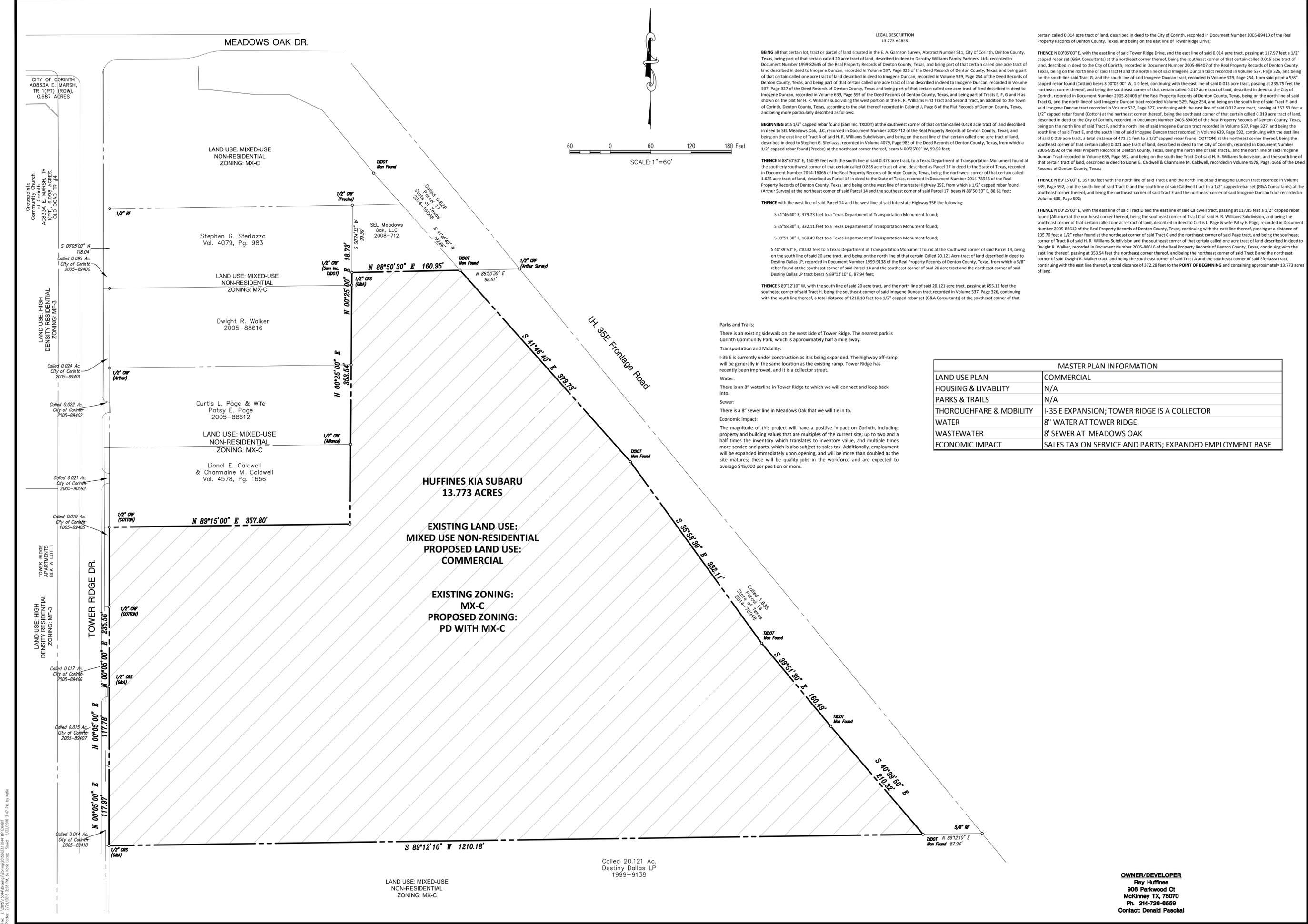
S. Ray Huffines
CEO & President, Huffines Auto Dealerships

Consultants:

Don Paschal Consulting – 972.529.1325
SUP and other approvals Facilitator; Project Coordinator

G & A Consultants and EG Group – 972.436.9712
Civil Engineering, Site Development, and Landscape Architecture
Robert Dollak, PE; Randi Rivera, A.I.C.P.; Ron Stewart, A.S.L.A

APDG, A Plus Design Group – 972-724-4440
Facility Architecture and Site Design
Trent Clark



Parks and Trails:
There is an existing sidewalk on the west side of Tower Ridge. The nearest park is Corinth Community Park, which is approximately half a mile away.

Transportation and Mobility:
I-35 E is currently under construction as it is being expanded. The highway off-ramp will be generally in the same location as the existing ramp. Tower Ridge has recently been improved, and it is a collector street.

Water:
There is an 8" waterline in Tower Ridge to which we will connect and loop back into.

Sewer:
There is an 8" sewer line in Meadows Oak that we will tie in to.

Economic Impact:
The magnitude of this project will have a positive impact on Corinth, including: property and building values that are multiples of the current site; up to two and a half times the inventory which translates to inventory value, and multiple times more service and parts, which is also subject to sales tax. Additionally, employment will be expanded immediately upon opening, and will be more than doubled as the site matures; these will be quality jobs in the workforce and are expected to average \$45,000 per position or more.

MASTER PLAN INFORMATION	
LAND USE PLAN	COMMERCIAL
HOUSING & LIVABILITY	N/A
PARKS & TRAILS	N/A
THOROUGHFARE & MOBILITY	I-35 E EXPANSION; TOWER RIDGE IS A COLLECTOR
WATER	8" WATER AT TOWER RIDGE
WASTEWATER	8" SEWER AT MEADOWS OAK
ECONOMIC IMPACT	SALES TAX ON SERVICE AND PARTS; EXPANDED EMPLOYMENT BASE

called 0.014 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89410 of the Real Property Records of Denton County, Texas, and being on the east line of Tower Ridge Drive;

THENCE N 00°05'00" E, with the east line of said Tower Ridge Drive, and the east line of said 0.014 acre tract, passing at 117.97 feet a 1/2" capped rebar set (G&A Consultants) at the northeast corner thereof, being the southeast corner of that certain called 0.015 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89407 of the Real Property Records of Denton County, Texas, being on the north line of said Tract H and the north line of said Imogene Duncan tract recorded in Volume 537, Page 326, and being on the south line said Tract G, and the south line of said Imogene Duncan tract, recorded in Volume 529, Page 254, from said point a 5/8" capped rebar found (Cotton) bears S 00°05'00" W, 1.0 feet, continuing with the east line of said 0.015 acre tract, passing at 235.75 feet the northeast corner thereof, and being the southeast corner of that certain called 0.017 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89406 of the Real Property Records of Denton County, Texas, being on the north line of said Tract G, and the north line of said Imogene Duncan tract recorded in Volume 529, Page 254, and being on the south line of said Tract F, and said Imogene Duncan tract recorded in Volume 537, Page 327, continuing with the east line of said 0.017 acre tract, passing at 353.53 feet a 1/2" capped rebar found (Cotton) at the northeast corner thereof, being the southeast corner of that certain called 0.019 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89405 of the Real Property Records of Denton County, Texas, being on the north line of said Tract F, and the north line of said Imogene Duncan tract recorded in Volume 537, Page 327, and being the south line of said Tract E, and the south line of said Imogene Duncan tract recorded in Volume 639, Page 592, continuing with the east line of said 0.019 acre tract, a total distance of 471.31 feet to a 1/2" capped rebar found (COTTON) at the northeast corner thereof, being the southeast corner of that certain called 0.021 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89592 of the Real Property Records of Denton County, Texas, being the north line of said Tract E, and the north line of said Imogene Duncan Tract recorded in Volume 639, Page 592, and being on the south line Tract D of said H. R. Williams Subdivision, and the south line of that certain tract of land, described in deed to Lionel E. Caldwell & Charmaine M. Caldwell, recorded in Volume 4578, Page 1656 of the Deed Records of Denton County, Texas;

THENCE N 89°15'00" E, 357.80 feet with the north line of said Tract F and the north line of said Imogene Duncan tract recorded in Volume 639, Page 592, and the south line of said Tract D and the south line of said Caldwell tract to a 1/2" capped rebar set (G&A Consultants) at the southeast corner thereof, and being the northeast corner of said Tract E and the northeast corner of said Imogene Duncan tract recorded in Volume 639, Page 592;

THENCE N 00°25'00" E, with the east line of said Tract D and the east line of said Caldwell tract, passing at 117.85 feet a 1/2" capped rebar found (Alliance) at the northeast corner thereof, being the southeast corner of Tract C of said H. R. Williams Subdivision, and being the southeast corner of that certain called one acre tract of land, described in deed to Curtis L. Page & wife Patsy E. Page, recorded in Document Number 2005-88612 of the Real Property Records of Denton County, Texas, continuing with the east line thereof, passing at a distance of 235.70 feet a 1/2" rebar found at the northeast corner of said Tract C and the northeast corner of said Page tract, and being the southeast corner of Tract B of said H. R. Williams Subdivision and the southeast corner of that certain called one acre tract of land described in deed to Dwight R. Walker, recorded in Document Number 2005-88616 of the Real Property Records of Denton County, Texas, continuing with the east line thereof, passing at 353.54 feet the northeast corner thereof, and being the northeast corner of said Tract B and the northeast corner of said Dwight R. Walker tract, and being the southeast corner of said Tract A and the southeast corner of said Sferlazzo tract, continuing with the east line thereof, a total distance of 372.28 feet to the POINT OF BEGINNING and containing approximately 13.773 acres of land.

BEING all that certain lot, tract or parcel of land situated in the E. A. Garrison Survey, Abstract Number 511, City of Corinth, Denton County, Texas, being part of that certain called 20 acre tract of land, described in deed to Dorothy Williams Family Partners, Ltd., recorded in Document Number 1999-82645 of the Real Property Records of Denton County, Texas, and being part of that certain called one acre tract of land described in deed to Imogene Duncan, recorded in Volume 537, Page 326 of the Deed Records of Denton County, Texas, and being part of that certain called one acre tract of land described in deed to Imogene Duncan, recorded in Volume 529, Page 254 of the Deed Records of Denton County, Texas, and being part of that certain called one acre tract of land described in deed to Imogene Duncan, recorded in Volume 537, Page 327 of the Deed Records of Denton County, Texas, and being part of that certain called one acre tract of land described in deed to Imogene Duncan, recorded in Volume 639, Page 592 of the Deed Records of Denton County, Texas, and being part of Tracts E, F, G and H as shown on the plat for H. R. Williams subdividing the west portion of the H. R. Williams First Tract and Second Tract, an addition to the Town of Corinth, Denton County, Texas, according to the plat thereof recorded in Cabinet J, Page 6 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" capped rebar found (Sam Inc. TXDOT) at the southwest corner of that certain called 0.478 acre tract of land described in deed to SEL Meadows Oak, LLC, recorded in Document Number 2008-712 of the Real Property Records of Denton County, Texas, and being on the east line of Tract A of said H. R. Williams Subdivision, and being on the east line of that certain called one acre tract of land, described in deed to Stephen G. Sferlazzo, recorded in Volume 4079, Page 983 of the Deed Records of Denton County, Texas, from which a 1/2" capped rebar found (Precise) at the northeast corner thereof, bears N 00°25'00" W, 99.59 feet;

THENCE N 88°50'30" E, 160.95 feet with the south line of said 0.478 acre tract, to a Texas Department of Transportation Monument found at the southerly southwest corner of that certain called 0.828 acre tract of land, described as Parcel 17 in deed to the State of Texas, recorded in Document Number 2014-16066 of the Real Property Records of Denton County, Texas, being the northwest corner of that certain called 1.635 acre tract of land, described as Parcel 14 in deed to the State of Texas, recorded in Document Number 2014-78948 of the Real Property Records of Denton County, Texas, and being on the west line of Interstate Highway 35E, from which a 1/2" capped rebar found (Arthur Survey) at the northeast corner of said Parcel 14 and the southeast corner of said Parcel 17, bears N 88°50'30" E, 88.61 feet;

THENCE with the west line of said Parcel 14 and the west line of said Interstate Highway 35E the following:

S 41°46'40" E, 379.73 feet to a Texas Department of Transportation Monument found;

S 35°58'30" E, 332.11 feet to a Texas Department of Transportation Monument found;

S 39°51'30" E, 160.49 feet to a Texas Department of Transportation Monument found;

S 40°39'50" E, 210.32 feet to a Texas Department of Transportation Monument found at the southwest corner of said Parcel 14, being on the south line of said 20 acre tract, and being on the north line of that certain called 20.121 Acre tract of land described in deed to Destiny Dallas LP, recorded in Document Number 1999-9138 of the Real Property Records of Denton County, Texas, from which a 5/8" rebar found at the southeast corner of said Parcel 14 and the southeast corner of said 20 acre tract and the northeast corner of said Destiny Dallas LP tract bears N 89°12'10" E, 87.94 feet;

THENCE S 89°12'10" W, with the south line of said 20 acre tract, and the north line of said 20.121 acre tract, passing at 855.12 feet the southeast corner of said Tract H, being the southeast corner of said Imogene Duncan tract recorded in Volume 537, Page 326, continuing with the south line thereof, a total distance of 1210.18 feet to a 1/2" capped rebar set (G&A Consultants) at the southeast corner of that

SITE PLANNING CIVIL ENGINEERING PLANNING CONSULTANTS, LLC
LAND SURVEYING LANDSCAPE ARCHITECTURE

111 Hillside Drive - Lewisville, TX 75057 - P: 972-889-9712 - F: 972-486-9715
144 Old Tom Road - Irving, TX 75038 - P: 972-462-2610 - F: 972-462-2610
TSPS Form No. 1798

HUFFINES KIA SUBARU
13.773 Acres
in the
EA GARRISON SURVEY, ABSTRACT NO. 511
CITY OF CORINTH
DENTON COUNTY, TEXAS

COMPREHENSIVE MASTER PLAN EXHIBIT

PRELIMINARY PLANS
THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. G&A CONSULTANTS, F-1798 ROBERT JOHN DOLLAH, JR., P.E. #86898 DATE 2/29/2016

Drawn By: EKL
Date: 06/25/2015
Scale: 1"=60'
Revisions:

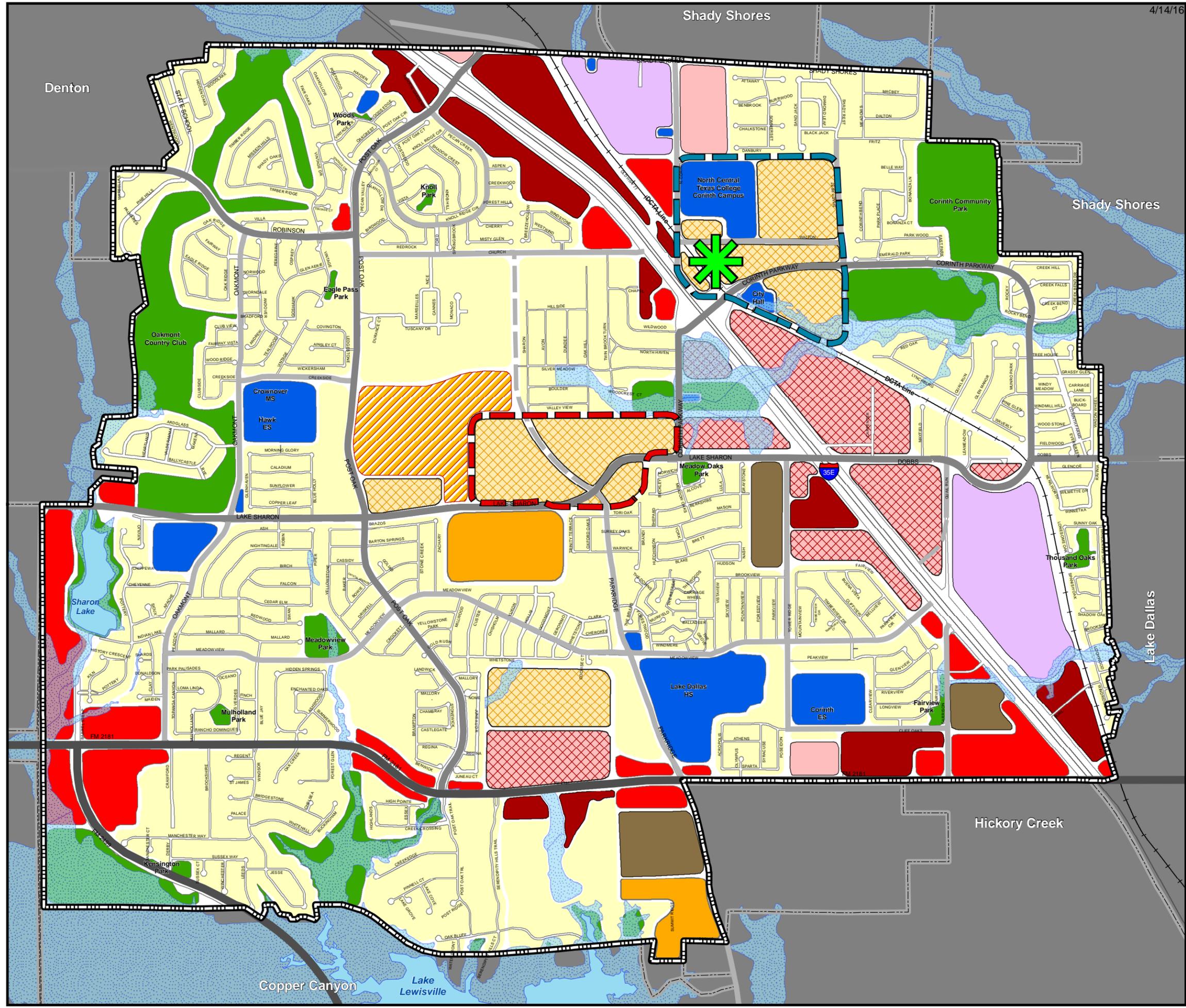
15044

CPA

OWNER/DEVELOPER
Ray Huffines
808 Parkwood Ct
McKinney TX, 75070
Ph: 214-726-8569
Contact: Donald Paschal

File: J:\2015\15044\15044.dwg (Scale: 1/8"=1'-0")
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Scale: 1/8"=1'-0"

Proposed Future Land Use Plan



- Future Land Use**
- Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Mixed Residential
 - Mixed Use with Residential
 - Parks and Open Space
 - Public/Semi-Public
 - Mixed Use Non-Residential
 - Office/Business Park
 - Retail
 - Commercial
 - Industrial
 - ✱ Multi-Modal Transit Center
 - Transit Oriented Development
 - Corinth City Center
- Road Types**
- Major Arterial
 - Minor Arterial
 - Collector
 - Corinth City Limits
 - FEMA 100 Year Floodplain

Note:
A Comprehensive Plan shall not constitute zoning district regulations or establish zoning district boundaries.



ORDINANCE NO. 16-05-05-__

AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, ADOPTING CHANGES TO THE FUTURE LAND USE PLAN ELEMENT OF THE CITY OF CORINTH'S COMPREHENSIVE PLAN FROM "MIXED USE NONRESIDENTIAL" TO "COMMERCIAL" ON 13.773 ACRES OF LAND SITUATED IN THE E. A. GARRISON SURVEY, COUNTY ABSTRACT 511 BEING TRACTS 36, 35, 34, 33, AND 24; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council has previously adopted Ordinance 10-05-06-12 adopting a new Comprehensive Plan to establish policies for guiding the long range development of the City, which Plan contains a Future Land Use Plan, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the owners of properties described have requested that the City Council change the land use designations for 13.773 acres of property described herein from "Mixed Use Nonresidential" to "Commercial"; and

WHEREAS, the Corinth Planning and Zoning Commission has reviewed and conducted a public hearing regarding the existing Comprehensive Plan and proposed amendments and has recommended to the City Council that the City Council not amend the Future Land Use Plan of the Comprehensive Plan as herein provided; and

WHEREAS, the City Council has reviewed and conducted a public hearing regarding the proposed changes and finds that the proposed amendment to the Future Land Use Map of the Comprehensive Plan for changing approximately 13.773 acres situated in the E. A. Garrison Survey, County Abstract 511 being Tracts 36, 35, 34, 33, and 24, designated as "Mixed Use Nonresidential" to "Commercial" described in Exhibit "B" (Boundary Survey) is appropriate, as the following conditions exist:

1. The area is compatible with adjacent "Mixed Use Nonresidential" land use designation;
2. The proposed uses will have a positive effect on land values; and
3. The proposed amendment is consistent with the City Plan goals and policies and will be beneficial for the long term vitality of Corinth.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:

SECTION 1.

The City Council adopts the findings as set forth in the preamble hereof.

SECTION 2.

The Future Land Use Plan of the City of Corinth Comprehensive Plan is hereby amended to change the land use designation of 13.773 acres of "Mixed Use Nonresidential" to "Commercial" on property situated in

the E. A. Garrison Survey, County Abstract 511 being Tracts 36, 35, 34, 33, and 24, as more particularly described in Exhibit "C" (Metes and Bounds), attached hereto and incorporated herein.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and section of this Ordinance since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

This Ordinance shall be in full force and effect from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED ON THIS 5 DAY OF May, 2016.

Bill Heidemann, Mayor

ATTEST:

Kimberly Pence, City Secretary

APPROVED AS TO FORM:

City Attorney

“EXHIBIT A” FUTURE LAND USE PLAN AMENDED

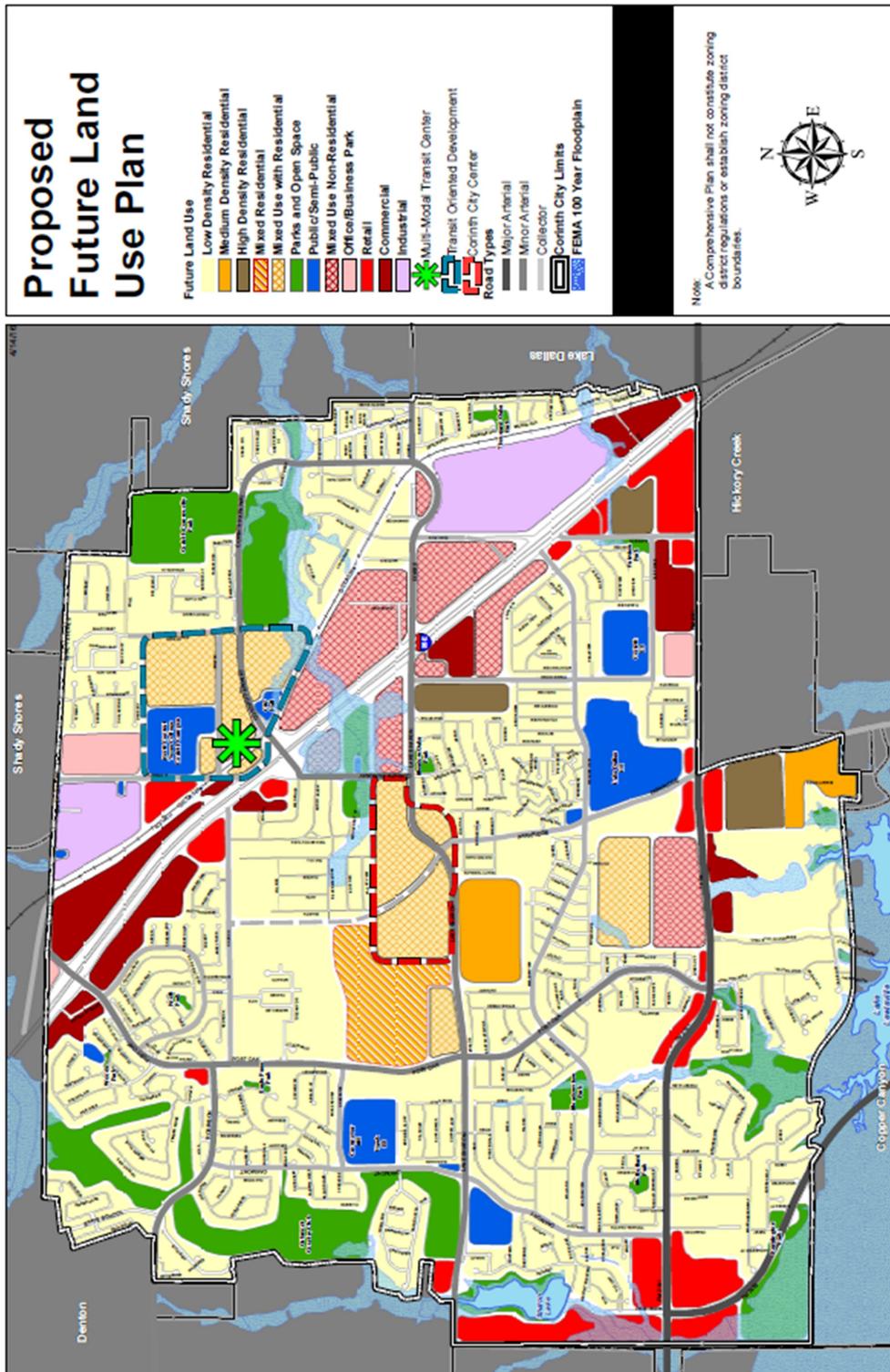


EXHIBIT C
METES AND BOUNDS

LEGAL DESCRIPTION
13.773 ACRES

BEING all that certain lot, tract or parcel of land situated in the E. A. Garrison Survey, Abstract Number 511, City of Corinth, Denton County, Texas, being part of that certain called 20 acre tract of land, described in deed to Dorothy Williams Family Partners, Ltd., recorded in Document Number 1999-82645 of the Real Property Records of Denton County, Texas, and being part of that certain called one acre tract of land described in deed to Imogene Duncan, recorded in Volume 537, Page 326 of the Deed Records of Denton County, Texas, and being part of that certain called one acre tract of land described in deed to Imogene Duncan, recorded in Volume 529, Page 254 of the Deed Records of Denton County, Texas, and being part of that certain called one acre tract of land described in deed to Imogene Duncan, recorded in Volume 537, Page 327 of the Deed Records of Denton County, Texas and being part of that certain called one acre tract of land described in deed to Imogene Duncan, recorded in Volume 639, Page 592 of the Deed Records of Denton County, Texas, and being part of Tracts E, F, G and H as shown on the plat for H. R. Williams subdividing the west portion of the H. R. Williams First Tract and Second Tract, an addition to the Town of Corinth, Denton County, Texas, according to the plat thereof recorded in Cabinet J, Page 6 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

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THENCE N 88°50'30" E, 160.95 feet with the south line of said 0.478 acre tract, to a Texas Department of Transportation Monument found at the southerly southwest corner of that certain called 0.828 acre tract of land, described as Parcel 17 in deed to the State of Texas, recorded in Document Number 2014-16066 of the Real Property Records of Denton County, Texas, being the northwest corner of that certain called 1.635 acre tract of land, described as Parcel 14 in deed to the State of Texas, recorded in Document Number 2014-78948 of the Real Property Records of Denton County, Texas, and being on the west line of Interstate Highway 35E, from which a 1/2" capped rebar found (Arthur Survey) at the northeast corner of said Parcel 14 and the southeast corner of said Parcel 17, bears N 88°50'30" E, 88.61 feet;

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S 40°39'50" E, 210.32 feet to a Texas Department of Transportation Monument found at the southwest corner of said Parcel 14, being on the south line of said 20 acre tract, and being on the north line of that certain Called 20.121 Acre tract of land described in deed to Destiny Dallas LP, recorded in Document Number 1999-9138 of the Real Property Records of Denton County, Texas, from which a 5/8" rebar found at the southeast corner of said Parcel 14 and the southeast corner of said 20 acre tract and the northeast corner of said Destiny Dallas LP tract bears N 89°12'10" E, 87.94 feet;

THENCE S 89°12'10" W, with the south line of said 20 acre tract, and the north line of said 20.121 acre tract, passing at 855.12 feet the southeast corner of said Tract H, being the southeast corner of said Imogene Duncan tract recorded in Volume 537, Page 326, continuing with the south line thereof, a total distance of 1210.18 feet to a 1/2" capped rebar set

(G&A Consultants) at the southeast corner of that certain called 0.014 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89410 of the Real Property Records of Denton County, Texas, and being on the east line of Tower Ridge Drive;

THENCE N 00°05'00" E, with the east line of said Tower Ridge Drive, and the east line of said 0.014 acre tract, passing at 117.97 feet a 1/2" capped rebar set (G&A Consultants) at the northeast corner thereof, being the southeast corner of that certain called 0.015 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89407 of the Real Property Records of Denton County, Texas, being on the north line of said Tract H and the north line of said Imogene Duncan tract recorded in Volume 537, Page 326, and being on the south line said Tract G, and the south line of said Imogene Duncan tract, recorded in Volume 529, Page 254, from said point a 5/8" capped rebar found (Cotton) bears S 00°05'00" W, 1.0 feet, continuing with the east line of said 0.015 acre tract, passing at 235.75 feet the northeast corner thereof, and being the southeast corner of that certain called 0.017 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89406 of the Real Property Records of Denton County, Texas, being on the north line of said Tract G, and the north line of said Imogene Duncan tract recorded Volume 529, Page 254, and being on the south line of said Tract F, and said Imogene Duncan tract recorded in Volume 537, Page 327, continuing with the east line of said 0.017 acre tract, passing at 353.53 feet a 1/2" capped rebar found (Cotton) at the northeast corner thereof, being the southeast corner of that certain called 0.019 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89405 of the Real Property Records of Denton County, Texas, being on the north line of said Tract F, and the north line of said Imogene Duncan tract recorded in Volume 537, Page 327, and being the south line of said Tract E, and the south line of said Imogene Duncan tract recorded in Volume 639, Page 592, continuing with the east line of said 0.019 acre tract, a total distance of 471.31 feet to a 1/2" capped rebar found (COTTON) at the northeast corner thereof, being the southeast corner of that certain called 0.021 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-90592 of the Real Property Records of Denton County, Texas, being the north line of said Tract E, and the north line of said Imogene Duncan Tract recorded in Volume 639, Page 592, and being on the south line Tract D of said H. R. Williams Subdivision, and the south line of that certain tract of land, described in deed to Lionel E. Caldwell & Charmaine M. Caldwell, recorded in Volume 4578, Page. 1656 of the Deed Records of Denton County, Texas;

THENCE N 89°15'00" E, 357.80 feet with the north line of said Tract E and the north line of said Imogene Duncan tract recorded in Volume 639, Page 592, and the south line of said Tract D and the south line of said Caldwell tract to a 1/2" capped rebar set (G&A Consultants) at the southeast corner thereof, and being the northeast corner of said Tract E and the northeast corner of said Imogene Duncan tract recorded in Volume 639, Page 592;

THENCE N 00°25'00" E, with the east line of said Tract D and the east line of said Caldwell tract, passing at 117.85 feet a 1/2" capped rebar found (Alliance) at the northeast corner thereof, being the southeast corner of Tract C of said H. R. Williams Subdivision, and being the southeast corner of that certain called one acre tract of land, described in deed to Curtis L. Page & wife Patsy E. Page, recorded in Document Number 2005-88612 of the Real Property Records of Denton County, Texas, continuing with the east line thereof, passing at a distance of 235.70 feet a 1/2" rebar found at the northeast corner of said Tract C and the northeast corner of said Page tract, and being the southeast corner of Tract B of said H. R. Williams Subdivision and the southeast corner of that certain called one acre tract of land described in deed to Dwight R. Walker, recorded in Document Number 2005-88616 of the Real Property Records of Denton County, Texas, continuing with the east line thereof, passing at 353.54 feet the northeast corner thereof, and being the northeast corner of said Tract B and the northeast corner of said Dwight R. Walker tract, and being the southeast corner of said Tract A and the southeast corner of said Sferlazza tract, continuing with the east line thereof, a total distance of 372.28 feet to the **POINT OF BEGINNING** and containing approximately 13.773 acres of land.

City Council Regular and Workshop Session

Meeting Date: 05/05/2016

Title: Huffines Zoning Change Request

Submitted For: Fred Gibbs, Director

Submitted By: Barbara Cabbage, Planning & Development Manager

Approval: Lee Ann Bunselmeyer, Acting City Manager

AGENDA ITEM

TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT RAY HUFFINES AUTHORIZED REPRESENTATIVE FOR DWIGHT WALKER, MANAGING GENERAL PARTNER FOR THE PROPERTY OWNERS DOROTHY WILLIAMS FAMILY PS LTD AND R. O. DUNCAN FOR A ZONING CHANGE FROM MX-C, MIXED USE COMMERCIAL TO PLANNED DEVELOPMENT MX-C (PD MX-C) ON 13.773 ACRES OF LAND SITUATED IN THE E. A. GARRISON SURVEY, COUNTY ABSTRACT 511 BEING TRACTS 36, 35, 34, 33, AND 24 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

BUSINESS:

Consider and act on an ordinance for a zoning change from MX-C, Commercial to Planned Development MX-C (PD MX-C) on 13.773 acres of land situated in the E. A. Garrison Survey, County Abstract 511 being tracts 36, 35, 34, 33, and 24 in the City of Corinth, Denton County, Texas.

AGENDA ITEM SUMMARY/BACKGROUND

Approval Process

A public hearing was held during the Planning and Zoning Commission meeting and is required as well at the City Council meeting. The Planning and Zoning Commission has made a recommendation to City Council and is stated under "Recommendation" below.

This requested zoning change and the applicant's proposed Comprehensive Plan Future Land Use Amendment on this subject property are intertwined and related. When City Council is ready to take action; the Comprehensive Plan Amendment ordinance must be considered first per the UDC as the requirements asserts , "a Zoning Map Amendment (Rezoning) must be consistent with the Comprehensive Plan Future Land Use designation" (Consistency Rule).

Approval for the Zoning Change requires a City Council Super Majority due to the Planning and Zoning Commission's recommendation for denial.

Agenda Item Description

The applicant, Ray Huffines, authorized representative for the property owner, Dorothy Williams Family Partners, LLC submitted an application requesting a zoning change from MX-C, Mixed Use Commercial to Planned Development MX-C (PD MX-C) on 13.773 acres located on the west side of IH 35E south of Lake Sharon Drive (previously named Meadow Oaks Drive)

There are two proposed main uses for this Planned Development request; "automobile sales and service" and "body shop". A Planned Development is necessary for the uses proposed. Although approval of a Specific Use Permit would secure the "Automobile or Other Motorized Vehicle Sales and Service" use; an "Automobile Body Shop" is only allowed in the C-3, Commercial and/or Industrial zoning districts. Yet, both uses alone would require amending the Comprehensive Plan Future Land Use designation on this site.

Aside from the associated uses not allowed in this base district or the current future land use designation; other elements of the proposed zoning regulations in the Planned Development MX-C District do not conform to the standards of the base district that are being proposed by the Applicant. The standards include: lighting requirements, exterior façade / masonry requirements, parking ratio, roof design (Residential Adjacency, and screening between residential uses and non-residential uses. As for the intended waivers, variances, alternative compliance or other non-conforming requests are signage (monument and attached), curbing, foundation landscape, tree removal, grubbing and grading of the entire site).

Current Zoning:

- Subject property is zoned MX-C, Mixed Use Commercial
- Northern boundary is adjacent zoned MX-C, Mixed Use Commercial
- Southern boundary is adjacent is zoned MX-C, Mixed Use Commercial
- Eastern boundary across IH 35 is zoned MX-C, Mixed Use Commercial
- Western boundary adjacent to the site is zoned MX-C, Mixed Use Commercial and across Tower Ridge is

Multi-Family

Proposed Zoning

- Subject property has requested a zoning change from MX-C, Mixed Use Commercial to Planned Development MX-C

Existing Use of Land:

- Subject property is currently undeveloped
- Northern boundary property is currently a residential use
- Southern boundary is an existing RV Park - Destiny Dallas
- Eastern boundary across IH 35E is Low Density Residential / Office / Undeveloped
- Western boundary is Low Density Residential / High Density Residential

Current Future Land Use Designations:

- Subject property is Mixed Use Non-Residential
- Northern boundary is Mixed Use Non-Residential
- Southern boundary is Mixed Use Non-Residential
- Eastern boundary is zoned Mixed Use Non-Residential
- Western boundary is High Density Residential

Proposed Land Use

- Subject property has requested an amendment to the Comprehensive Plan Future Land Use from "Mixed Use Non-Residential" to "Commercial"

The Planned Development Process and the Proposed Project

A rezoning in the MX-C district requires an ordinance. In addition, the MX-C district requires site plans (i.e. landscape plan, lighting, elevations, etc) submitted with the rezoning application which would be adopted with the ordinance if approved.

The Unified Development Code Ordinance No. 13-05-02-08 Section 2.06.03 states that the purpose of a planned development district is to encourage quality and enhanced development in the City of Corinth by allowing flexibility in the planning and development of projects. A Planned Development District may be used to permit new or innovative concepts in land utilization or diversification that couldn't not be achieved under conventional zoning approaches.

This proposed project has accomplished some innovative concepts and has found flexibility with this PD process. But it is also stated in this particular section that a Planned Development should not be used for obtaining zoning variances or subdivision waivers.

Don Paschal, Paschal Consulting, is representing the applicant in the requests before City Council. Mr. Paschal and his team have provided the letter of intent and a PD Design statement that explain the particulars of the proposed development. The attached ordinance includes the proposed Land Use Regulations, Development Standards, and permitted uses. Dimensional regulations appear to have been met with regards to setback requirements, lot coverage, building height and lot dimensions.

Conformance to the Comprehensive

Neither "Automobile Sales and Service" nor "Auto Body Shop" uses are allowed in the Mixed Use Non-Residential Land Use designation of the City of Corinth Comprehensive Plan but the MX-C zoning designation allows for some residential.

"Automobile Sales and Service" and "Auto Body Shop" uses are allowed in the Commercial Land Use designation. If the Comprehensive Plan amendment is approved, this is where the removal of the residential element of the proposed rezoning ordinance is necessary as the residential element is not a component of the "Commercial" Land Use designation.

To summarize: if City Council does not approve the Comprehensive Plan amendment, the proposed zoning change must not be approved either. The relation between the Future Land Use Plan and Zoning with this proposed project would not be maintained as stated in the Unified Development Code Section 1.03.03 (attached). On the flip side if the Comprehensive Plan amendment is approved and the zoning change is approved as requested the residential element of the MX-C district must be removed from the zoning regulations.

Notification to the Public

There are seven land owners of record within 200' of the proposed tracts of land that were sent notification letters regarding the Planning and Zoning Commission public hearing on April 18, 2016. We received no response from the notifications. Signs were posted on Tower Ridge and IH 35 in addition to the notification sent to the Denton Record Chronicle per Texas Local Government Code guidelines.

Financial Summary

Source of Funding: No funding is required.

RECOMMENDATION

Staff recommends denial of the proposed rezoning request due to a lack of conformance with the City of Corinth's Comprehensive Plan and that the proposed use in whole is not in line with the overall vision.

However, should the rezoning request be approved, Staff suggests the following:

- Residential adjacency standards be adhered to.
- Provide foundation plantings per the UDC requirements.
- No display of vehicles in the required landscape easement along the frontage.
- Follow the lighting requirements.
- Do not allow grubbing, grading and tree removal throughout the entire site in Phase I
- Eliminate the body shop or at the least relocate the body shop away from Tower Ridge Drive.
- Provide accurate numbers / calculations on the elevations charts.
- If the body shop is allowed; provide specific information regarding the type of fencing that will be used to screen dismantled, wrecked or vehicles being restored on the interior of the site.
 - Provide additional Class 1 masonry on all buildings per UDC.
 - Include the location of easements. It is possible that the site plan could change due to the inclusion of easements around the site.
 - Revise the PD Design Statement to include a list of all applicable special development regulations or modified regulations to the base zoning district; plus a list of anticipated Subdivision Waivers to be requested to the Subdivision Regulations or other applicable development regulations to be requested during the platting approval process.
- **Include the following approved/revised site plan documents labeled as and included with "Exhibit C" of the ordinance:**
 - Site Plan (remove "conceptual" from the title)
 - Landscape Plan
 - Elevations
 - Photometric Plan

- Compactor Screening Details
- Fencing Exhibit to exclude the signage details
- Phasing Plan

Planning and Zoning Commission Recommendation

The Planning and Zoning Commission recommended unanimously (5-0) denial of the amendment to the Zoning Change request. (Commissioners present: Brian Rush, (Chairman), Bruce Hanson (Vice Chair), Marc Powell, Dwayne Zinn, and Bill Morgan, (Alternate). Present but unable to vote: Breien Velde, (Alternate). Absent: Haven Hendrik.)

Potential Future Process

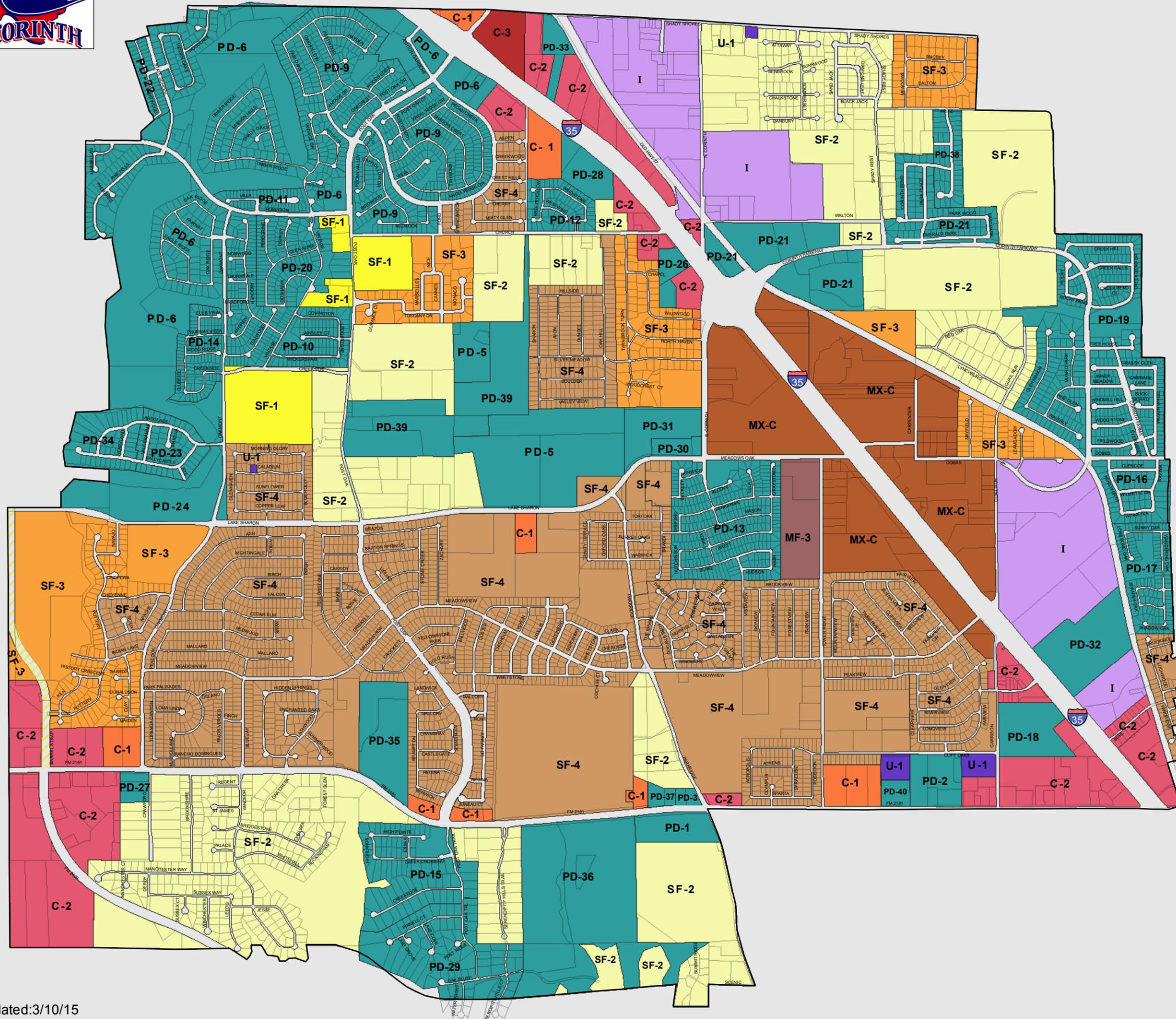
If both requests are approved for the 13.773 acres for the proposed automobile dealership sales, service and body shop; the City should consider amending the land use designation of the adjoining properties as well.

Attachments

Current Zoning Map
 Use Chart_UDC 2.07.03
 Location Map
 MX_C 2.06.02 Zoning
 Lighting and Glare Standards
 Building Facade 2.09.04
 Masonry Definition
 Conditional Standards 2.07.04
 Residential Adj 2.09.05
 App Packet LOI
 App Packet Economic Impact
 App Packet_Huffines Proposed Dev Standards
 App Packet Site Plan Layout
 App Packet Landscape Plan
 App Packet
 App Packet Lighting Plan
 App Packet Compactor Screening
 App Packet 2nd Review Letter
 App Packet Signage Calcs
 App Packet Fencing and Signage
 App Packet Phasing Plan
 Ordinance - Huffines PD MX-C



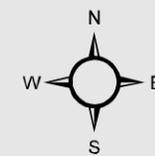
City of Corinth Zoning Map



Legend

Zoning Districts

- Future FM 2499
- C-1 Commercial
- C-2 Commercial
- C-3 Commercial
- I Industrial
- MF-1 Multi-Family Residential
- MF-2 Multi-Family Residential
- MF-3 Multi-Family Residential
- MHD Modular Home District
- MX-C Mixed Use Commercial
- PD Planned Development
- SF-1 Single Family Residential
- SF-2 Single Family Residential
- SF-3 Single Family Residential
- SF-4 Single Family Residential
- U-1 Utility





2.07.03. Use Chart

The use of land or buildings shall be in accordance with those listed in the following [Use Chart](#). No land or building shall hereafter be used and no building or structure shall be erected, altered, or converted other than for those uses permitted in the zoning district in which it is located, as shown in the [Use Chart](#).

Uses	Residential Zoning Districts									Nonresidential Zoning Districts					Special Zoning Districts			Vehicle Parking Regulations
	SF-1, Single Family Residential (detached)	SF-2, Single Family Residential (detached)	SF-3, Single Family Residential (detached)	SF-4, Single Family Residential (detached)	SF-A, Single Family Residential (attached)	MX-D, Mixed Density Residential	MF-1, Multi-Family Residential	MF-2, Multi-Family Residential	MF-3, Multi-Family Residential	C-1, Commercial	C-2, Commercial	C-3, Commercial	I, Industrial	U-1, Utility	MX-R, Mixed Use Residential	MX-C, Mixed Use Commercial	PD, Planned Development	
Legend for Use Chart																		
P	Use is permitted in district indicated																	
	Use is prohibited in district indicated																	
S	Use is permitted in district upon approval of a 2.10.10, Specific Use Permit																	
#	Use is permitted (or permitted by SUP) if the use complies with conditional development standards or limitations in the corresponding numeric end note in 2.07.04, Conditional Development Standards .																	
§	Reference to 2.09.03, Vehicle Parking Regulations																	
Residential Uses																		
Assisted Living/Nursing Home							P	P	P	S	S	S	P		P	S	20	E.7
Carport																	20	None
Dwelling, Single Family (detached)	P	P	P	P	P	P-1	P	P	P							S	20	C.1
Dwelling, Single Family (attached – duplex)					P	P-1	P	P	P						P	S	20	C.1
Dwelling, Single Family (attached – townhouse)					P	P-1	P	P	P						P	S	20	C.1
Dwelling, Multi-Family						P-1	P	P	P						P	S	20	D.2
Guest House/Servants' Quarters	P-2	P-2															20	C.1
Manufactured Home (HUD Code)																	20	C.1
Modular (Industrialized) Home	P-3	P-3	P-3	P-3	P-3	P-3	P-3	P-3	P-3						P-3	S	20	C.1
Retirement Housing							P	P	P						P	S	20	E.
Studio Residence															P	S	20	D.2/E.7
Nonresidential Uses																		
Adult Day-Care Services	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	20	E.3
Agricultural Use	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	20	E.19/26
Ambulance Service											P	P	P			P	20	E.19
Amusement, Commercial (indoors)											P	P	P		P	P	20	E.19
Amusement, Commercial (outdoors)											S-5	S-5	S-5			S-5	20	E.6
Antique Shop										P	P	P	P		P	P	20	E.21
Art Gallery or Museum										P	P	P	P		P	P	20	E.14
Automobile Body Shop												P	P				20	E.19
Automobile or Other Motorized Vehicle Sales and Service											S-6	P	S-6			S-6	20	E.19
Automobile Parts Store										P	P	P	P			P	20	E.19
Automobile Service Garage (Major)											P	P	P			P	20	E.8
Automobile Service Garage (Minor)										P	P	P	P			P	20	E.8
Bank or Financial Institution										P	P	P	P		P	P	20	E.1
Barber or Beauty Shop										P	P	P	P		P	P	20	E.21
Book Store										P	P	P	P		P	P	20	E.21
Bowling Alley										P	P	P	P		P	P	20	E.2
Car Wash, Full Service										P	P	P			S	P		
Car Wash, Self Service											P	P				S		
Carpentry Shop													P				20	E.19
Caterer or Wedding Service										P	P	P	P		P	P	20	E.19
Ceramic and Pottery Manufacturer													P				20	E.19
Child-Care: Foster Family Home (Independent)	P	P	P	P													20	C.1
Child-Care: Foster Group Home (Independent)	P	P	P	P													20	C.1
Child-Care: Licensed Child-Care Center										S	S	S	S		S	S	20	E.3
Child-Care: Licensed Child-Care Home	P	P	P	P													20	E.



Uses	Residential Zoning Districts									Nonresidential Zoning Districts					Special Zoning Districts			Vehicle Parking Regulations	
	SF-1, Single Family Residential (detached)	SF-2, Single Family Residential (detached)	SF-3, Single Family Residential (detached)	SF-4, Single Family Residential (detached)	SF-A, Single Family Residential (attached)	MX-D, Mixed Density Residential	MF-1, Multi-Family Residential	MF-2, Multi-Family Residential	MF-3, Multi-Family Residential	C-1, Commercial	C-2, Commercial	C-3, Commercial	I, Industrial	U-1, Utility	MX-R, Mixed Use Residential	MX-C, Mixed Use Commercial	PD, Planned Development		
Legend for Use Chart																			
P	Use is permitted in district indicated																		
 	Use is prohibited in district indicated																		
S	Use is permitted in district upon approval of a 2.10.10. Specific Use Permit																		
#	Use is permitted (or permitted by SUP) if the use complies with conditional development standards or limitations in the corresponding numeric end note in 2.07.04. Conditional Development Standards .																		
§	Reference to 2.09.03. Vehicle Parking Regulations																		
Child-Care: Listed Family Home	P	P	P	P													20	C.1	
Child Care: Registered Child-Care Home	P	P	P	P													20	C.1	
Church or Other Place of Worship, including Parsonage/Rectory	P	P	P	P	P	P	P	P	P								20	E.4	
College or University	S	S	S	S	S	S	S	S	S	S	S	S			S		20	E.10	
Computer/Chip Manufacturer												P					20	E.15	
Concrete Batch Plant	S	S	S	S	S	S	S	S	S	S	S	S			S	S			
Country Club	P	P	P	P				P	P	P							20	E.19	
Dance, Music, or Drama Studio										P	P	P	P		P	P	20	E.21	
Donation or Recycling Collection Point	S-7	S-7	S-7	S-7	S-7	S-7	S-7	S-7	S-7	S-7	S-7	S-7			S-7	S-7	20	E.26	
Educational Services Office										P	P	P	P		P	P	20	E.16	
Electrical Power Substations														P			20	E.15/26	
Exterminating Company										P	P	P	P			P	20	E.21	
Farmer's Market										S	S	S	S				20	E.19	
Feed Store											P	P	P			P	20	E.19	
Financial Loan – Credit Access Business													P-8				20	E.1	
Financial Loan – Deferred Presentment Transaction													P-8				20	E.1	
Financial Loan – Motor Vehicle Title Loan													P-8				20	E.1	
Firewood Sales	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	S-9	20	E.26	
Fix-It Shop, Bicycle Repair, Blade Sharpening, Small Engine Repair												P	P	P		P	P	20	E.15
Furniture Repair and Upholstering Shop										P	P	P	P		P	P	20	E.15	
Gas Regulator Stations or Metering Stations														P			20	E.15/26	
Gas or Oil Well and Production	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	E.15/26	
Gasoline Filling or Service Station/Car Wash											S-10	P	P			S-10	20	E.8	
Golf Course	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	E.9	
Grocery Store										P	P	P	P			P	20	E.21	
Gym or Health/Fitness Center										P	P	P	P		P	P	20	E.21	
Heliport or Helistop											S-11	S-11	S-11	S-11		S-11	20	E.19	
Home Based Business	P-12	P-12	P-12	P-12													20	C.1	
Hospital, Acute Care											S	S	S		S	S	20	E.11	
Hospital, Chronic Care											S	S	S		S	S	20	E.11	
Hotel										S	P	P	P			S	20	E.12	
Institution for the Care of Alcoholic, Psychiatric, or Narcotic Patients											P	P					20	E.13	
Jewelry Manufacturing or Assembly													P				20	E.15	
Kennel/Veterinary Office											S-13	S-13	S-13			S-13	20	E.16	
Laundry, Commercial											P	P	P			P	20	E.19	
Laundry, Dry Cleaning Drop-Off/Pick-Up										P	P	P	P		P	P	20	E.21	
Laundry, Self-Service										P	P	P	P		P	P	20	E.21	
Leather Product and Saddle Manufacturing													P				20	E.15	
Library	P	P	P	P	P	P	P	P	P						P		20	E.14	
Light Assembly and Manufacturing Processes													P				20	E.15	
Manufactured Home Sales											S	S					20	E.16/26	
Manufacturing or Industrial Operations													S				20	E.15	



Uses	Residential Zoning Districts									Nonresidential Zoning Districts					Special Zoning Districts			Vehicle Parking Regulations
	SF-1, Single Family Residential (detached)	SF-2, Single Family Residential (detached)	SF-3, Single Family Residential (detached)	SF-4, Single Family Residential (detached)	SF-A, Single Family Residential (attached)	MX-D, Mixed Density Residential	MF-1, Multi-Family Residential	MF-2, Multi-Family Residential	MF-3, Multi-Family Residential	C-1, Commercial	C-2, Commercial	C-3, Commercial	I, Industrial	U-1, Utility	MX-R, Mixed Use Residential	MX-C, Mixed Use Commercial	PD, Planned Development	
Legend for Use Chart																		
P	Use is permitted in district indicated																	
 	Use is prohibited in district indicated																	
S	Use is permitted in district upon approval of a 2.10.10. Specific Use Permit																	
#	Use is permitted (or permitted by SUP) if the use complies with conditional development standards or limitations in the corresponding numeric end note in 2.07.04. Conditional Development Standards .																	
§	Reference to 2.09.03. Vehicle Parking Regulations																	
Medical Clinic										P	P	P	P		P	P	20	E.5
Motel, Motor Hotel, or Tourist Court										S	P	P	P			P	20	E.12
Movie Picture Theatre										S	P	P	P		P	P	20	E.25
Newspaper Printing											P	P	P			P	20	E.19
Office, Professional, Medical, or Business										P	P	P	P		P	P	20	E.16
Outside Display										P-14	P-14	P-14	P-14		P-14	P-14	20	E.19/26
Outside Storage										S-15	S-15	S-15	S-15	S-15		P-15	20	E.19/26
Park, Playground, or Community Center, Public	P	P	P	P	P	P	P	P	P						P		20	E.17
Pet Shop (Retail Sales Only)										P	P	P	P		P	P	20	E.21
Photographer's or Artist's Studio/Film Processing										P	P	P	P		P	P	20	E.19
Plastic Products Manufacturing													P				20	E.15
Play Field or Stadium, Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	E.25/26
Plumbing/Electrical/Air Conditioning Store (Retail Sales Only)										P	P	P	P			P	20	E.19
Police or Fire Station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	E.19
Portable Building	S-16	S-16	S-16	S-16						S-16	S-16	S-16	S-16	S-16		S-16	20	E.19/26
Printing/Duplication Shop or Mailing Center										P	P	P	P		P	P	20	E.19
Private Club										S-21	S-21	S-21	S-21				20	E.20
Public Building										P	P	P	P		P	P	20	E.19
Public Parking Garage										P	P	P	P		P	P	20	E.19/26
Radio or TV Station													P				20	E.19/26
Research and Development Laboratories													P				20	E.15
Restaurant or Cafeteria, with or without Curb or Drive-In Service										S	P	P	P		P	P	20	E.20
Restaurant or Cafeteria, without Curb or Drive-In Service (Service to be entirely within the building)										P	P	P	P			P	20	E.20
Retail Stores and Shops										P	P	P	P		P	P	20	E.21
RV Park																S	20	E.22
School, Career													S		P		20	E.10
School, Private	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	20	E.10/23
School, Public	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	20	E.10/23
Seamstress or Tailor Shop										P	P	P	P		P	P	20	E.19
Sexually Oriented Business												P-17						E.21
Shoe Repair Shop										P	P	P	P		P	P	20	E.19
Storage Units, Mini													S				20	E.24
Tattoo Studio											S	S	S			S	20	E.21
Taxi Garage or Dispatch											P	P	P			P	20	E.19
Telephone Exchange (No Offices or Storage Facilities)	P	P	P	P			P	P	P								20	E.19
Temporary Building for New Construction	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	P-18	20	E.19/26
Textile Manufacturing, with dust and odor control																	20	E.15
Tower/Antenna: TV, Radio, Microwave, Telephone, or Cellular													S-19	S-19			20	E.19
Utility Storage/Repair Buildings														P			20	E.19
Water Storage														P			20	E.19
Water Treatment Facility														P			20	E.19
Warehouse													P			S	20	E.24
Wedding Chapel, Reception Facility, Special Events Center										S	S	S	S			S	20	E.21



Uses		Residential Zoning Districts								Nonresidential Zoning Districts					Special Zoning Districts			Vehicle Parking Regulations	
Legend for Use Chart		SF-1, Single Family Residential (detached)	SF-2, Single Family Residential (detached)	SF-3, Single Family Residential (detached)	SF-4, Single Family Residential (detached)	SF-A, Single Family Residential (attached)	MX-D, Mixed Density Residential	MF-1, Multi-Family Residential	MF-2, Multi-Family Residential	MF-3, Multi-Family Residential	C-1, Commercial	C-2, Commercial	C-3, Commercial	I, Industrial	U-1, Utility	MX-R, Mixed Use Residential	MX-C, Mixed Use Commercial		PD, Planned Development
P	Use is permitted in district indicated																		
	Use is prohibited in district indicated																		
S	Use is permitted in district upon approval of a 2.10.10. Specific Use Permit																		
#	Use is permitted (or permitted by SUP) if the use complies with conditional development standards or limitations in the corresponding numeric end note in 2.07.04. Conditional Development Standards .																		
§	Reference to 2.09.03. Vehicle Parking Regulations																		
	Weight Loss Center										P	P	P	P		P	P	20	E.21
	Wholesale Center										P	P	P	P			P	20	E.21
	Woodworking and Planing Mill													P				20	E.15

NSON RD

CHURCH DR

CORINTH PKWY

Shady
Shores



CORINTH PKWY

LAKE SHARON DR

DOBBS RD

PROJECT SITE
Huffines

LAKE SHARON DR

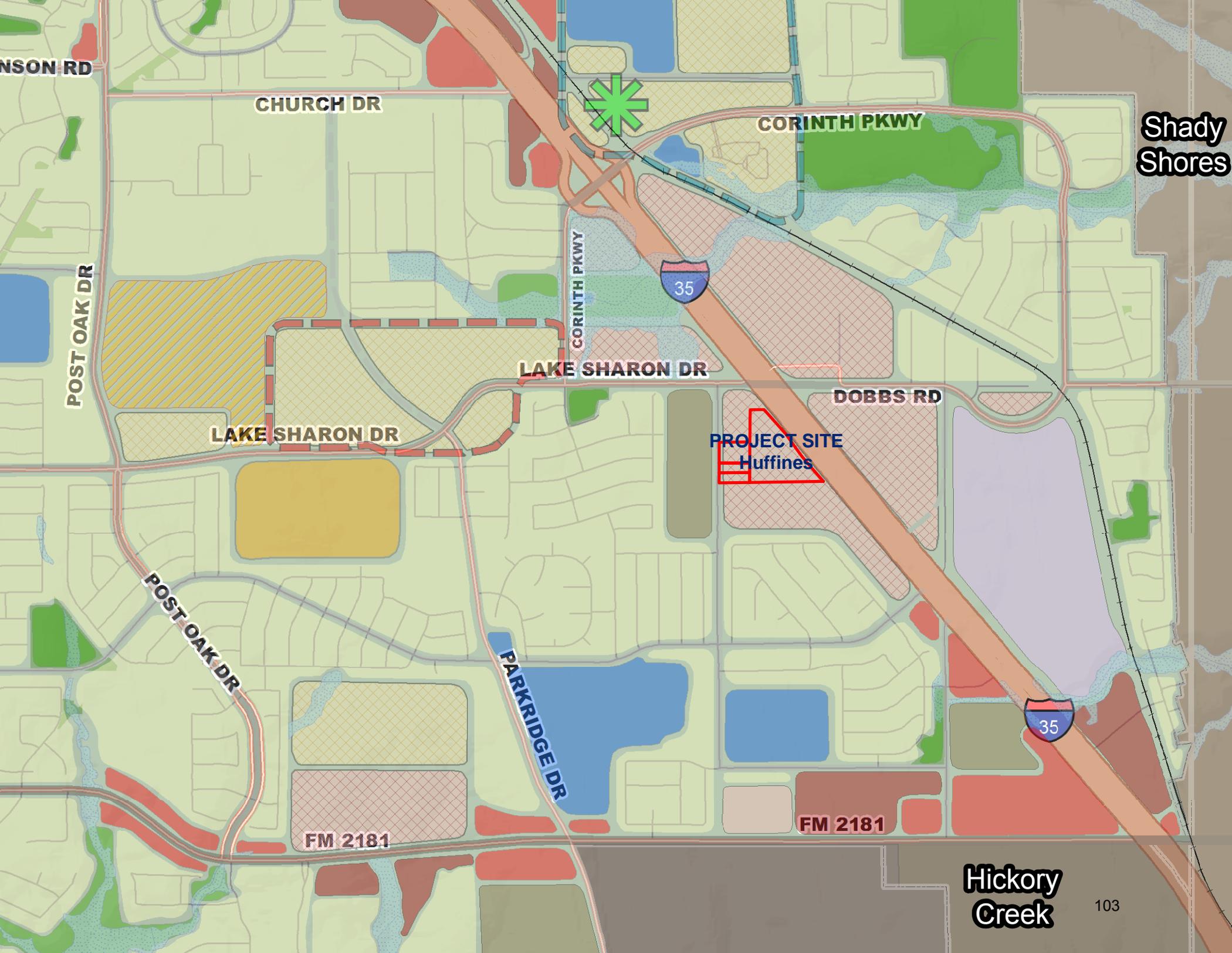


PARKRIDGE DR

FM 2181

FM 2181

Hickory
Creek



2.06.02. MX-C, Mixed Use Commercial

This district is intended to permit establishment of standalone nonresidential activities and limited residential activities along Interstate Highway 35 and FM 2181, under conditions that assure an acceptable level of harmony among land uses. Nonresidential uses and residential uses are not envisioned to be mixed within the same buildings, but instead should be mixed as standalone sites within the overall area zoned as MX-C, Mixed Use Commercial. Furthermore, this district is intended to incorporate planned business campus developments, office, retail, and light assembly/ warehouse distribution centers into one general area.

Nonresidential development should comprise at least ninety (90) percent of the land area and residential uses shall be limited to a maximum of ten (10) percent of the land area zoned as MX-C, Mixed Use Commercial. This standard will be enforced through the [Specific Use Permit](#) process.

A. Permitted Uses and Use Regulations

1. See the [Use Chart](#) and all applicable regulations within Subsection 2.07.
2. All residential uses require a [Specific Use Permit](#).
 - a. Residential uses shall be limited to a maximum of ten (10) percent of the land area zoned as MX-C, Mixed Use Commercial.
 - b. Once residential uses comprise ten (10) percent of the land area, then no additional [Specific Use Permits](#) shall be issued within the MX-C, Mixed Use Commercial District.

B. Dimensional Regulations

1. See the [Nonresidential Dimensional Regulations Chart](#) and all applicable regulations in Subsection 2.08.
2. Residential Dimensional Regulations Lot Area

The minimum dimensional regulations for residential uses shall be determined based upon the residential use type.

- i. Single family detached uses shall follow the minimum standards of the [SF-4, Single Family Residential \(detached\)](#) district.
- ii. Single family attached uses shall follow the minimum standards of the [SF-A, Single Family Residential \(attached\)](#) district.
- iii. Multi-family uses shall follow the minimum standards of the [MF-3, Multi-Family Residential](#) district.

C. Development Standards

See the following sections for development regulations.

1. See [2.07.07. Accessory Buildings and Uses](#).
2. See [2.09.01. Landscaping Regulations](#).
3. See [2.09.02. Tree Preservation](#).
4. See [2.09.03. Vehicle Parking Regulations](#).
5. See [2.09.04. Building Façade Material Standards](#).
6. See [2.09.05. Residential Adjacency Standards](#).
7. See [2.09.06. Nonresidential Architectural Standards](#).
8. See [2.09.07. Lighting and Glare Regulations](#).
9. See [Subsection 4.01. Sign Regulations](#).



10. See [Subsection 4.02. Fence and Screening Regulations](#).

D. Site Plan Required for Rezoning to the MX-C, Mixed Use Commercial District

A Site Plan as outlined in [2.10.08. Site Plans](#) shall be required for all rezoning Applications seeking the [MX-C, Mixed Use Commercial](#) district designation.

10. Spacing

The horizontal distance between adjacent light sources.

C. General Standards

All outdoor illumination shall meet the following conditions:

1. Shielding Required

All roadway, parking lot, and walkway luminaires shall be shielded so that substantially all the directly emitted luminous flux falls within the property line.

2. Luminous Flux Design

All exterior building floodlights shall be designed or retrofitted with shielding in a manner such that all of the luminous flux falls upon either the surface of the structure to be illuminated or on the ground.

3. Required Turning Off of Parking Luminaires

- a. All parking luminaires, except those required for security, shall be extinguished within one hour after the end of business hours and remain extinguished until one hour prior to the commencement of business hours.
- b. Except for reasons of security, a maximum of twenty-five (25) percent of the total luminaires used for parking lot illumination may remain in operation during such period.

4. Required Turning Off of Building Luminaires

- a. All exterior building floodlights, except those required for security, shall be extinguished by 10:00 p.m. or within one hour after the end of business hours of the business served, whichever is later, and remain extinguished until one hour prior to the commencement of business hours.
- b. For reasons of security, however, a maximum average level of five foot-candles at entrances and loading docks and one foot-candle on the rest of the structure is permitted.

5. Required Turning Off of Stadium Luminaires

- a. All stadium and all other exterior sports arena luminaires used for the purpose of illumination of the playing area shall be extinguished by 10:00 p.m. or immediately after the conclusion of the final event of the day.
- b. The remainder of the facility lighting, except for reasons of security, shall be extinguished at 10:00 p.m. or within one hour after the event, whichever is later, and remains extinguished until one hour prior to the commencement of the next event.
- c. For reasons of security, however, a maximum average level of five foot-candles at an entrance and one foot-candle on the rest of the structure shall be permitted.

6. No outdoor illumination shall be used in any manner that could interfere with the safe movement of motor vehicles on public streets, including:

- a. Any fixed luminaire not designed for roadway illumination that produces incident or reflected luminous flux that could be disturbing to the operator of a motor vehicle;
- b. Any luminaire that may be confused with or construed as a traffic control device; or
- c. Any blinking, flashing, or changing intensity lights, except for temporary holiday displays.

7. Compliance for all Illumination

All outdoor illumination shall comply with the requirements of this section.

2.09.04. Building Façade Material Standards

A. Exterior Material Requirements for all Single Family Units

1. Applicability

This section applies to all single family (attached and detached) units.

2. Residential Material Standards

a. The exterior façades of a main building or structure shall be constructed of eighty-five (85) percent [Class 1: Masonry Construction](#) or stucco unless otherwise specified in this [UDC](#).

i. Individual exterior walls shall contain no less than fifty (50) percent [Class 1: Masonry Construction](#) or stucco.

b. Fiber cement siding may constitute fifty (50) percent of stories other than the first story, where located over the roofline.

i. Fiber cement siding may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers of rear entry garages, columns, chimneys not part of an exterior wall, or other architectural features.

B. Exterior Material Requirements for all Multi-family Units

1. Applicability

This section applies to all multi-family units.

2. Residential Material Standards

The exterior façades of a main building or structure shall be constructed of eighty-five (85) percent [Class 1: Masonry Construction](#) on the first and second floors and fifty (50) percent on all other floors.

C. Exterior Material Requirements for Nonresidential Districts and Uses

1. Applicability

This section applies to all nonresidential buildings.

2. Nonresidential Material Standards

a. Within Commercial Zoning Districts, exterior façades of a main building or structure shall consist of one hundred (100) percent [Class 2: Masonry Construction](#).

b. Within Industrial Zoning Districts, exterior façades of a main building or structure adjacent to a public street shall consist of one hundred (100) [Class 2: Masonry Construction](#). All exterior façades of a main building or structure shall consist of at least sixty (60) percent [Class 3: Masonry Construction](#).

c. If a nonresidential use is within a residential district, then exterior façades of a main building or structure shall consist of one hundred (100) percent [Class 1: Masonry Construction](#).

3. Maximum Material Coverage

No single building material shall cover more than eighty percent (80%) of the front of any building, with the exception of on-site utility or service structures.

4. Windows

a. Clear glass shall be used for commercial storefront display windows and doors.



- b. Windows shall be individually defined with detail elements such as frames, sills, and lintels, and placed to visually define the building stories.

D. Approval of Alternative Compliance

A request for Alternative Compliance may be submitted and acted upon in accordance with [2.10.02. Alternative Compliance](#). The City Council may approve the following, based upon a finding that the proposed alternative meets the spirit and intent of this [2.09.04. Building Façade Material Standards](#).

1. Alternative Materials

For nonresidential and multi-family buildings, the following alternative materials or percentages may be approved:

- a. Any new material not specified in the definition of masonry construction that the City Council determines is equal or superior in appearance, safety and quality to masonry.
- b. Any use of a veneer which simulates a masonry material and that the City Council determines equal or superior in appearance, safety, and quality to masonry.
- c. A reduction of the required masonry percentage by a maximum of ten percent (10%) when a unique and attractive architectural design is used.

2. Original Building Materials

For existing nonresidential buildings undergoing expansion, the use of materials used on the original building provided they are allowed materials or an integral part of the character of the building.

3. Transfer the Location of Masonry Materials

For existing nonresidential buildings undergoing expansion, the transfer of the required masonry materials to the front (i.e., more visible) façade(s) of the building in lieu of placing the required masonry materials on a side or rear façade.

4. Non-Masonry Building Materials

The use of non-masonry building materials for portable buildings, if extra landscaping is provided to offset any visual effects.

5. Cement Fiberboard Siding

The use of cement fiberboard siding (also commonly referred to as “HardiePlank” or “SmartBoard”) for single family, two-family and townhouse residential buildings.

6. Supporting Evidence

- a. It shall be the sole responsibility of the Applicant to provide evidence in support of the specified criteria in subsections [2.09.04. D.1](#) through [2.09.04. D.5](#) above.
- b. The Applicant’s evidence shall include any additional information and/or sample materials requested by the [Director of Planning, Planning and Zoning Commission](#), or [City Council](#) that would assist in a decision to approve or deny the request.

electrical systems contained in the structure. The term does not include a [Mobile Home](#) or [Manufactured Home – HUD Code](#) as defined in the [Texas Manufactured Housing Standards Act \(Article 5221f, V.A.C.S.\)](#). Industrialized homes must meet all applicable local codes and zoning regulations that pertain to construction of traditional site constructed ("stick built") homes. See [Conditional Development Standards](#) subsection [2.07.04. A.3](#) for [Modular \(Industrialized\) Home](#) regulations.

198. *Manufacturing or Industrial Operations*

An establishment engaged in manufacturing, assembly, fabrication, packaging or other industrial processing of products primarily from extracted/raw materials or the bulk storage and handling of such products and materials, or an industrial establishment having potential to produce noise, dust, glare, odors or vibration beyond its property line.

199. *Masonry Construction*

a. Class 1: Masonry Construction

Class 1: Masonry Construction shall include the following exterior construction materials: fired brick, natural and manufactured stone, granite, and marble.

b. Class 2: Masonry Construction

Class 2: Masonry Construction shall include the following exterior construction materials: all Class 1: Masonry Construction, architectural concrete block, 3-step stucco process, and tilt wall concrete panels.

c. Class 3: Masonry Construction

Class 3: Masonry Construction shall include the following exterior construction materials: all Class 1: Masonry Construction, Class 2: Masonry Construction, EIFS, and sealed and painted concrete block.

200. *Medical Clinic*

A group of offices for one or more physicians, surgeons, chiropractors or dentists, engaged in treating the sick or injured, but not including rooms for the abiding of patients.

201. *Minor Plat*

A plat dividing land into no more than four (4) lots that meets the submission and approval requirements of Section [3.03.04. Minor Plat](#). Such plat may be approved by the [Director of Planning](#). Such plat is also considered a [Final Plat](#).

202. *Minor Replat*

Pursuant to [Texas Local Government Code 212.0065](#), a [Minor Replat](#) is a [Replat](#) involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities. See Section for [3.03.05. G.2 Minor Replat](#) details.

203. *Minor Subdivision Waiver*

See [Waiver, Minor Subdivision](#).

204. *Modular (Industrialized) Home*

See [Modular \(Industrialized\) Home \(also called Modular Prefabricated Structure\)](#) under the definition of [Manufactured Housing](#) (Definition #197).

205. *Motel, Motor Hotel, or Tourist Court*

- a. An establishment offering to the transient public the use of guest rooms or sleeping accommodations for compensation.
- b. Such an establishment consists of a group of attached or detached guest rooms or sleeping accommodations the majority of which have private and direct access from parking areas not through common entrance and lobby.
- c. The establishment furnishes customary [Hotel](#) (Definition #163) services and many contain a restaurant, club, lounge, banquet hall and/or meeting rooms.



consider the evidence and determine, by a preponderance of the evidence, if the revocation should be upheld. The determination of the [City Manager](#) is final.

5. [Amusement, Commercial \(outdoors\)](#) Standards
 - a. Allowed by [Specific Use Permit](#).
 - b. All exterior light sources shall be of a down-light type, indirect, diffused, or shielded type luminaries and so installed as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets.
 - c. No intermittent or flashing lights shall be permitted.
 - d. Luminaries shall be mounted at a height not to exceed thirty (30) feet as measured vertically from the horizontal surface of the nearest parking pavement.
 - e. No exterior auditory devices shall be permitted.
6. **Automobile or Other Motorized Vehicle Sales and Service Standards**
 - a. Allowed by [Specific Use Permit](#).
 - b. All exterior light sources shall be of a down-light type, indirect, diffused, or shielded type luminaries and so installed as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets.
 - c. No intermittent or flashing lights shall be permitted.
 - d. Luminaries shall be mounted at a height not to exceed thirty (30) feet as measured vertically from the horizontal surface of the nearest parking pavement.
 - e. All building facades shall be constructed with the same masonry materials that meet the masonry regulations for the zoning district in which the property is located.
 - f. No exterior auditory devices shall be permitted.
7. [Concrete Batch Plant](#) Standards
 - a. The purpose of the Section is to establish requirements for a Specific Use Permit for a Concrete Batch Plant. This use may be approved by specific use permit in all zoning district as a temporary use, not to exceed six month intervals with two extensions if authorized by the City.
 - b. All associated equipment and buildings shall be fenced for safety with a chain link fence.
 - c. A specific use permit granted to operate a Concrete Batch Plant must meet the following requirements:
 - d. A site plan which complies with the requirements of [2.10.08. Site Plans](#) of the Unified Development Code submitted and is approved.
 - e. A building permit is approved.
 - f. The minimum building setback for all Concrete Batch Plant structures and equipment shall be established and maintained for all yards at the distances specified for the zoning district adjoining the complex as shown below:
 - g.

<u>Adjoining Zoning District</u>	<u>Required Setback</u>
h. C-1, C-2, MXC, LI	100 feet
i. All Neighboring Residential Districts	300 feet

2.09.05. Residential Adjacency Standards

A. Purpose and Intent

In order to preserve and protect the integrity of single family residential neighborhoods and in an effort to protect the quiet enjoyment of single family residential properties and to maintain property values, the City has determined that it is necessary and appropriate to adopt specialized regulations for non-single family residential uses and buildings that are constructed within 400 feet of properties used for single family residences.

B. Applicability

1. The following residential adjacency standards shall apply to all non-single family residential buildings or uses that lie within four hundred feet (400') of properties used for single family residences.
2. For purposes of the Section, the four hundred (400) foot distance shall be measured from the non-single family residential building and/or use to the property line of the single family residence.

C. Development Regulations

1. Masonry Requirements:
 - a. All facades of a building shall be finished on all four sides with the same materials (meeting the masonry requirements), detailing, and features.
 - b. The use of cement, standard (i.e., smooth-faced) concrete block, concrete tilt wall, stucco and other masonry materials of similar characteristics is not permitted.
 - c. Exception for facades not visible from public streets:
 - i. The rear wall of the building may be constructed of standard concrete block, concrete tilt wall, stucco and other masonry materials of similar characteristics provided that:
 - (a) It is of the same color as the other facades, and
 - (b) A double row of trees on offset fifty (50) foot centers is planted in a fifteen (15) foot landscape edge, where 50% of the trees are Large Evergreen Trees.
 - ii. This exception does not apply to buildings on pad sites (i.e., "out" buildings).
2. Roof Design Standards
 - a. To screen rooftop mechanical equipment, other appurtenances, and flat or built-up roofs, all structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof.
 - b. Those structures having a footprint greater than 6,000 square feet shall be constructed with either a pitched, parapet, or mansard roof system (enclosed on all sides).
 - c. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish.
 - d. Metal roofs with lapped seamed construction, bituminous built-up roofs, and flat, membrane-type roofs that are visible are not permitted.



3. Mechanical Equipment Screening:
 - a. This subsection shall apply to equipment on the roof, on the ground or otherwise attached to the building or located on the site.
 - b. All buildings must be designed such that no mechanical equipment (HVAC, etc.) or satellite dishes shall be visible from adjacent residential uses.
 - c. Rooftop mechanical equipment and/or other rooftop appurtenance screening shall be accomplished by either the construction of:
 - i. The roof systems described in [2.09.05. C.2 Roof Design Standards](#); or,
 - ii. An architectural feature which is integral to the building's design and ensures that such equipment is not visible.
 - d. The fencing or enclosure of individual mechanical units shall not be permitted except as described above.
 - e. All rooftop mechanicals or architectural features described herein shall be shown on the required building elevations on the [Site Plan](#).
4. Loading and Service Areas:
 - a. Loading and service areas shall be located at the side or rear of buildings.
 - b. Where visible from the property line, a solid masonry screening wall at least ten feet (10') in height shall be required to screen views of loading docks and loading spaces intended for tractor/semi-trailer delivery.
 - c. This 10-foot wall must screen the entire loading dock or space.
 - d. Screening materials shall utilize similar masonry materials to the building's facades.
 - e. The accommodation of adequate access for service delivery trucks may be evaluated to determine the extent of screening required.
5. Trash Receptacles and Recycling Receptacles:
 - a. No trash receptacles or recycling receptacles shall be located within fifty feet (50') of properties used for single family residences.
 - b. Trash and recycling receptacles shall be four sided with a metal gate and shall be located to the side or rear of the principal building.
 - c. Trash and recycling receptacles shall be screened by a solid masonry screen at least eight feet (8') in height and shall utilize similar masonry materials to the building's facades.

6. Setbacks / Yards
 - a. A structure may not be built within 40 feet of the residential property line.
 - b. No non-single family residential building may encroach in the area above a line having a slope of 1:4 from any single family residential property line, except as provided below:
 - i. If a structure is at least 40 feet from residential property line and is no greater than one story or 20 feet in height, then the structure may exceed the above 1:4 slope.

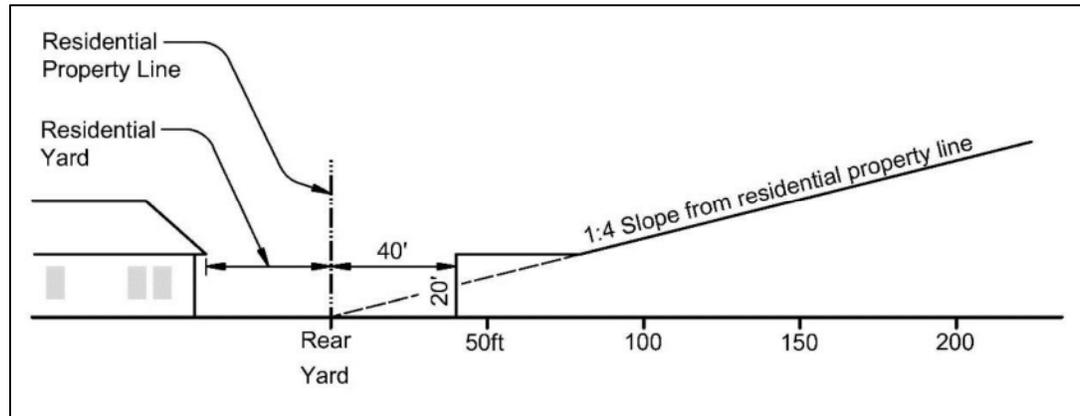


Figure 12: Building Setback from Residential Property Line

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email: don@paschalconsulting.com

March 23, 2016

Mr. Fred Gibbs
Director of Planning & Community Development
3300 Corinth Parkway
Corinth, Texas 76208

Subject: PD Ordinance / Zoning Request Letter of Intent – Huffines Auto Dealerships

Dear Mr. Gibbs:

This Letter of Intent is submitted on behalf of Mr. Ray Huffines. I am designated as the agent for the subject application.

As you know, we originally submitted our initial Letter of Intent and SUP application along with supporting materials for a new Huffines Auto Dealerships facility at the property identified below on May 15, 2015. Over the ensuing several weeks / months, we worked with City Planning Staff to modify the requested zoning amendment from a SUP to a Planned Development Zoning as suggested by City Staff. The project unfolded and we worked through initial meetings with the Planning Staff resulting in revision and amendment of the application to a Planned Development which also required a modification of the Comprehensive Plan.

From May, 2015 through September, 2015 we continued efforts to refine the PD standards so as to conform to the design objectives of the City and to be more consistent with the UDC. Several exceptions or variances to certain UDC provisions which are at odds and conflict with other City objectives were crafted and we worked to coordinate design issues with the franchise dealership manufacturers.

Since the denial of our original request on October 15, 2015, we have reassessed our positions and sought out input to better understand issues of concern to both City Staff and the City Council.

Reassessment of the Project:

We began the reassessment process by meeting with both the Mayor and Mayor Pro Tem to secure their input and thoughts relative to considerations and actions we could take to demonstrate to the City and the Council that we had truly completed a due

diligence exercise that addressed all the issues and concerns. The Mayor and Mayor Pro Tem suggested that we:

1. Meet with key city staff to secure their input –
 - A. This led to two meetings / discussions – one with Jason Alexander and the other with Fred Gibbs. From these meetings we received input on alternate locations and ideas that might be positively received by the City.
 - B. The principal issue was full research on the potential for locating the dealership on the east side of I-35 generally opposite the current Huffines location.
2. Meet with each City Councilmember to secure individual input of their opinions and views.
 - A. We were careful to only seek input and advice on the Councilmember opinions and adjustments / changes that might open the door of reconsideration.
 - B. We were also careful to never ask for a specific vote or action based on my strong belief in objectivity in the public hearing process.
 - C. The general objective was to generate a dialogue that was open and intended to guide us as applicant if we chose to resubmit to another review process and to include information or development understanding that could address prior concerns.
 - D. While we always felt that our proposal was quality and incorporated positive economic development benefits for the City, we also believe that from the comments received:
 - i. we could have enhanced the perception and reality of blending with the City Comprehensive Plan better,
 - ii. we could have illustrated a better understanding of how the project could achieve more city objectives, and
 - iii. we could have better illustrated that there were simply no other practical options to the proposed location if we were to maintain the Huffines Automotive presence in Corinth

We spent almost three months working through the above issues; virtually every effort was taken to fulfill the requested due diligence actions suggested by the Mayor and Mayor Pro Tem as well as the suggestions of all the staff and other Council Members. We met with all the requested parties and had open and fruitful dialogue. While it is impossible to know the extent to which we have opened thoughts or perceptions, we are grateful for the openness and candid discussions with each person. We do believe that there is better understanding of our project, why we are re-proposing it, that we have adjusted several components of the request in a manner suggested, and that the overall project better meets the City development objectives than our previous submittal. It will be our hope that the City Staff, the P & Z, and the City Council will concur with our amended request.

Specific actions in our due diligence included:

- Re-evaluation of the existing location to find ways to keep the dealerships at the current, but expanded location. Efforts included attempting to identify additional

property connecting to the current site. It soon become fully apparent that we would not be able to secure any additional property to enlarge the site. We also did everything short of structured parking to find a way to use the site in its current configuration; unfortunately we simply cannot add enough inventory parking to make the site viable.

- Detailed consideration of property along the east side of I-35 opposite the current location. We identified all properties and were not able to assemble a sufficient size parcel to make the location viable. If requested, I would be pleased to provide details on the properties and reasons this consideration was not possible.
- Discussed issues of the City Comp Plan and how we can better blend with those objectives.
- We determined that dropping an approximately one acre lot from our application for rezoning and site plan approval could enhance the potential for both our site and the adjacent property to the North of our site to better meet City objectives.
- We redesigned the mutual access easement on our north boundary to better serve all the properties, including the commercial property up to Meadows Oak.
- We reassessed the variances / exceptions to our PD Ordinance and determined that with our minor redesign we could eliminate several exceptions.
- Other variances / exceptions were reevaluated and determined to be unnecessary; some variances / exceptions were retained and are detailed in the amended PD regulation document.
- While we do not want to relocate out of Corinth, our full due diligence efforts did look at optional sites outside of Corinth that could be pursued if our zoning efforts in Corinth are not productive.

Resubmitted PD Ordinance Purpose and Property Location; Existing and Proposed Zoning:

Huffines Auto Dealerships is requesting approval of a PD Ordinance for 13.773 acres (about an acre less than the prior 14.746 acre request); it is the same location along the west frontage road of I-35 E, approximately 350 to 400 feet south of Meadows Oak, partially adjacent to and east of Tower Ridge, and adjacent to the existing RV / mobile-home park to the south. The existing zoning is MX-C. We are proposing a change of zoning to a PD with a base zoning of MX-C with additional detailed uses and regulations which will allow for Automobile Dealership / Sales and full service for two separate new automobile franchises along with a separate Previously Owned Sales facility.

Background:

As previously discussed, Huffines Auto Dealerships has operated franchised automobile car dealerships in Corinth for over 20 years and throughout that period of time has been a positive corporate citizen of the City, contributing to the community tax base by property improvement, inventory tax, sales tax, and quality jobs. Perhaps equally important is that Huffines has consistently maintained its property in a quality fashion and has demonstrated high standards of service to its customers, whether in the area of

auto sales, vehicle service, or parts distribution. The heritage that Huffines has exhibited mirrors the image and reality of conscientious community service that the City of Corinth strives to provide and prides itself on.

As stated earlier in this letter of transmittal, the existing Corinth dealership site is inadequate for the existing dealerships to remain on the property. TXDOT right of way acquisition for highway widening and reconstruction has rendered the property unusable in its present configuration and impractical to re-build. Additionally, both of our Corinth franchised dealerships require new facilities to fit the design standard of appearance, quality, and accessibility for current business needs as well as growth dictated by the automobile market. The existing site is simply not usable for quality car dealerships due to the loss of property to TXDOT ROW making the site too small and losing virtually all parking in front of the existing buildings. I am pleased to report that all those we met with voiced the thought that they did not want to lose us as a corporate citizen.

Rationale for site selection:

Being very aware of the planning and development objectives of the City of Corinth, we have now spent about ten to twelve months of intensive study of alternative sites and assessed both immediate and longer term impacts on Community objectives. The proposed site was chosen for multiple reasons including:

- It is not in the City's designated prime area for corporate office and retail development.
- It is large enough to provide both immediate dealership use and subsequent expansion which will be required for dealership growth.
- It maintains a high profile office and retail / restaurant site at the southwest intersection of I-35E and Meadows Oak.
- It provides a transitional use north of the RV and mobile home park and other business uses while preserving some of the treed areas as buffers.
- It thus preserves other properties' potential for corporate and retail / restaurant uses while contributing to the transition between other uses and our proposed use in a manner that will be complimentary to community objectives.

Proposed Facilities:

It is the intent of Huffines Auto Dealerships to build completely new facilities on the proposed site, complete with fully compliant infrastructure (utilities, pavement, and drainage), landscaping and buffering, site amenities, and access. The site will serve as a model for new era dealership development. Facilities proposed for this resubmittal include:

- A new Kia dealership sales facility planned for an 9,100 SF building
- A new Subaru dealership sales facility planned for a 11,000 SF building (which will include a parts area)

Note: both of the above two franchise dealerships are currently operating in

Corinth area and are highly sought after vehicle franchises due to quality, reliability, and user demand

- A pre-owned venue / sales office planned for a 6,000 SF building
- An initial dual franchise service / maintenance facility planned as a 38,500+ SF building that will subsequently be expanded as growth dictates (additional 4,000 SF).
- Provision for a second service building area behind to the south of and parallel to the initial service building that will add 19,000+ SF when needed.
- Provision for a future specialty and body repair facility projected at 21,000 SF
- Parking for over 50 customer vehicles.
- Parking for over 60 employee vehicles at opening; expansion to provide additional employee parking spaces with expansions and new facilities for an expected 80 to 85 employees.
- Initial parking for 525+ display and display & inventory vehicles and future parking expansion to provide about 50% more display & inventory vehicles
- The resubmittal does delete approximately 1 acre of inventory parking to allow the property to be blended with other commercial, retail, and / or office development.

Only customer sales facilities will be oriented for full building direct visibility from I-35E with service - maintenance facilities located behind the three sales buildings which are thus are buffered by substantial sales facilities having full visibility from I-35.

Design and Architectural Considerations:

Buildings - We have successfully completed concept plans for building architecture, specifically exterior elevations that comply with City design and material standards. Masonry (brick, stone, tilt wall) and glass comprising 90%+ of all the proposed building facades. We have and will continue to work with staff in discussing these design considerations to assure compliance with City objectives while meeting the design requirements of the manufacturers, which is an equally important consideration so as to maintain both highly prized franchises. Additionally, we have worked to blend the architecture of all buildings to fit harmoniously on the property. A complete description of the design concept is included as required in the PD Ordinance Draft provided with this submittal.

Landscaping – Huffines proposes to follow and go beyond the City standards by incorporating innovative landscape components along the I-35E frontage areas. The overall landscape design will be environmentally friendly including landscape bed areas with drip irrigation projected for all beds. Existing tree masses will be preserved where possible and will be used to serve as a perimeter buffer thus preserving a positive component of natural vegetation on the property. Additionally, we are pleased to have developed a linear bio-swale / detention area within the front landscape setback that is extremely attractive, environmentally friendly, and offers the potential of an overall North to South community landscape and drainage design that would be a strong identity and

community asset for Corinth. A complete description of innovative design concepts is included in the revised PD Ordinance Draft based on Staff comments.

Security – a low pipe rail will encircle the property with low shrubbery / vegetation concealing much of it along the frontage and visible areas of the two east-west property lines near I-35E. The pipe rail will be supplemented by other security fencing around the balance of the property that will be flexible enough to avoid damage to preserved native trees. Details and UDC exception for the screening are included in the PD draft.

Signage – separate monument signage as required for each sales building / franchise will be incorporated along the frontage at required setbacks. The distance from I-35 necessitates that we propose exceptions from the UDC provisions for the monument signage. It had been our understanding that the City was considering modification of the sign ordinance, which has just recently been approved. Previously, we had suggested that some of the proposed sign provisions we were requesting might serve as a test case for modification of the existing monument signage requirements. We hope our input was of some value.

After reviewing the new sign ordinance, we are re-submitting the prior request with the expectation that some of the items we are requesting are now can be approved as part of the new ordinance, although we must admit that the newness of the ordinance prevents us fully understanding it nuisances.

We are aware of the City desire to have no pole signs and have attempted to provide reasonable monument signage for a major site on the interstate highway, particularly considering the unusually expansive open space between the property line and the future access road (60 to 70 feet). Thus, modification of the existing (at time of this submittal) standards is a critically needed issue. It is our opinion that the prior adjustments we requested may have been addressed by the new ordinance provision of “performance based standards” that allow additional size. We believe our monument signs to be within the ordinance except for our request for a “0” setback due the extraordinary distance from the highway.

Additional signage identifying each franchised dealership and the pre-owned sales buildings will be incorporated into structures by providing appropriate locations on the front and sides of the buildings for signage. Again, we believe it can be interpreted that the distance back from the highway of our buildings that the new letter size provisions accommodate our needs. We still have concerns over the placement of signage in the middle 50% of the buildings and with signage on only one side of our structures; thus, we are requesting the necessary ordinance exceptions. It is noted that with the franchise logos on the north and south faces of the structures eliminates our need for pole signs, which are not being requested.

Other – other design elements will be incorporated into the site and discussed with City Staff in the review process. Additionally, other exceptions to the UDC are critical and included in the PD Ordinance draft. A typical example is a concern over residential adjacency issues which arises because there is one vacant, depilated house awaiting

demolition for commercial redevelopment and one non-conforming rent house that will be redeveloped for a commercial / business development and use consistent with the property zoning. The existence of these two houses, even though not zoned for single family residential, and expected to be redeveloped, causes the potential for the residential adjacency ordinance which will negatively impact multiple aspects of the proposed project. To allow isolated and non-conforming uses to negatively impact design integrity and consistency within our campus setting while potentially imposing irrational screening requirements that do not contribute to quality and community value is bad for Corinth and thus, the appropriate exceptions to the conflicting ordinances is requested. However, by eliminating the one acre from our site plan and application, eliminates some of the variances. Additionally, other previously requested variances / exception have be eliminated. All anticipated exceptions to the UDC provisions are addressed in the PD draft regulations; we will be pleased to meet and discuss each of these requests with City Staff and through the review process.

Adjacent site considerations – in conceptual design, we have endeavored to consider opportunities to positively impact adjacent properties. While we have already discussed blending and cooperation with adjacent property owners, we will be pleased to continue to work with those property owners and the City to help enhance the overall commercial opportunities for the community. Specifically, we have modified the north mutual access easement to better contribute to future commercial development and the adjacent owner has expressed that he is in agreement with the new design. As we work through the project to the platting stage we will pursue the required agreements with the adjacent property owner a for mutual access agreement.

Economic Impact:

The magnitude of this project will have a positive impact on Corinth including:

- Property and building values are several times the value of the current site
- Up to 3 times the inventory which translates to inventory value
- Considerable more service and parts, which is all subject to sales tax.
- Employment will be expanded immediately upon opening (from current 55 employees to 70 at opening) and will be expanded at the dealerships mature to an anticipated 85+ over the next decade. It is also noted that these will be quality jobs in the workforce and are expected to average \$55,000 per position or more by opening of phase I of the project.

A statement of expected economic impact has been provided to staff and will be available as well for P & Z, and City Council information. The statement has been modified by the impact of eliminating one acre from our zoning application, but due to construction inflation, there is very little change. There is no projected impact on business volume of auto sales or maintenance due to the one acre reduction. However, when that one acre site is developed as a business use instead of storage of vehicle inventory, the City will actually realize a higher economic impact.

It is understood that following the PD Ordinance process as proposed, we will need to process a final site plan and then a final Plat for the property once the ordinance has been adopted. Below is a list of our consultants and their respective areas of responsibility; City staff is welcome to contact each as needed for relevant issues. Huffines Auto Dealerships is anxious to proceed through the review and approval process and hopes to begin physical work on the property before the end of 2016, as detailed in the site data provided. We will be pleased to work through discussions with the City as needed.

Sincerely,



Donald E. Paschal
Project Coordinator and Agent for:
S. Ray Huffines
CEO & President, Huffines Auto Dealerships

Consultants:

Don Paschal Consulting – 972.529.1325
SUP and other approvals Facilitator; Project Coordinator

G & A Consultants and EG Group – 972.436.9712
Civil Engineering, Site Development, and Landscape Architecture
Robert Dollak, PE; Randi Rivera, A.I.C.P.; Ron Stewart, A.S.L.A

APDG, A Plus Design Group – 972-724-4440
Facility Architecture and Site Design
Trent Clark

Attachment: Estimated Economic Impact

EXHIBIT “B”
HUFFINES KIA SUBARU DEALERSHIP PD MASTER PLAN
CONSISTING OF
PD DESIGN STATEMENT

- i. This project / ordinance shall be referenced as the Huffines Automotive Planned Development Ordinance.
- ii. The owner / developer of the project will be Huffines Automotive Dealerships; the President of the group is S. Ray Huffines.
- iii. The property is located approximately 300 feet south of Meadows Oak, west of the I-35 ROW, north of the Destiny Dallas mobile home park, and partially abuts Tower Ridge Drive. Adjoining Land uses in relationship to the site are:
 - o North – approximately 3 acres zoned Mixed –Use Non-Residential Zoning – MX-C; there is currently a non-conforming single family house on the property, however, the property is being marketed for the commercial uses consistent with the existing zoning.
 - o East – I-35 highway and expanded right of way.
 - o South – approximately 10 plus acres zoned Mixed–Use Non-Residential Zoning – MX-C; approximately 2 to 3 acres of the frontage along I-35 is vacant and appropriate for use as zoned; the balance of the property is used as a non-conforming mobile home park.
 - o West of Tower Ridge Drive near the south half of the proposed project is the clubhouse and leasing office for a multi-family apartment complex; to the north of the multi-family project up to Meadows Oak the property is zoned Mixed–Use Non-Residential Zoning – MX-C and is currently anticipated for a new church site.
 - o East of Tower Ridge Drive and adjacent to the north half of the proposed project are 3 lots of approximately 1 acre each making a total of approximately 3 acres of land zoned Mixed–Use Non-Residential Zoning – MX-C; one of the lots (the one immediately north the subject tract) is currently a non-conforming rent house which the owner plans to remove and transition the property to a commercial use.

The subject property and the properties to both the north and south are all zoned and projected for various commercial uses although the majority of the property to the south is currently and will remain for the foreseeable future a mobile home park. The property to the southwest of the subject property is a multifamily complex and the property generally west to northwest is proposed as a church use. There is currently no connectivity between any of the properties with Tower Ridge serving as a common N-S access collector immediately west of the subject property. The I-35 service roads serve as the prime access along the east frontage of the subject property and the properties to the north and south. Special efforts have been taken to assure that the adjacent

properties (and resultant City development opportunities) are optimized by considering the extension of drainage, utilities, and accessibility which is a special issue considering the limited access nature of the I-35 corridor which restricts ingress and egress.

Thus, joint access is suggested as shown on the proposed concept plan. The joint access concept has been restructured with this re-submittal. The only proposed connectivity between any of the properties is the proposed mutual access easement between the subject property and the property to the north which is designed to open better commercial opportunities for the properties gaining enhanced access from the mutual access easement. When Meadows Oak is extended under and east of I-35 it will become a thoroughfare connecting much of the property west of I-35 to the east side of I-35.

As noted above, there are two adjacent parcels that are not part of the pending site acquisition plus one parcel that is to be purchased, but not zoned; these three parcels are approximately 1 acre each. The land use for all three of these parcels is for business purposes. From south to north: the south most parcel is currently being used as a residential rental property, but is expected to re-develop for business purposes by the owner or others; the next parcel to the north is for sale at this time for commercial uses; the third and north most of the three 1 acre lots is being acquired by the applicant, but is not part of the zoning application. The applicant intends to sell this lot for commercial purposes as zoned; it is anticipated that the lot will be marketed along with the Meadows Oak frontage property thus expanding the potential Meadows Oak commercial use concepts. The applicant will provide the City with a conceptual drawing of how the properties can be blended. The illustrated, the conceptual land use plan for the adjacent properties can easily incorporate the two additional properties although they are situated for independent use and development; it is important, however, to see the conceptual land plan for these adjacent properties from the potential for site visibility from I-35 which enhances potential.

It is noted that the property adjacent to Meadows Oak and one additional property east of Tower Ridge have existing residential use although said use is not in conformity to the land use plan. Both property owners have advised us of their intent to redevelop the properties into commercial uses. We believe it appropriate to exclude the residential adjacency requirements of the UDC from this project since the two parcels are expected to re-develop according to the existing business zoning classifications which the City has established and desires to see become reality; therefore, the UDC residential adjacency should not restrict the business use and the cohesive campus design and architecture proposed. However, the applicant has eliminated most of the variance or exceptions previously requested to simplify the application and zoning ordinance.

- iv. The subject property is approximately 13.8 acres and is proposed as the new location for Huffines Automotive Dealerships in Corinth. It should be noted that the size is approximately 1 acre less than the application considered by the City Council in October

2015; the north 1 acre lot fronting on Tower Ridge Dr has been eliminated from the zoning proposal. While the applicant is acquiring the lot, it is anticipated that the lot will be marketed for commercial purposes as currently zoned along with the balance of the property to the north of the subject property.

The design concept for the site and overall development proposed by this PD and associated Concept Plan is summarized as follows:

To establish a new concept Automobile Dealership for Auto Sales and maintenance based on a campus style land plan that:

- a. Focuses three human scale, moderate sized sales buildings on the I-35 frontage with supporting structures generally behind the sales buildings. Both Phase I and expansion Phase II service / maintenance facilities are bridged or connected between the two new vehicle dealerships, and share a common customer vehicle entrance corridor between the two sales buildings. While it appears that there is one large building encompassing the two primary new vehicle dealerships and service facilities, there are actually two main buildings connected with a multi-bay open air covered service entrance or canopy.
- b. Actual service and maintenance facilities extend to the west behind the sales buildings. A service / collision repair facility is also located behind the dealership sales buildings. The customer sales facilities are oriented for full / direct visibility from I-35E; service and maintenance facilities will be located behind the sales buildings and thus are substantially buffered from view by the dealership sales structures. The customer vehicle service entrance corridor has a direct view from I-35, particularly after the customer has entered the access drive between the two dealership buildings, although the view is recessed to the rear of the sales facilities. While somewhat obscured from the highway by the sales buildings, the service area becomes directly visible as the customer enters the drive between the two primary dealership buildings. Thus, the service / maintenance area is both obscured from the highway but easily viewed by the on-site customer seeking maintenance. Provides required compliance with manufacturer facility design requirements while assuring design integrity and compatibility across the site through building shape, vertical and horizontal articulation, base and accent building materials (similar brick, compatible stone, glass, entry features, and other related materials), and a clean and access friendly ingress and egress plan.
- c. Maintains key location mature trees and supplements existing vegetation with new landscaping in compliance with City standards. Where possible, existing tree masses will be preserved and will serve as a perimeter buffer.
- d. Goes beyond basic requirements of site and landscape design by the inclusion of a front bio-swale within the required landscape setback. The bio-swale filters runoff water from the property through an underground filtration system, and is also landscaped using a combination of shrubs, turf grass, and trees while channeling the runoff through bio-swales that act as a series of detention ponds. They blend with the drop in topography in such a way as to appear as a series of natural stone enhanced basins or dry creeks, which achieve City detention standards. This design

feature is intended to complement the City's objective to transform I-35, as it is rebuilt and expanded into an integrated business corridor, the focal point of which will be the transformation of a large floodplain on the west side of I-35 between Corinth Parkway and Meadow Oaks into a scenic, stone bordered retention / detention area. The subject project enhanced bio-swales will become the initial components of a concept that can be replicated all along I-35 to provide a consistent landscape theme incorporating the stone bordered detention systems (and perhaps including the bio-swale concept) so that it appears that the existing topographic relief all generally feeds into the City Core scenic retention / detention area. If the bio-swale concept is continued up and down the I-35 corridor, the City will have encouraged / facilitated one of the only such "town-wide" bio-swale / detention and integrated community landscape themes in the state and perhaps country. By clustering and appropriately locating the required trees, we will be able to replicate the appearance of natural tree groves blended into the attractive topo of the site, all of which is enhanced by the stone bordered retention / bio-swale system. It is noted that the project also provides for additional detention components on the south end of the project frontage and internally toward the north portion of the property thus taking advantage of the drainage basin divide running through the site.

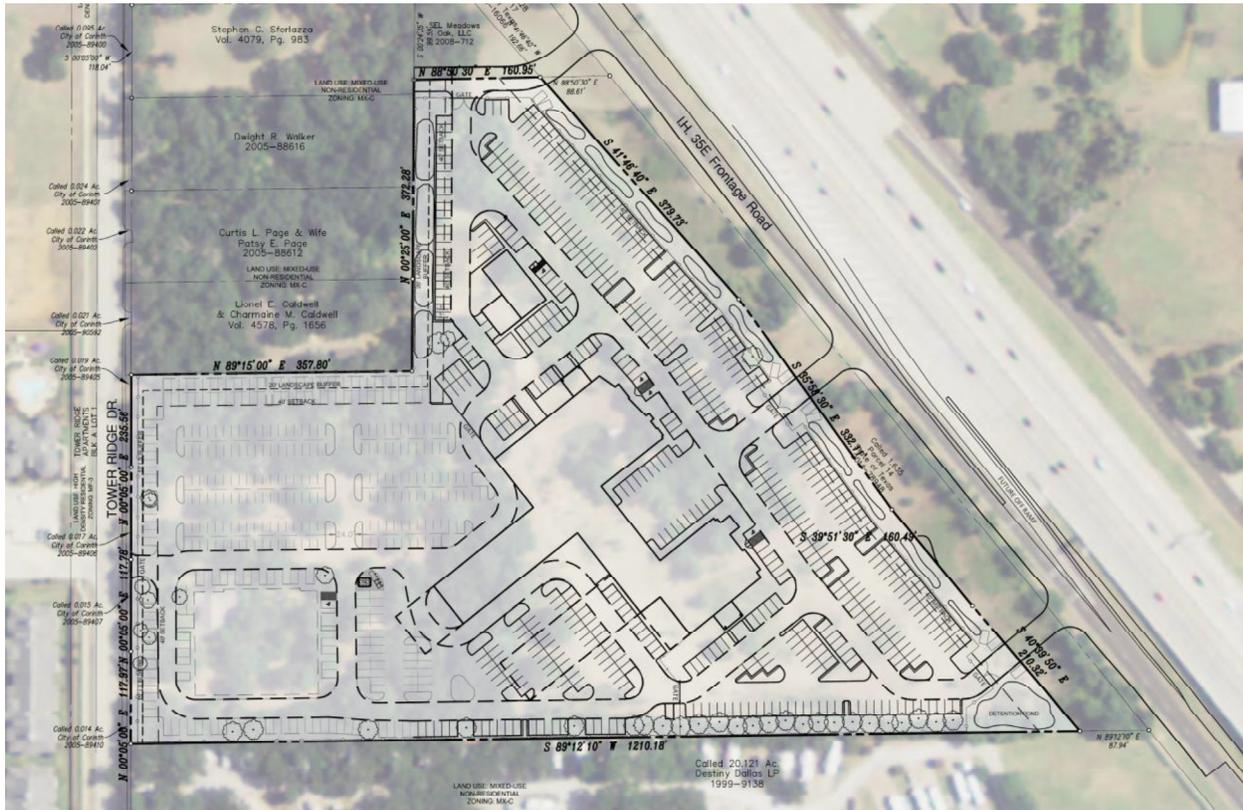
- e. A low pipe rail will encircle the property. Along the frontage, the pipe rail will be supplemented with low shrubbery and vegetation, concealing much of the pipe rail along the frontage and visible areas along the north and south property lines near I-35. Around the balance of the property, the pipe rail will be supplemented by other security fencing (no less than 6 feet high and no more than 8 feet high) on the property line but flexible enough to avoid damage to preserved native trees.
- f. Separate monument signage as required for each sales building or franchise will be incorporated along the frontage behind TXDOT ROW within the project landscape setback. Additional signage identifying each franchised dealership and the pre-owned sales buildings will be incorporated into structures by providing appropriate locations on the front and sides of the buildings for signage. Details of building signage have been provided illustrating location, distribution, and spacing of signage.
- g. It is pointed out that the NW most portion of the property being acquired (approximately 1 acre) by the applicant is not included in the zoning process to accommodate auto sales. The applicant is proposing to leave this NW most approximate 1 acre as it is currently zoned. It is intended that this will allow that property to be a major component of the commercial / office use anticipated for the property immediately south of Meadows Oak thus providing a positive blend with the other objectives of the City.
- h. The Concept Plan provides for on-site growth based on the projected and current market demand for the Auto franchises which will be relocated from another site to the proposed site. Thus, the City will have built-in property and sales tax growth and expansion of quality jobs as the site matures into its full capability. It is noted that the existing dealership location farther north is inadequate for current design and size requirements for Automobile Dealerships due to inadequate acreage and the reality that the TXDOT R.O.W. takings push the service / access roads too close to the

existing structures to maintain customer and display parking in front of the buildings. The applicant has revisited the existing dealership site potential as requested by the City and was unable to acquire any additional properties adjacent to the site; it has been re-verified that the existing site is inadequate to accommodate the required vehicle inventory or building spaces to serve the business requirements. Therefore, it is expected that the existing dealership site approximately two miles to the north will be redeveloped into uses more suitable for the size of the property.

- v. No other existing PD zoning districts are known to exist in the general area near the proposed project.
- vi. The "MX-C" Mixed – Use Commercial District, including the regulations of the Corinth Unified Development Code, per the City of Corinth Unified Development Code has been selected as the base zoning district to regulate all uses and development regulations not identified as being modified by the subject PD regulations. The PD regulations hereinafter provides for the special provision required for the subject use to function as full sales and service automobile dealerships.
- vii. A list of all applicable special development regulations provided by the subject PD or anticipated as waivers or variances to the subdivision regulations is provided as an attachment hereto. The subject project will conform to all City standards except those which are in conflict with assuring a high quality and cohesive aesthetic design or those that simply are not appropriate for the proposed use or may be unique to the site circumstances.
- viii. There are only three existing streets or roadways that impact or serve the subject property (no new streets or roadways are anticipated or provided for in the City Comprehensive Plan). The three existing streets / roadways are: I-35, a high speed freeway with service roads; Meadows Oak Drive, two lane existing road that will become an east – west thoroughfare (future ROW and expansion are anticipated); and Tower Ridge Trail, a north south collector that has recently been expanded to its probable ultimate size of a collector.
- ix. The property elevation generally ranges from 623 feet to 591 feet and is a gently rolling site sloping to the center from both the east and west. The property drains to both the north and south providing for natural drainage both north and south. The site features a combination of Birome and Gasil fine sandy loams.
- x. The applicant has provided a topographic map.
- xi. It appears the drainage area is generally equally divided with half flowing to the north and half flowing to the south. None of the property is in a flood zone; final civil plans will detail drainage plans and detention details. The nearest floodplain is over 550 feet to the west and over 500 feet to the east.

- xii. Water is adjacent to the property along roadways both east and west of the property. Wastewater is also adjacent to the property. Both water and wastewater will be extended into the property to serve the buildings and provide fire flow protection per the subdivision ordinance; plans for said utilities will be part of the project civil design subject to City review.
- xiii. There are no proposed residential densities on the property with all proposed development being commercial / business use in conformance with the proposed PD regulations. The structures on the site will total approximately 104,750 Square feet of space on approximately 13.5 acres; this will represent a floor to area ratio of about 0.178, a very low ratio. However, there will be several acres of paved parking for vehicle inventory.
- xiv. The project will be divided into two phases as illustrated on the Concept / Site Plan and Phasing Plan. Generally phase I will include the three sales venues and the initial phase of the service center as illustrated below on the PD Concept Design Map. Expansion of the Service Center and the addition of the Collision Center along with associated parking will be at a later date. The size of all facilities is detailed in the PD Zoning Ordinance.

PD CONCEPT DESIGN MAP



CERTIFICATE OF APPROVAL – PD DESIGN MAP

Approved

 Mayor, City of Corinth, Texas

 Date

The undersigned, the City Secretary of the City of Corinth, Texas, hereby certifies that the foregoing Design Map for Huffines Kia Subaru Master Planned Development was submitted to the City Council on the ___ day of March, 2016 and the Council by formal action, then and there accepted the PD Design Map, and said Council further authorizes the Mayor to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness by hand this ___ day of April, 2016.

 City Secretary
 City of Corinth, Texas

 Date

EXHIBIT "C"
LAND USE REGULATIONS

SECTION 1: REGULATIONS

A. Purpose

The regulations set forth in this Exhibit provide development standards for Commercial designations and use of the Huffines Automotive Dealerships. The Planned Development (PD) District is identified by metes and bounds on Exhibit A and is depicted on Exhibit B. Every use not authorized herein is expressly prohibited in this Planned Development (PD) District.

B. Base Districts

The "MX-C" Mixed – Use Commercial District, the regulations of the Corinth Unified Development Code, per the City of Corinth Unified Development Code, Ordinance No. 13-05-02-08, shall apply except as modified herein.

SECTION 2: USES AND AREA REGULATIONS FOR Planned Development MX-C (MX-C) District plus the uses detailed below:

A. Purpose

This district is intended to provide for development of two new automobile dealerships, one previously-owned dealership (which will serve as the previously owned component for both new Automobile dealerships), two connected service centers and parts inventory and sales (part of which will be a phase II component), and a collision center (which will also be a phase II component).

B. Permitted Uses and Use Regulations

In the Planned Development (PD) District for Mixed Use-Commercial Uses, no building or land shall be used and no building shall be hereafter erected, reconstructed, enlarged or converted, unless permitted by the Mixed-Use Commercial (MX-C) District regulations of the Unified Development Code except as otherwise included in this PD Ordinance.

The Permitted Uses in the MX-C, Mixed-Use Commercial District as listed in Subsection 2.07 of the Unified Development Code, shall be permitted uses and shall also include the following use:

1. Automobile Sales and Service
2. Automobile Body Shop
3. Above Ground Fuel Tank

The following uses are permitted under MX-C zoning, but shall not be permitted within this Planned Development District by Specific Use Permit or any other means:

1. Assisted Living/Nursing Home
2. Dwelling, Single Family (detached)
3. Dwelling, Single Family (attached – duplex)
4. Dwelling, Single Family (attached – townhouse)
5. Dwelling, Multi-Family
6. Modular (Industrialized) Home
7. Retirement Housing
8. Studio Residence

C. Development Standards

The Development Standards for this PD are the development standards for MX-C Mixed-Use Commercial, Section 2.05.02 of the City’s Unified Development Code except as otherwise stated herein.

1. UDC 2.07.07 **Accessory Buildings and Uses** shall apply.
2. UDC 2.08.05 **Nonresidential Dimensional Regulations Chart** shall apply.
3. UDC 2.09.01 **Landscape Regulations** shall apply except for the following:
 - a. Modifications to the Phase I landscape Plan that are consistent with the original intent of the plan and maintain the use of City approved plant materials may be approved by the Director of Planning or designee. The Phase II landscape plan shall be reviewed and approved by the City Planning Director or designee prior to issuance of a building permit for Phase II of the project.
4. UDC 2.09.02 **Tree Preservation Regulations** shall apply except:
 - a. The “heavily treed lot provision” of the UDC shall be modified for this PD to apply to those portions of the site that have an aggregate of 4 acres or more and are delineated on the tree survey at the time of development (grading) permit or building permit.
5. UDC 2.09.03 **Vehicle Parking Regulations** shall apply except for the following clarifications and supplemental regulations:
 - a. The provisions of UDC 2.09.03 shall apply for customer and employee parking and shall measure 10’x20”. Employee parking shall be required for the number of employees on the site without regard for the square footage of the work area. Customer parking shall be calculated based on building square footage provided for customer shopping, financing and automobile transaction, waiting, and

related public spaces. Areas for service, parts inventory and employee work stations may be excluded from the calculation of customer parking.

b. Parking stalls intended for display, maintenance storage, and inventory storage purposes may measure 10'x18'.

c. The parking ratio for customer accessible areas (including sales and lounge space) shall be 1 space per 350 square feet of floor area, as shown in the charts on the site plan associated with this PD.

6. UDC 2.09.04 **Building Façade Material Standards** shall apply and include the following percentages:

Kia Dealership

Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	28.8%	766	22.2%	1,414	41.0%	966	28.0%	300	8.7%	3,446
Metal**	5.3%	112	17.6%	180	28.3%	126	19.8%	217	34.2%	635
Stucco	25.9%	490	15.8%	873	28.2%	680	21.9%	1,057	34.1%	3,100
Stone	1.4%	72	43.1%	15	9.0%	72	43.1%	8	4.8%	167
Arch. CMU	25.9%	871	28.1%	70	2.3%	417	13.5%	1,740	56.2%	3,098
Tile	12.6%	404	26.8%	738	48.9%	354	23.5%	12	0.8%	1,508
Total	100.0%	2,715		3,290		2,615		3,334		11,954
Total Square Footage of Exterior Wall Area*					8,508	*excludes fenestration and doors				
Total Square Footage of Masonry Wall Area					7,873					
Total Percentage of Class 1 & 2 Masonry					92.5%	** most metals have masonry backing				

Subaru Dealership

Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	28.1%	1,344	38.0%	1,243	35.2%	636	18.0%	310	8.8%	3,533
Metal**	7.1%	190	21.4%	428	48.3%	120	13.5%	149	16.8%	887
Stucco	2.4%							302	100.0%	302
Stone	9.4%	235	19.9%	490	41.5%	386	32.7%	70	5.9%	1,181
Arch. CMU	33.2%	916	21.9%			916	21.9%	2,343	56.1%	4,175
Tile	19.8%	835	33.6%	932	37.5%	654	26.3%	62	2.5%	2,483
Total	100.0%	3,520		3,093		2,712		3,236		12,561
Total Square Footage of Exterior Wall Area*					9,028	*excludes fenestration and doors				
Total Square Footage of Masonry Wall Area					8,141					
Total Percentage of Class 1 & 2 Masonry					90.2%	** most metals have masonry backing				

Pre-Owned Dealership

Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	25.2%	484	24.1%	808	40.3%	484	24.1%	230	11.5%	2,006
Metal**	6.2%	140	28.3%	160	32.3%	140	28.3%	55	11.1%	495
Stucco	13.9%	110	10.0%			110	10.0%	884	80.1%	1,104
Stone	9.6%	234	30.5%	180	23.4%	234	30.5%	120	15.6%	768
Arch. CMU	20.9%	578	34.7%			578	34.7%	512	30.7%	1,668
Tile	24.2%	615	31.9%	689	35.8%	622	32.3%			1,926
Total	100.0%	2,161		1,837		2,168		1,801		7,967
Total Square Footage of Exterior Wall Area*					5,961	*excludes fenestration and doors				
Total Square Footage of Masonry Wall Area					5,466					
Total Percentage of Class 1 & 2 Masonry					91.7%	** most metals have masonry backing				

Service Center

Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	7.7%	744	51.2%	552	38.0%			156	10.7%	1,452
Metal**	9.0%	498	29.5%	525	31.1%	214	12.7%	450	26.7%	1,687
Stone	3.2%	42	7.0%	338	56.4%	147	24.5%	72	12.0%	599
Concrete	80.1%	2,940	19.6%	3,393	22.6%	4,927	32.8%	3,752	25.0%	15,012
Total	100.0%	4,224		4,808		5,288		4,430		18,750
Total Square Footage of Exterior Wall Area*					17,298	*excludes fenestration and doors				
Total Square Footage of Masonry Wall Area					15,611					
Total Percentage of Class 1 & 2 Masonry					90.2%	** most metals have masonry backing				

Collision Center

Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	5.4%	220	33.3%					440	66.7%	660
Metal**	6.5%	229	29.0%	86	10.9%	140	17.7%	335	42.4%	790
Stone	5.3%	120	18.7%	180	28.0%	120	18.7%	222	34.6%	642
Concrete	82.8%	2,641	26.2%	2,462	24.5%	2,854	28.3%	2,112	21.0%	10,069
Total	100.0%	3,210		2,728		3,114		3,109		12,161
Total Square Footage of Exterior Wall Area*					11,501	*excludes fenestration and doors				
Total Square Footage of Masonry Wall Area					10,711					
Total Percentage of Class 1 & 2 Masonry					93.1%	** most metals have masonry backing				

7. UDC 2.09.05 **Residential Adjacency Standards** shall apply except:
 - a. UDC 2.09.05.1 Building materials will be permitted as shown on attached elevations.
 - b. UDC 2.09.05.2 No building, including buildings with a footprint of six thousand (6,000) square feet or less (as provided for in the UDC 2.09.05), shall be required

to feature a pitched roof so as to maintain continuity of architectural design across the entire site.

8. UDC 2.09.06 **Nonresidential Architectural Standards** shall apply.
9. UDC 2.09.07 **Lighting and Glare Regulations** shall be subject to the following exceptions and supplemental provisions:
 - a. LED light sources (luminaires) are accepted as a light source.
 - b. UDC 2.09.07 C.3-4 (required turning off of Parking Luminaires and Building Luminaires). It is provided that site lighting is specifically considered to serve a prime security purpose across a large area of vehicle inventory, storage, and display and is critical for security. To achieve the security objective, the site lighting shall be permitted to maintain the design lighting standards (maximum of 19.9 fc, minimum of 4.2 fc, and 10.22 fc average along dealership frontage; maximum 12.6 fc, minimum of 0.0 fc, and 4.18 fc average on the balance of the project), except as follows:
 - c. UDC 2.09.07 G.1 (Intensity of Illumination from property to other adjacent properties). This provision shall apply to properties adjacent to the subject site based on the current zoning of the parcels (none are residential zoning). All said properties are projected to be commercial districts; thus maximum fc between properties shall be 3.0 fc for commercial district adjacency except for the above noted residential adjacencies until such time as the residual adjacency is eliminated.
 - d. Additional lighting detail:
 - i. All light sources (pole or building mounted) shall be shielded so as to not allow light to be directed off the property.
 - ii. Free standing light poles shall be a maximum of 22 feet tall, not counting the concrete base; standards may be mounted on concrete pedestals not to exceed 30 inches in height.
 - c. UDC 2.09.07 G.1 (Intensity of Illumination from property to other adjacent properties). This provision shall apply to properties adjacent to the subject site based on the current zoning of the parcels (none are residential zoning). All said properties are projected to be commercial districts; thus maximum fc between properties shall be 3.0 fc for commercial district adjacency except for the above noted residential adjacencies until such time as the residual adjacency is eliminated.
 - d. Additional lighting detail:
 - i. All light sources (pole or building mounted) shall be shielded so as to not allow light to be directed off the property.
 - ii. Free standing light poles shall be a maximum of 22 feet tall, not counting the concrete base; standards may be mounted on concrete pedestals not to exceed 30 inches in height.
10. UDC 4.01 **Sign Regulations** shall apply except as follows:
 - a. UDC 401.15 C - Monument Sign provisions shall be adjusted as follows to reflect the extended distance from the proposed I-35 access roads to the property line and to encourage continuity with site landscaping:
 - i. There shall be a "0" setback from property line to the nearest portion of a monument sign (either base or sign face).
 - ii. Sign area and dimensions are as follows:
 - (a) Length (horizontal) of sign face shall be a maximum of 15'.
 - (b) Height (vertical) – Maximum vertical dimension of sign face shall be 7'.

- (c) The sign backing (structure on which the sign face is mounted) shall not exceed 100 Square feet which shall be measured as the external dimension of the sign backing.
 - (d) Base – a maximum 3' tall base shall not be considered part of the sign face or sign backing structure if said base has no commercial message or logo.
 - (e) The maximum total height above ground level shall be 10'. (Note: landscaping complimentary to the overall landscape design may be installed adjacent to the sign base.)
 - iii. Maximum size per sign face (max of two faces per monument sign) shall be 85 SF per side for signs adjacent to I-35; any signs adjacent to any other roadway shall comply with the provisions of UDC 4.01.
 - iv. The sign face area shall be calculated as the maximum area encompassed by the vertical and horizontal limits of names, logos, or symbols within the sign face. The sign face may be mounted on a sign backing as defined above or may be used without any backing.
 - v. Each new or previously owned automobile dealership facility or building may have one (1) monument sign along I-35E access road frontage as would be allowed if such building was on a separately platted lot. The size of letters, logos, or symbols on the monument signs provided for in Section 10a. shall be limited to the size of the sign face area and shall be proportionate to the overall size of the sign face message.
 - vi. If, in the future, the sign ordinance is revised to allow for larger signage, any proposed monument sign shall be permitted to increase to the maximum allowable size to be consistent with the then-current design standards.
- b. On-site, free standing directional signage shall conform to the design criteria in the UDC, and shall be permitted based on an on-site directional signage plan submitted to and approved by the Director of Planning when such signage is requested by submittal of a sign or building permit. Such signs shall be allowed in the quantity and at locations as are approved by the Director of Planning. Directional signage may include directional information such as “service, parts, and similar related locations on the property” along with arrows or directional symbols.
- c. Attached Sign - Building Mounted Signage – Building mounted sign provisions are hereby adjusted as follows to reflect the extended distance between the proposed I-35 Highway and access roads and the property line and building line:
- i. Business Identification Signage will be allowed on a maximum of three building elevations for each of the three dealership sales buildings. The maximum square footage of signage for all elevations shall be based on the current City of Corinth calculation limitation for the “front façade” square footage allowed as provided for in the UDC. The letter, logo, and / or symbol size for all building mounted name and business identification signage shall

be restricted to the maximum total building name / identification square footage calculation as provided in the UDC for the “front façade”. Such “front façade” square footage calculation may be placed or distributed on multiple single plane facades as shown on the building elevations attached herewith. Additionally, the maximum letter size permitted shall be 36” tall.

- ii. Service, Parts, and Other Building (such as service / collision building) Identification Needs shall be allowed one primary name / identification sign per building on either the building frontage facing toward the I-35 highway or facing west. Primary building names shall have a maximum of 36” high letters. Secondary building identification signs may be allowed on other building faces to provide building names for deliveries, etc. Secondary names and signage directing customers to service drive or entrance drives shall have a maximum of 24” high letters.
- iii. Sign placement on building – there shall be no restriction on the placement of attached signs for building name or identification on the structure so long as the aggregate width of signage on the front façade of a building does not exceed 50% of the façade width. Customer directions for service entrance shall not be subject to this provision. Non-frontage elevations shall not be permitted to have signage exceeding 40% of the non-frontage façade width.

d. Sign permits will require permitting aside from the building permit.

11. UDC 4.02 **Fence and Screening Regulations** shall apply except as follows:

- a. A pipe rail not to exceed 30” in height shall be allowed around any portion of the site to supplement security.
- b. In order to provide for screening and security through intensive existing trees and vegetation, metal decorative fencing (tubular steel, wrought iron, and other decorative steel fencing, but not including chain link) shall be allowed around the perimeter of the site as illustrated on the Concept Plan. Said decorative metal fencing shall be no less than 6 feet and no more than 8 feet in height. Vegetative screening may be installed along with said fencing in areas where existing trees are not present to provide reasonable screening. If subsequently needed to provide needed screening for the internal areas used for storage of vehicles that are dismantled, wrecked, or in the process of being restored, a form of permitted solid or opaque fencing other than chain link must be approved by the Director of Planning.
- c. All decorative or security fencing, security pipe rail, and gates shall be shown on the site plan.
- d. All exterior fencing shown on the site plan shall be located on the property line, except where such fencing may deviate to preserve native trees.

- e. In non-vegetative areas, tubular metal fencing shall be used (generally in areas near frontage roads lacking existing trees and vegetation, but also as depicted on the Site Plan).
 - f. Concrete or masonry fencing shall not be required along the boundaries having a single family residential structure if such property is not zoned for single family use or if said property is expected to be redeveloped to non-residential uses.
 - g. Concrete (must be textured) or solid masonry fencing shall be required to screen the collision center if said facility is located within 100 feet of any property line across from residential and shall also be required along the site's frontage on Tower Ridge Drive.
 - h. All proposed fencing will require a fencing permit prior to construction.
12. Outside Display – outside vehicle (product) display is defined as positioning vehicles in locations intended to promote the brands, connect with consumer interest, highlight vehicle features, and show popular colors in a manner that rotates a variety of vehicles in locations as described below:
- a. Vehicle Parking Areas and Building Areas – These are locations behind the landscape setback where vehicles are parked for viewing in rows or in spots near or around the sales buildings that are reserved for vehicle display as indicated on the concept plan and / or illustrated in the provided pictorial graphics showing elevations and building perspectives.
 - b. Vehicle Display in Portion of Front Landscape Setback – a maximum of 10 vehicles (2 per side of entry drive) may be displayed in the westernmost 25' of the 30' landscape setback ("landscape setback vehicle locations") along the eastern North – South property line of the site (frontage adjacent to I-35) due to the unusually extreme distance between the east property line and the I-35 service road. The provision is subject to the following landscape vehicle display location criteria:
 - i. Be shown on the site plan or landscape plan.
 - ii. Blend with the landscape plan and bio-detention basins, including any sloping alignment of the vehicle (no mechanical or steel structure onto which vehicles are driven or placed); may include natural berms or blended stone bases onto which the vehicles are driven.
 - iii. Provide for a paved surface (including concrete, stamped concrete, or stone) that is designed to support the vehicle and preserve the integrity of the landscape.
 - iv. Vehicle Display in a portion of the Front Landscape Setback will terminate as a right when the Texas Highway Department widens or enlarges the highway (or service / access roads), so that the service / access roads are within an average

of 20' from the east property line of the subject property. Until that time, vehicles may remain on display after business hours and on weekends and holidays.

13. Project Phasing and Components Included in each phase:

- a. Phase I – shall include:
 - i. Two new vehicle dealership buildings / spaces and one pre-owned dealership building
 - ii. The initial service / maintenance / parts building for the site will be physically connected to the new vehicle dealership buildings / spaces.
 - iii. Parking required for each of the above facilities for customers, employees, and inventory
 - iv. 3 Paved ingress-egress locations from IH-35 service roads including the north-most ingress-egress location which is designated as a mutual access drive to serve the adjacent and subject properties. Note: it is understood that ingress-egress locations intersecting I-35 are subject to TXDOT approval.
 - v. Landscaping as illustrated on the landscape plan approved with this ordinance and the Concept / Site Plan; said landscape plan may be modified subject to modifications maintaining the basic design and changes to species of trees and other plant material being on the approved plant list and such modifications shall require staff approval.
 - vi. Three monument signs – one for each dealership
 - vii. Pipe rail surrounding the site with movable entry pipe rail provisions at entrances
 - viii. Fencing as detailed on the site plan, including all types of fencing around the entire perimeter of the property
 - ix. One compactor dumpster unit to serve the property and the required access drives to service said compactor.
 - x. As a matter of development sequence information, the electric pole relocation will be part of phase I as required for service regardless of the phase in which such distribution site is located.
- b. Phase II – shall include
 - i. A second phase of the service-maintenance-parts building
 - ii. A collision repair building
 - iii. Parking required for each of the above facilities for customers, employees, and inventory (vehicles being serviced)
 - iv. An additional ingress-egress location with paved fire lane including a City approved accessible locking device (if gated) to accommodate emergency access. This fire lane may be allowed as part of phase I if required by the Fire Marshall.

118.04'

LANDSCAPE REGULATIONS
CORINTH, TX

LANDSCAPE BUFFERS

REQUIRED: (1-35) Landscape buffer width adjacent to collector street = 20'. Within the landscape buffer (1) shade tree (3" caliper minimum) shall be planted per 30 feet of landscape edge.
1-35 = 1083 l.f. / 30 = 36 trees
PROVIDED: 30' Landscape buffer and 36 trees

REQUIRED: (Tower Ridge Dr.) Landscape buffer width adjacent to collector street = 15'. Within the landscape buffer (1) shade tree (3" caliper minimum) shall be planted per 30 feet of landscape edge.
Tower Ridge Dr. = 588 l.f. / 30 = 20 trees
PROVIDED: 15' Landscape buffer and 20 trees.

REQUIRED: Where parking lots, drive and access easements about the landscaped edge, minimum 5 gallon shrubs shall be planted to form a contiguous buffer along the common boundary.
PROVIDED: Minimum 5 gallon shrubs placed along all parking lots that about the landscape edge.

NOTE: Upon elimination of the residential adjacency the 20' landscape buffer shall be eliminated and replaced with a minimum 5' setback.

INTERIOR PARKING LANDSCAPE

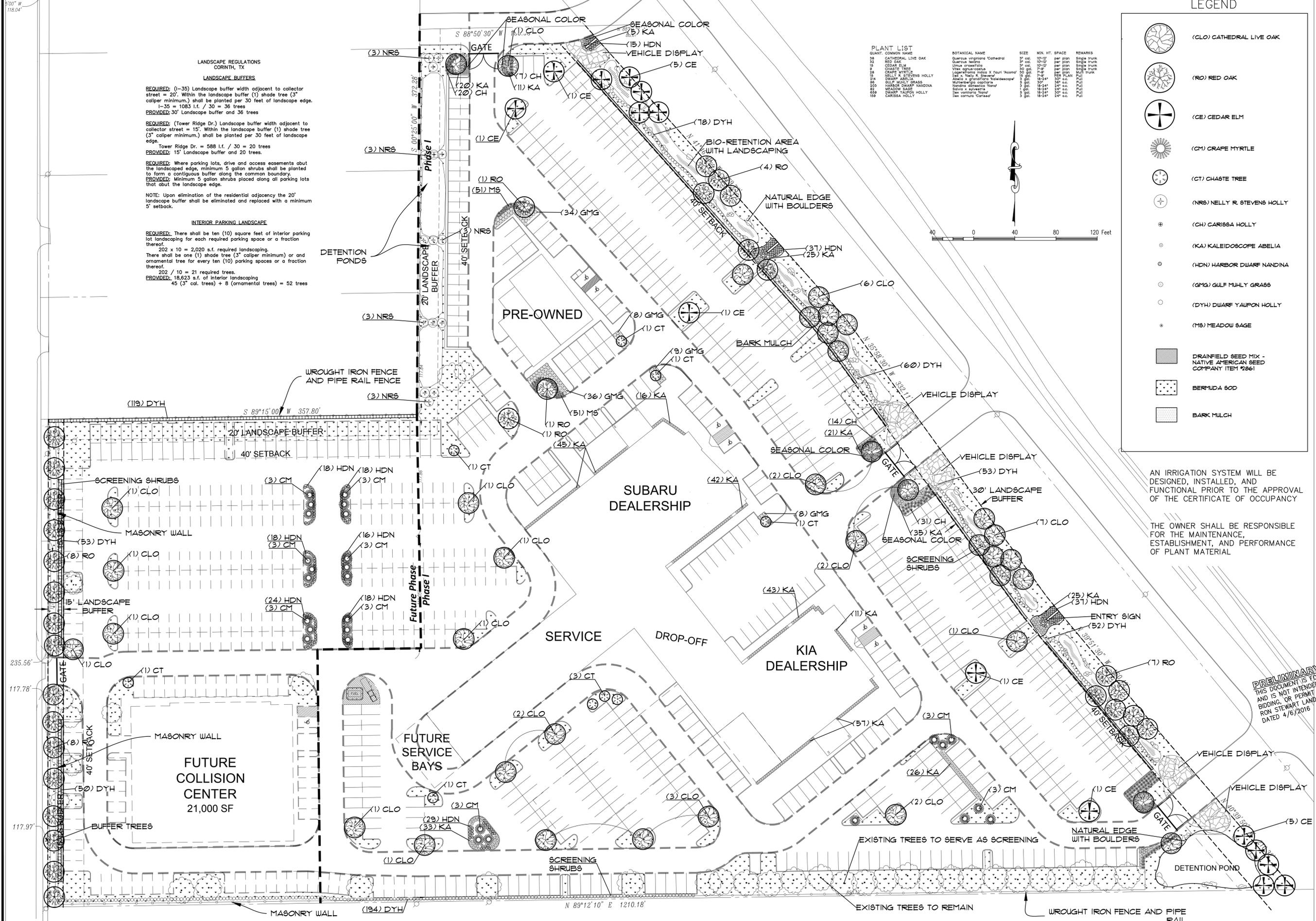
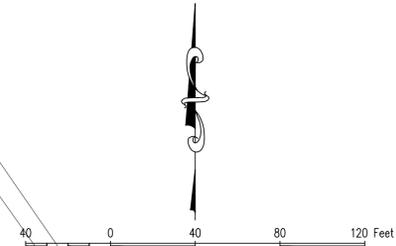
REQUIRED: There shall be ten (10) square feet of interior parking lot landscaping for each required parking space or a fraction thereof.
202 x 10 = 2,020 s.f. required landscaping.
There shall be one (1) shade tree (3" caliper minimum) and ornamental tree for every ten (10) parking spaces or a fraction thereof.
202 / 10 = 21 required trees.
PROVIDED: 18,623 s.f. of interior landscaping
45 (3" cal. trees) + 8 (ornamental trees) = 52 trees

LEGEND

- (CLO) CATHEDRAL LIVE OAK
- (RO) RED OAK
- (CE) CEDAR ELM
- (CM) GRAPE HYDRILE
- (CT) CHASTE TREE
- (NRS) NELLY R. STEVENS HOLLY
- (CH) CARISSA HOLLY
- (KA) KALEIDOSCOPE ABELIA
- (HDN) HARBOR DWARF NANDINA
- (GMG) GULF MUHLY GRASS
- (DYH) DWARF YAUPON HOLLY
- (MS) MEADOW SAGE
- DRAINFIELD SEED MIX - NATIVE AMERICAN SEED COMPANY ITEM #2861
- BERMUDA 60D
- BARK MULCH

PLANT LIST

QUANT.	COMMON NAME	BOTANICAL NAME	SIZE	MIN. HT.	SPACE	REMARKS
34	CATHEDRAL LIVE OAK	Quercus virginiana 'Cathedral'	3" cal.	10'-15'	per plan	Single trunk
32	RED OAK	Quercus laevis	3" cal.	10'-15'	per plan	Single trunk
19	CEDAR ELM	Ulmus crassifolius	3" cal.	10'-15'	per plan	Single trunk
8	GRAPE HYDRILE	Vitis rotundifolia	3" cal.	7'-8'	per plan	Single trunk
24	CHASTE TREE	Ligustrum lucidum 'Nelly R. Stevens'	3" cal.	7'-8'	per plan	Multi trunk
24	DWARF YAUPON HOLLY	Yucca glauca 'Dwarf Yaupon'	3" cal.	7'-8'	per plan	Multi trunk
96	GULF MUHLY GRASS	Muhlenbergia capillaris	1" gal.	18-24"	per plan	Full
96	HARBOR DWARF NANDINA	Nandina domestica 'Harbor'	1" gal.	18-24"	per plan	Full
96	MEADOW SAGE	Salvia alypsia	1" gal.	18-24"	per plan	Full
60	DWARF YAUPON HOLLY	Yucca glauca 'Dwarf Yaupon'	1" gal.	18-24"	per plan	Full
159	CARISSA HOLLY	Ilex cornuta 'Carissa'	3" gal.	18-24"	per plan	Full



AN IRRIGATION SYSTEM WILL BE DESIGNED, INSTALLED, AND FUNCTIONAL PRIOR TO THE APPROVAL OF THE CERTIFICATE OF OCCUPANCY

THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, ESTABLISHMENT, AND PERFORMANCE OF PLANT MATERIAL

PRELIMINARY PLANS
THIS DOCUMENT IS FOR INTERIM REVIEW
AND IS NOT INTENDED FOR CONSTRUCTION
FOR PROPOSED LANDSCAPE PROJECT
BIDDING, OR PERMIT PURPOSES
RON STEWART LANDSCAPE ARCHITECTURE
791
DATED 4/6/2016

ENVIRONS GROUP
LANDSCAPE ARCHITECTURE
a division of G & A Consultants, LLC.
111 Hillside Drive - Lewisville, TX 75057 - P: 972.331.0276 - F: 972.456.9715

HUFFINES KIA SUBARU
13.773 Acres
in the
EA. GARRISON SURVEY, ABSTRACT NO. 511
CITY OF CORINTH
DENTON COUNTY, TEXAS

LANDSCAPE PLAN

Drawn By: WS
Date: 2/24/2016
Scale: 1"=40'
Revisions:

15044

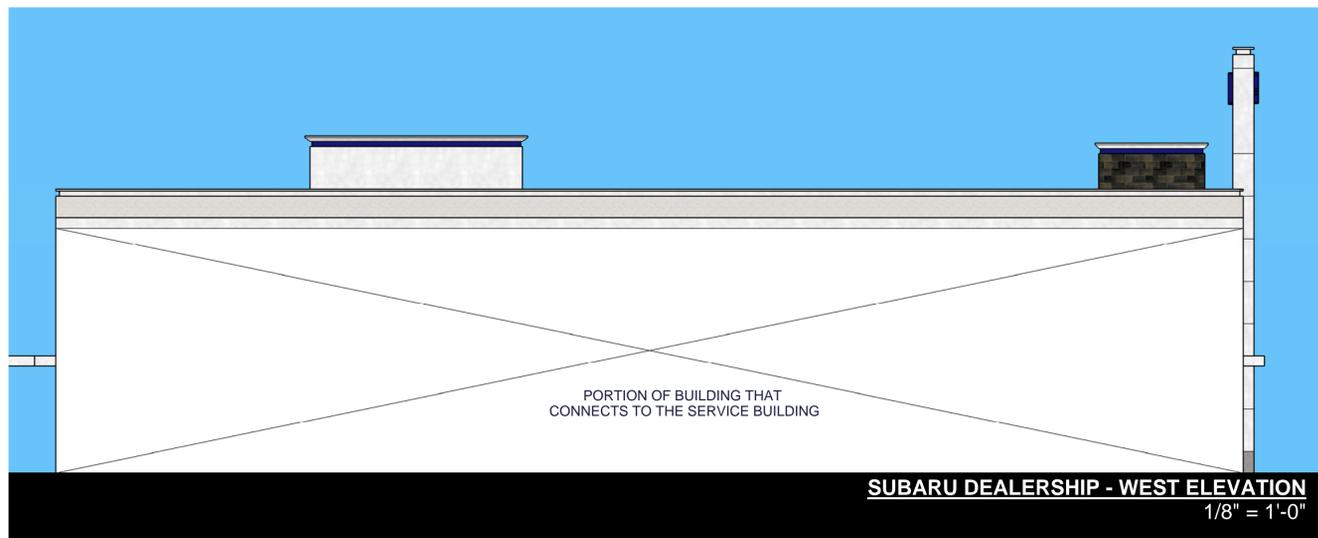
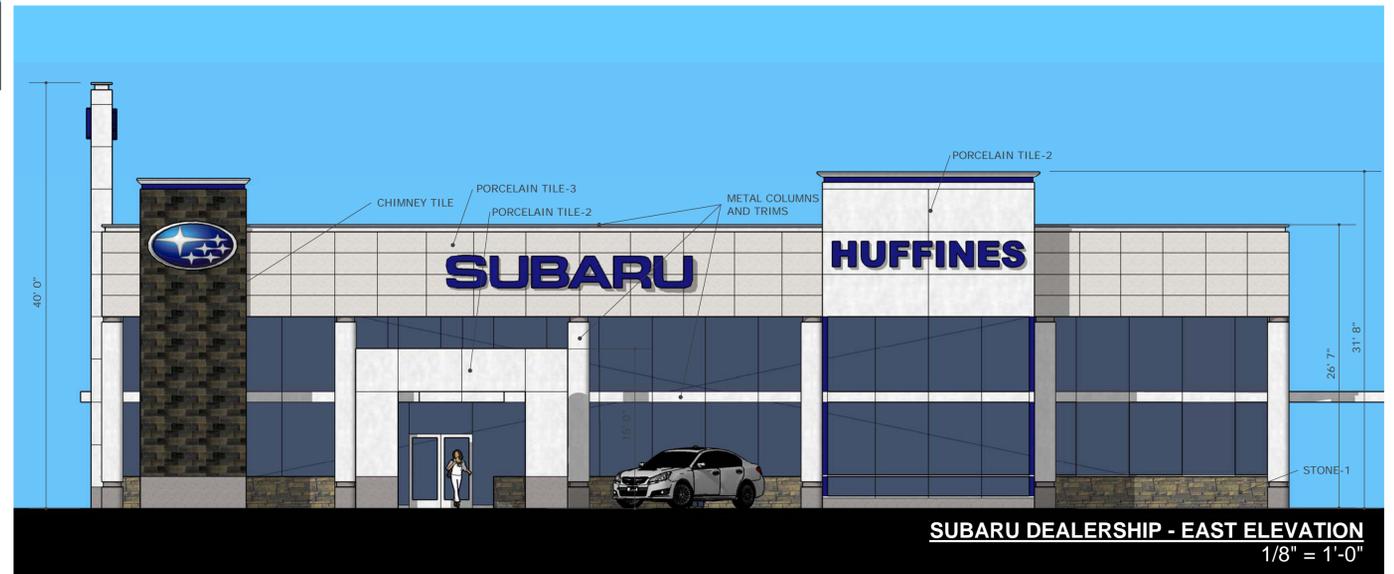
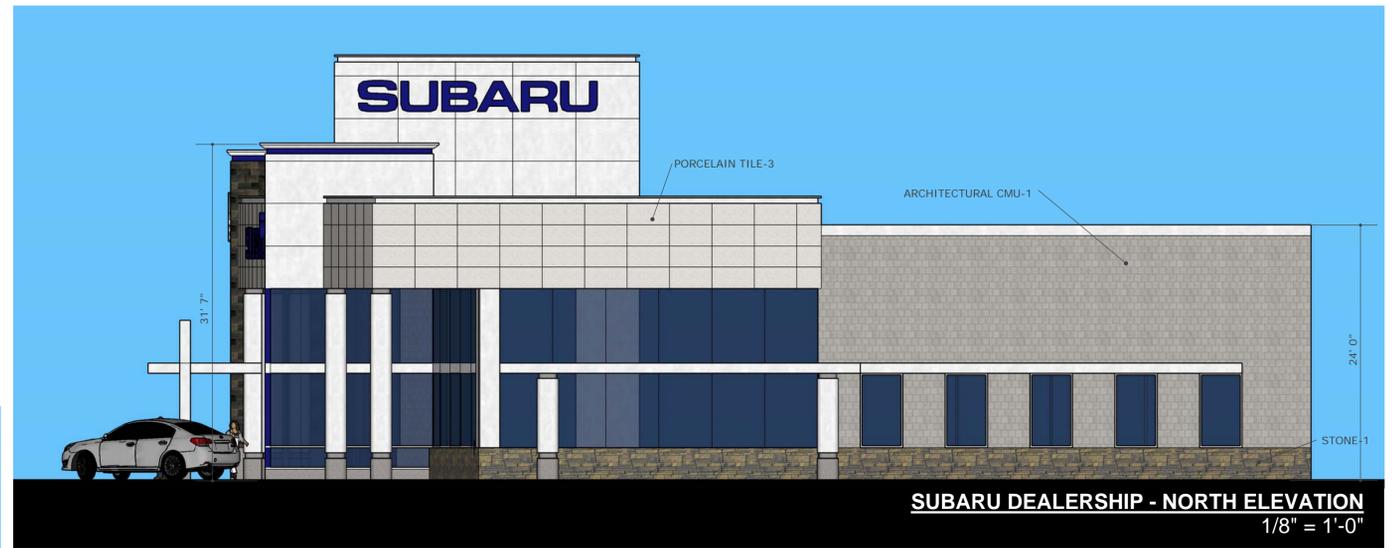
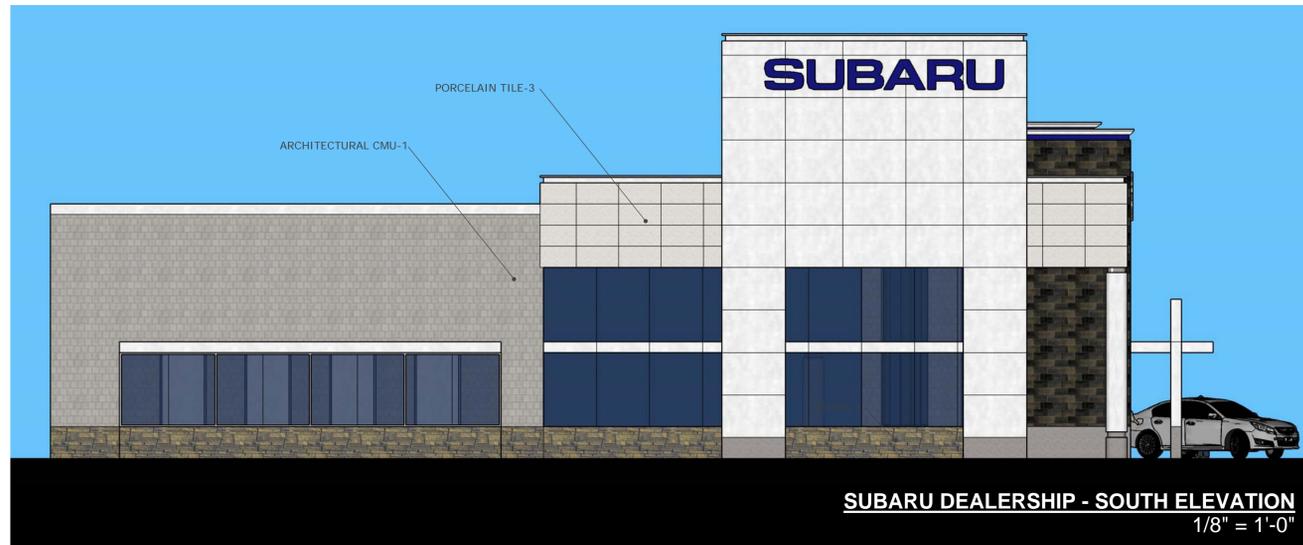
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Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	23.1%	790	29.3%	1,010	37.4%	805	29.8%	95	3.5%	2,700
Metal**	7.7%	95	10.6%	405	45.0%	180	20.0%	220	24.4%	900
Stucco	6.4%							750	100.0%	750
Stone	5.3%	265	42.7%	130	21.0%	175	28.2%	50	8.1%	620
Arch. CMU	24.1%	658	23.4%			1,270	45.1%	885	31.5%	2,813
Tile	33.4%	1,207	31.0%	1,410	36.2%	875	22.5%	405	10.4%	3,897
Total	100.0%	3,015		2,955		3,305		2,405		11,680
Total Square Footage of Exterior Wall Area*				8,980						*excludes fenestration and doors
Total Square Footage of Class 1 Masonry Wall Area				4,517						
Total Square Footage of Class 2 Masonry Wall Area				3,563						
Total Percentage of Class 1 Masonry				50.30%						
Total Percentage of Class 2 Masonry				39.7%						
Total Percentage of Class 1 & 2 Masonry				90.0%						** most metals have masonry backing

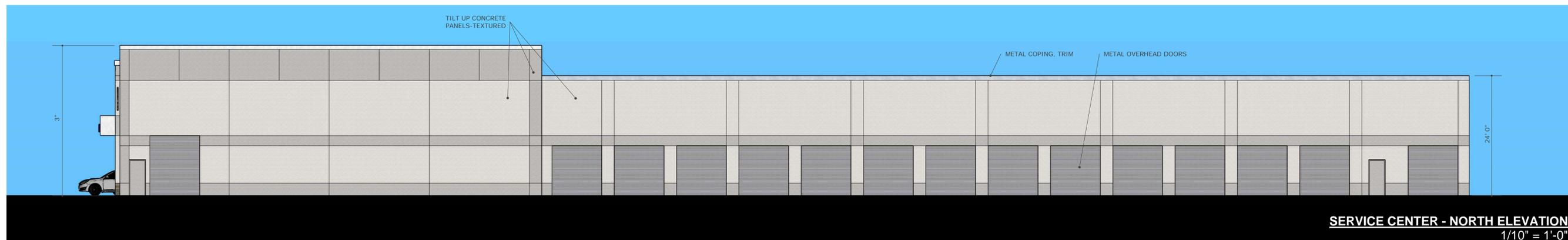


SUBARU		North		East		South		West		Total	
Exterior Materials	Total % all sides	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft. all	
Glazing	57.6%	608	6.0%	9,001	88.8%	528	5.2%	18	2.5%	10,137	
Metal**	4.2%	339	46.4%	268	36.7%	106	14.5%	336	100.0%	731	
Stucco	1.9%									336	
Stone	4.1%	89	12.3%	319	44.1%	316	43.6%			724	
Arch. CMU	13.3%	838	35.9%	480	20.6%	961	41.2%	55	2.4%	2,334	
Tile	19.0%	1,117	33.3%	1,097	32.7%	1,072	32.0%	65	1.9%	3,351	
Total	100.0%	2,991		11,165		2,983		474		17,613	
Total Square Footage of Exterior Wall Area*					7,476		*excludes fenestration and doors				
Total Square Footage of Class 1 Masonry Wall Area					4,075						
Total Square Footage of Class 2 Masonry Wall Area					2,670						
Total Percentage of Class 1 Masonry					54.51%						
Total Percentage of Class 2 Masonry					35.7%						
Total Percentage of Class 1 & 2 Masonry					90.2%		** most metals have masonry backing				



PRE-OWNED										
Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	17.7%	176	14.9%	802	67.7%	176	14.9%	30	2.5%	1,184
Metal**	4.6%	75	24.5%	78	25.5%	75	24.5%	78	25.5%	306
Stucco	7.7%							512	100.0%	512
Stone	8.5%	120	21.3%	180	31.9%	120	21.3%	144	25.5%	564
Arch. CMU	26.4%	561	31.8%			561	31.8%	641	36.4%	1,763
Tile	35.1%	812	34.6%	716	30.5%	817	34.8%			2,345
Total	100.0%	1,744		1,776		1,749		1,405		6,674
Total Square Footage of Exterior Wall Area*				5,490						*excludes fenestration and doors
Total Square Footage of Class 1 Masonry Wall Area				2,909						
Total Square Footage of Class 2 Masonry Wall Area				2,275						
Total Percentage of Class 1 Masonry				52.99%						
Total Percentage of Class 2 Masonry				41.4%						
Total Percentage of Class 1 & 2 Masonry				94.4%						** most metals have masonry backing





SERVICE CENTER - NORTH ELEVATION
1/10" = 1'-0"



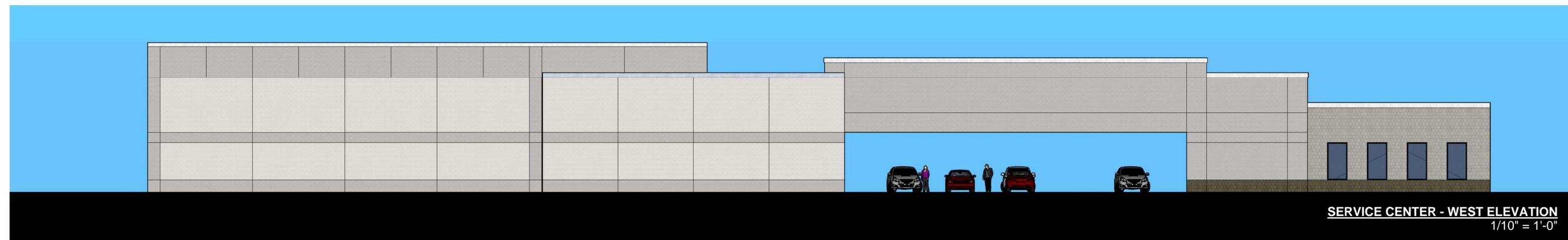
SERVICE CENTER - EAST ELEVATION
1/10" = 1'-0"

SERVICE AND PARTS

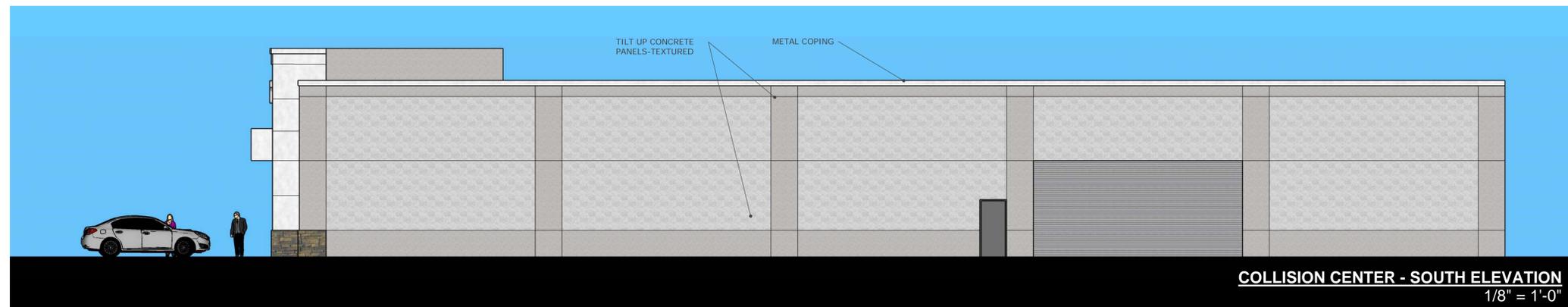
Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all	
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%		
Glazing	3.1%			432	80.6%			104	19.4%	536	
Metal**	6.2%	150	14.0%	485	45.3%	150	14.0%	285	26.6%	1,070	
Stone	0.8%			140	100.0%					140	
Concrete	79.8%	3,968	28.6%	420	3.0%	3,712	26.8%	5,757	41.5%	13,857	
Tile	10.1%			1,760	100.0%					1,760	
Total	100.0%	4,118		3,237		3,862		6,146		17,363	
Total Square Footage of Exterior Wall Area*				16,827						*excludes fenestration and doors	
Total Square Footage of Class 1 Masonry Wall Area				1,900							
Total Square Footage of Class 2 Masonry Wall Area				13,857							
Total Percentage of Class 1 Masonry				11.29%							
Total Percentage of Class 2 Masonry				82.3%							
Total Percentage of Class 1 & 2 Masonry				93.6%						** most metals have masonry backing	



SERVICE CENTER - SOUTH ELEVATION
1/10" = 1'-0"

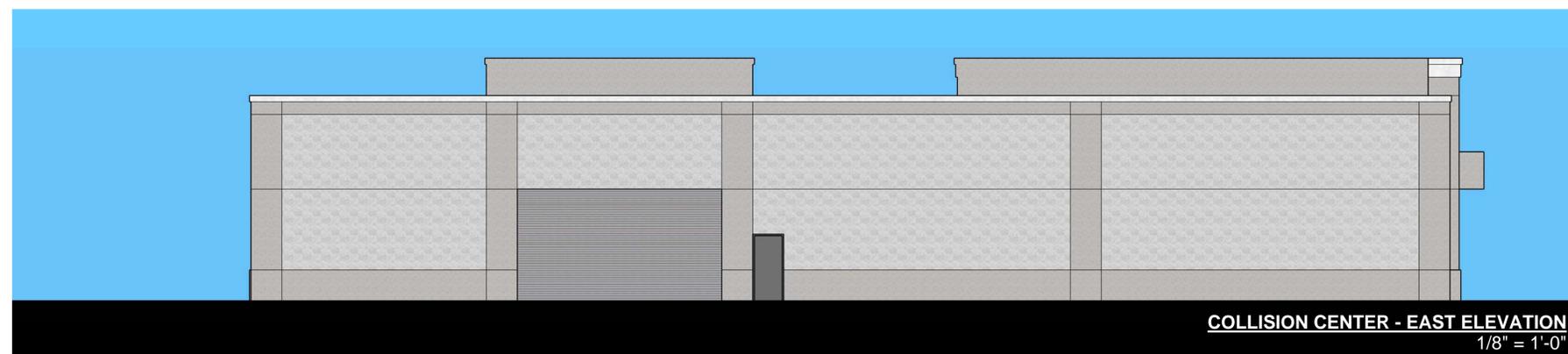
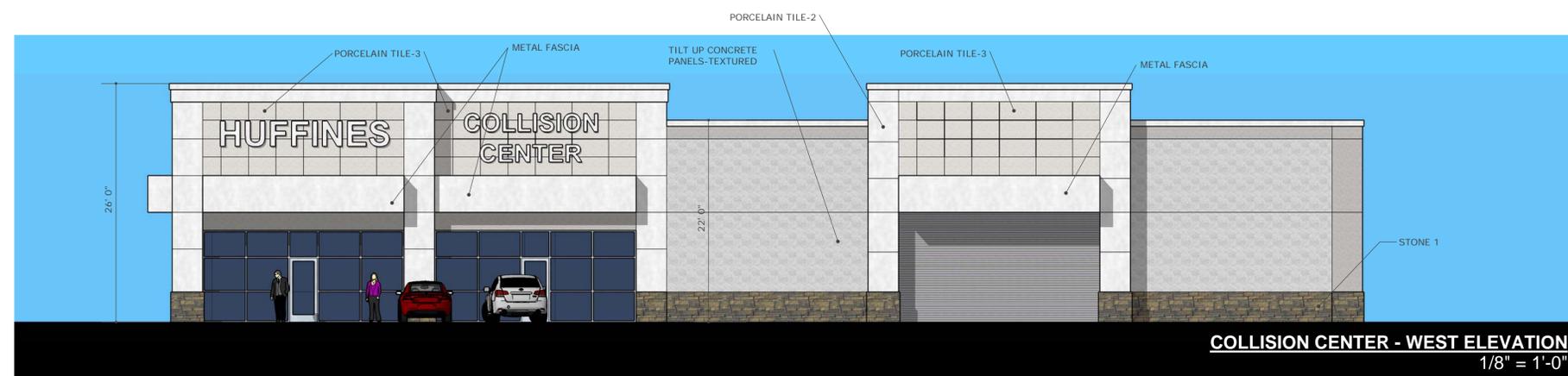


SERVICE CENTER - WEST ELEVATION
1/10" = 1'-0"

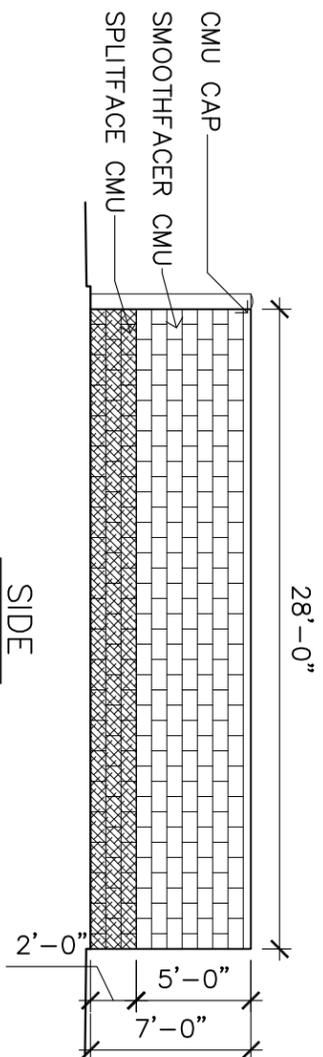
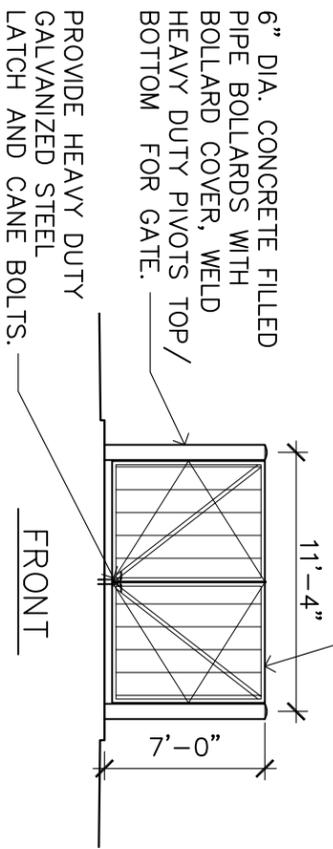


COLLISION CENTER

Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	50.7%	220	33.3%					440	66.7%	660
Metal**	60.7%	229	29.0%	86	10.9%	140	17.7%	335	42.4%	790
Stone	74.3%	445	46.0%	180	18.6%	120	12.4%	222	23.0%	967
Concrete	639.7%	1,849	22.2%	2,462	29.6%	2,854	34.3%	1,158	13.9%	8,323
Tile	10.8%	347	26.7%					954	73.3%	1,301
Total	836.3%	3,090		2,728		3,114		3,109		12,041
Total Square Footage of Exterior Wall Area*				11,381		*excludes fenestration and doors				
Total Square Footage of Class 1 Masonry Wall Area				2,268						
Total Square Footage of Class 2 Masonry Wall Area				8,323						
Total Percentage of Class 1 Masonry				19.93%						
Total Percentage of Class 2 Masonry				73.1%						
Total Percentage of Class 1 & 2 Masonry				93.1%						** most metals have masonry backing



SOLID GATE, 2x2 TUBE STEEL WITH 1x2 ANGLE BRACE FRAME WITH PREFINISHED METAL R-PANEL INSET. USE 1x1 ANGLES AT PERIMETER FOR R-PANEL SUPPORT.



COMPACTOR TYPICAL ELEVATIONS

<p align="center">Planned Development Zoning Provisions Applicable to Zoning Regulations and Sign/Fencing Regulations</p>		
Code Number	Required per UDC	Requested per PD
<i>Landscaping Regulations</i>		
2.09.01.6	A 20-foot wide landscaped buffer shall be provided adjacent to existing residential or vacant land zoned for residential uses.	If the residential adjacency requirement is eliminated, the 20' buffer shall be replaced with a 5' minimum landscape buffer.
2.09.01.5 a.-h.	Requirement for foundation plantings for buildings over 50,000 SF	While the Kia and Subaru dealerships (and portions of the service & parts building) are connected with a breezeway / canopy (no east or west wall or doors, we believe that they are two separate buildings, and as such do not meet the threshold for foundation planting. However, as a demonstration of good faith, we have reviewed our plans and can provide space on north & south sides of the KIA & Subaru buildings to add foundation plantings. This change has been made.
<i>Vehicle Parking Regulations</i>		
2.09.03.B.2	All required parking spaces must be a minimum of 10'x20'	Parking stalls intended for display, maintenance storage, and inventory storage purposes may measure 10'x18' by the PD since they are not spaces that either the public or employees will be accessing multiple times per day.
2.09.03.G	Parking ratios for uses not listed must be determined by Director of Planning	The applicant proposes that including a reasonable standard in the PD provisions is a positive regulatory provision and proposes defining the required customer parking ratio as 1 space per 350 square feet of sales and lounge areas (public space areas)
2.09.03.G	Parking ratios for uses not listed must be determined by Director of Planning	Provides that required employee parking shall be based on the number of employees on site
<i>Residential Adjacency Standards</i>		
2.09.05.C.2	All structures less than 6,000 SF must have a pitched roof	Structures less than 6,000 SF shall not be required to have a pitched roof thus providing the entire project a consistent design.

2.09.05.C.1	The use of cement, standard concrete block, concrete tilt wall, stucco, and other similar masonry materials is not permitted	Materials may match what is shown on attached elevations. No standard "smooth" concrete block or similar material will be used. The maintenance building will be textured tilt wall which meets requirements.
<i>Lighting and Glare Regulations</i>		
2.09.07.C.3-4.	All parking luminaries must be turned off 1 hour after the business closes, and all building luminaires must be turned off after 10:00 PM, except for reasons of security	Lighting as shown on photometric plan shall be allowed to remain operational at all times for security reasons, but shall be reduced to levels agreed upon by the developer and the City
<i>Sign Regulations</i>		
4.01.15.2	Maximum height for attached building sign letters is 24" for buildings less than 200' from the property line; 36" for buildings 251-300' from property line	Maximum height for attached building sign letters is 36" and 80" for logos
4.01.15.4.a	A business shall be allowed 1 registered logo or name of the registered business per street frontage	Attached signs may be located on up to three sides of each building; however, total signage area must be less than or equal to the square footage allowed per UDC (10% of front façade area)
4.01.15.B.5.a	Width of an attached sign may not exceed the middle 50% of the width of any lease space	Attached signs may be placed anywhere on the façade as long as the width of the sign does not exceed 50% of the width of the front façade, and 40% of all other facades
4.01.15.E.2	Minimum height of 6" for letters and logos	No limit on letter size other than what can fit on the maximum sign face area
4.01.15.E.3	Maximum monument sign structure height is 8 feet, but a height of 15 feet may be approved by the Director of Planning if the sign has a minimum of four performance based enhancements	Maximum sign height is 7 feet, maximum sign width is 15 feet. A 3' tall base shall not be considered part of the height requirement if no commercial message or logo is included
4.01.15.E.4.a	Maximum sign area per face is 80 SF	Maximum sign area per face is 85 SF; measured as maximum area encompassed by vertical & horizontal limits of names, logos, & symbols within the sign face.
4.01.15.E.5.a	Only one monument sign shall be permitted per street frontage per site	Each new or previously owned dealership may have 1 monument sign along I-35E as they would by right if platted separately
4.01.15.E.5.c	500' minimum distance between monument signs	250' minimum distance between monument signs

4.01.15.E.6	15' minimum setback from any property line	No minimum setback from property lines due to distance from freeway
<i>Fencing & Screening Regulations</i>		
4.02.11.A	Masonry screening walls separating nonresidential uses and/or zoned areas from residential uses shall be at least six feet (6') in height	Masonry fencing shall be provided to screen Collision Center and along Tower Ridge Dr; does not seem reasonable for masonry screen to be required along boundaries having a single family residential structure if such property is non-conforming

Waivers to Subdivision Regulations		
Code Number	Required Per UDC	Requested Per PD
2.09.01.A.2.d	All landscaped areas shall be protected by a raised six inch curb	Parking spaces facing the front landscape buffer shall have individual curb stops to maximize drainage to the bio-swales along the frontage.
2.09.02.B.4.a,c	A lot shall be considered "heavily treed" if it has tree canopy coverage of 50% or more; a heavily treed lot shall be allowed to reduce the amount of Protected Trees needing to be replaced by 50%	The "heavily treed lot provision" of the UDC shall be modified for this PD to apply to those portions of the site that have an aggregate 4 acres or more and are delineated on the tree survey at the time of development (grading) permit or building permit.
2.09.02.D	At or before the Preliminary Plat or Site Plan review and prior to the removal of any trees, the Applicant shall submit a Tree Protection Plan, which shall graphically identify Protected Trees and identify those being preserved and those being removed. Notably, the Tree Protection Plan is submitted jointly with the Tree Survey or a previously approved Tree Survey, if development is occurring in stages or phases.	All grubbing, tree removal, and rough grading for the entire property may be completed in Phase I, after the required Tree Survey, Tree Protection Plan, and/or Tree Mitigation Plan have been submitted and approved by the appropriate authorities.
3.04.01	Preliminary plat must be submitted before construction plans are approved	Construction of the shared north driveway may take place before the property to the north is platted if an easement for the entire mutual access drive is provide whether by plat or by a separate easement document. In this case, the requirement for a preliminary plat to be approved for the property before the driveway may be constructed shall be waived.

HUFFINES CORINTH DEALERSHIPS – BUILDING SIGNAGE

March 23, 2016

KIA

Allowed: 1 building sign at 312 SF max. (10% of 3,122 SF, Front Façade only)
Lettering and logo height limited to 24" (180 feet from property line)

Proposed: East Façade: 2 building signs totaling 131 SF
KIA logo: 6'-5" x 12'-9" = 82 SF
Huffines Name: 2'-6" x 19'-5" = 49 SF (30" high letters)
South Façade: 1 building sign totaling 82 SF
KIA logo: 6'-5" x 12'-9" = 82 SF
North Façade: 1 building sign totaling 82 SF
KIA logo: 6'-5" x 12'-9" = 82 SF

Total KIA Building Signage: 295 SF (less than max. of 312 SF)

SUBARU

Allowed: 1 building sign at 322 SF max. (10% of 3,226 SF, Front Façade only)
Lettering and logo height limited to 24" (180 feet from property line)

Proposed: East Façade: 3 building signs totaling 158 SF
Subaru logo: 4'-5" x 8'-2" = 36 SF
Subaru name: 3'-0" x 25'-8" = 77 SF
Huffines name: 2'-6" x 18'-0" = 45 SF (30" high letters)
South Façade: 1 building sign totaling 77 SF
Subaru name: 3'-0" x 25'-8" = 77 SF
North Façade: 1 building sign totaling 77 SF
Subaru name: 3'-0" x 25'-8" = 77 SF

Total Subaru Building Signage: 312 SF (less than max. of 322 SF)

PRE-OWNED

Allowed: 1 building sign at 194 SF max. (10% of 1,942 SF, Front Façade only)
Lettering and logo height limited to 24" (180 feet from property line)

Proposed: East Façade: 2 building signs totaling 128 SF
Huffines name: 2'-6" x 18'-8" = 47 SF (30" high letters)
Pre-Owned: 2'-0" x 18'-8" = 37 SF (24" high letters)
South Façade: 1 building sign totaling 49 SF
Huffines name: 2'-6" x 19'-5" = 49 SF (30" high letters)
North Façade: 1 building sign totaling 49 SF
Huffines name: 2'-6" x 19'-5" = 49 SF (30" high letters)

Total Pre-Owned Building Signage: 182 SF (less than max. of 194 SF)

SERVICE AND PARTS

Allowed: 1 building sign at 231 SF max. (10% of 2,316 SF Front Façade only)
Lettering and logo height limited to 36" (270 feet from property line)

Proposed: East Façade: 5 building signs totaling 231 SF
Huffines name: 2'-11" x 19'-0" = 56 SF (35" high letters)
KIA logo: 3'-6" x 7'-6" = 26 SF
Parts/Service: 2'-11" x 35'-0" = 102 SF (35" high letters)
Subaru logo: 3'-6" x 7'-6" = 26 SF
Lane signs: 1'-0" x 21'-0" = 21 SF (5 combined – 12" high letters)

Total Service/Parts Building Signage: 231 SF (equal to max. of 231 SF)

MONUMENT SIGNAGE

Allowed: 1 monument sign per site, with a maximum of 100 SF structure size and 80 SF sign size with a height not to exceed 8'. Sign is to be set back 15' from the property line, with 500' between signs.

Proposed: 3 monument signs along I-35 E access road, with a minimum setback of 0' from the property line. One sign per dealership. Each sign structure is a maximum of 100 SF, with a maximum of 85 SF for sign face, set on top of a 3' stone base (not included in the calculation of sign structure area). There will be 250' between the Pre-Owned sign and the Subaru Sign, and 450' between the Subaru sign and the Kia sign.

Subaru Sign: 6'-0" x 12'-9" = 77 SF

Kia Logo: 6'-4" x 12'-9" = 81 SF

Pre-Owned logo: 5'-8" x 12'-9" = 72 SF



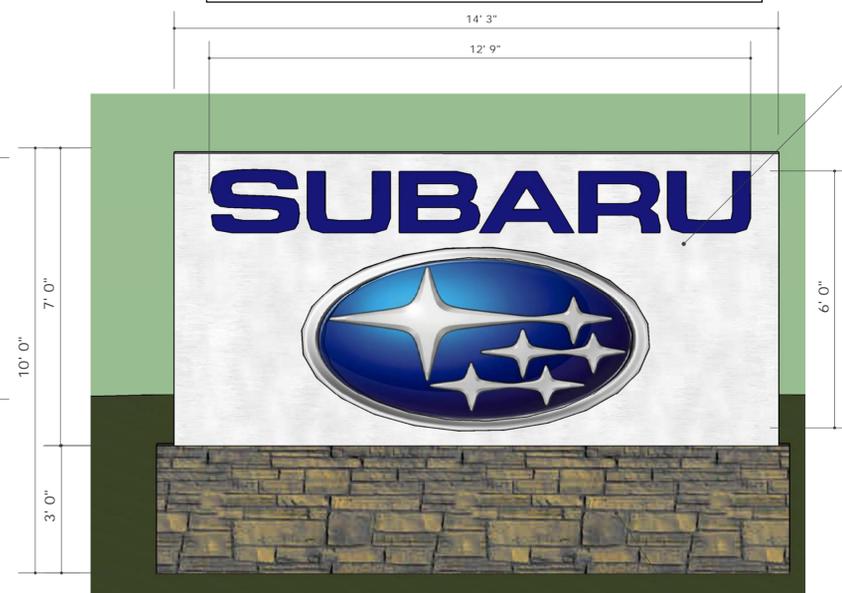
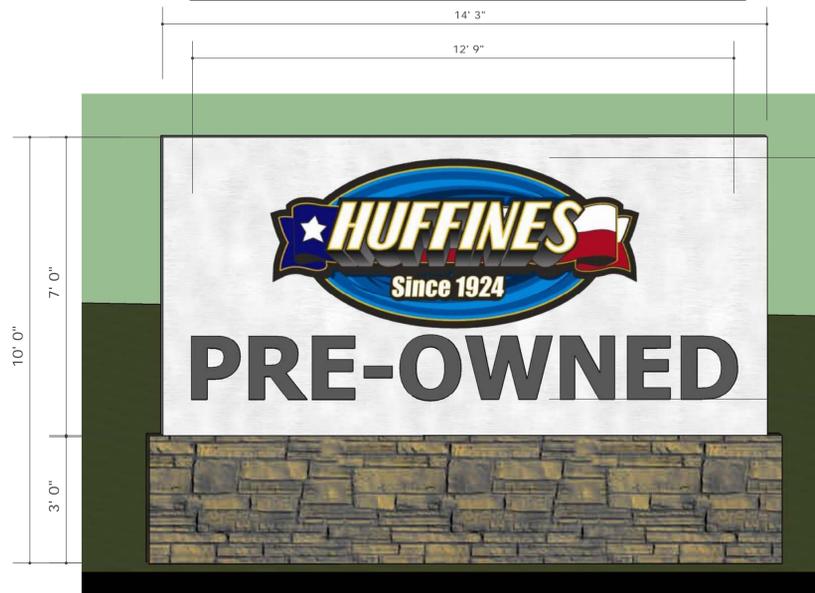
FENCE TYPE #1
6'-0" HIGH MINIMUM ORNAMENTAL METAL FENCE WITH PIPE RAIL



FENCE TYPE #2
6'-0" HIGH MINIMUM MASONRY FENCE

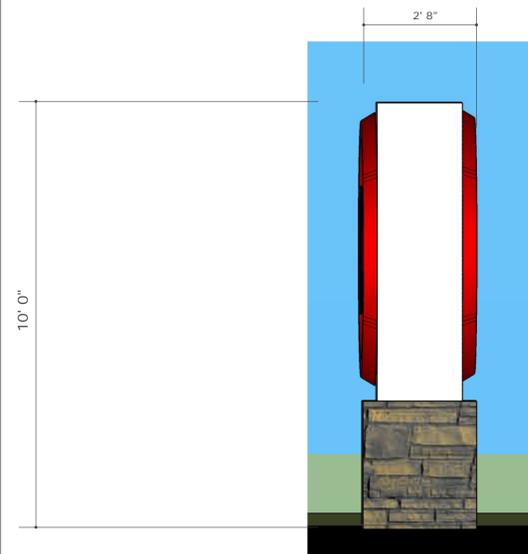


FENCE TYPE #3
2'-0" HIGH RAIL

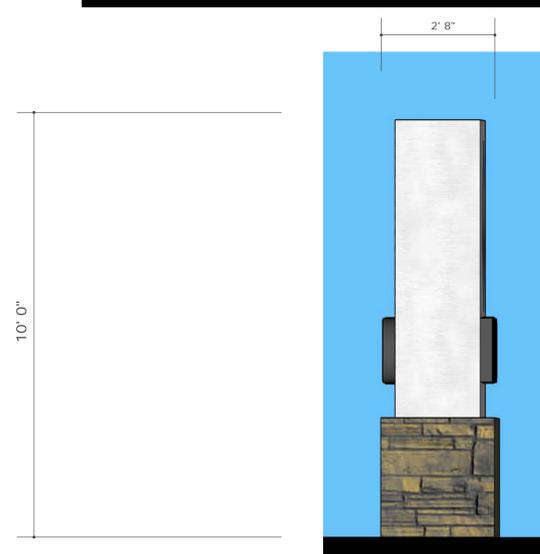


DEALER PROVIDED LOGO ON PREFINISHED METAL PANEL, TYPICAL

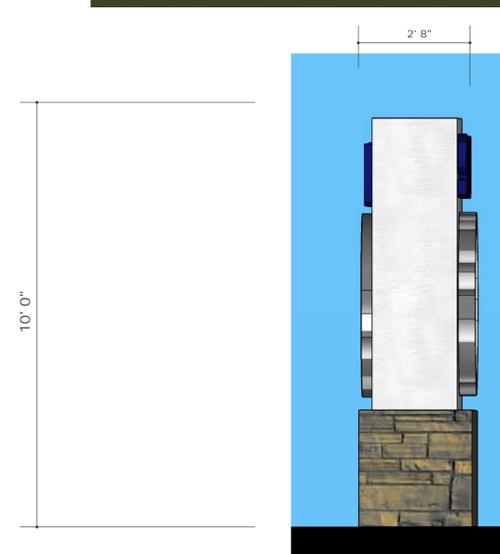
3' HIGH STONE BASE, TYPICAL



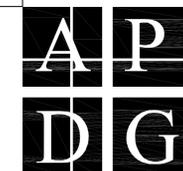
KIA MONUMENT SIGN
1/2" = 1'-0"



PRE-OWNED MONUMENT SIGN
1/2" = 1'-0"



SUBARU MONUMENT SIGN
1/2" = 1'-0"



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Trent W. Clark, Architect
TX Registration # 17084

**PRELIMINARY
NOT FOR
CONSTRUCTION**

These Drawings are
incomplete and may not be
used for regulatory approval,
permit, or construction.

A NEW DEALERSHIP
FACILITY FOR:
HUFFINES KIA / SUBARU
CORINTH, TEXAS

REVISIONS		
No.	DATE	NOTE

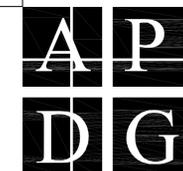
Drawn by: A.M.
Checked by: T.C.
Project No. 15-0326
Date 03-18-2016



NORTH
SCALE: 1"=40'



N1 SITE PLAN -PHASE I
SCALE: 1"=40'



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Trent W. Clark, Architect
TX Registration # 17084

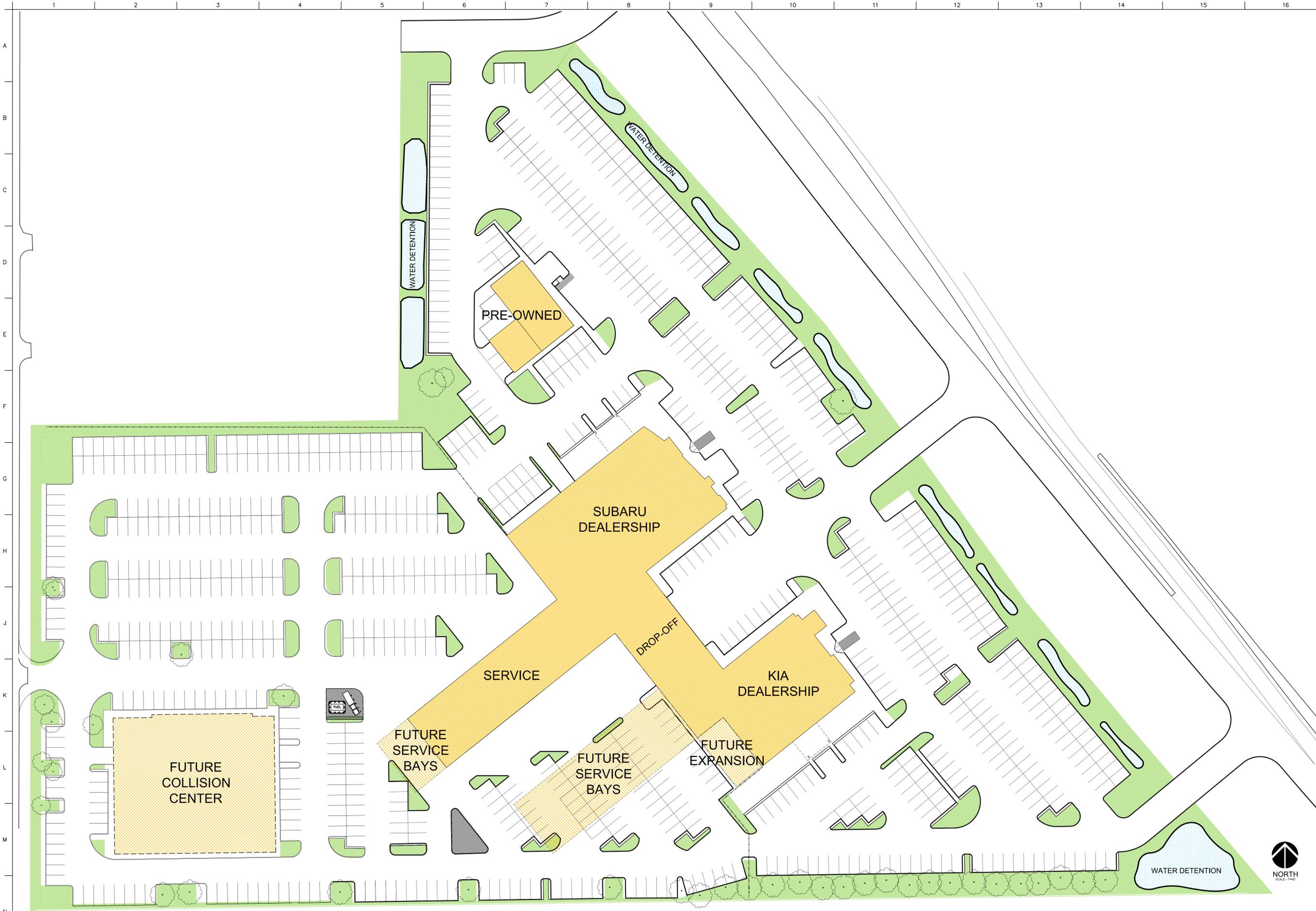
**PRELIMINARY
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CONSTRUCTION**

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A NEW DEALERSHIP
FACILITY FOR:
HUFFINES KIA / SUBARU
CORINTH, TEXAS

REVISIONS		
No.	DATE	NOTE

Drawn by: A.M.
Checked by: T.C.
Project No. 15-0326
Date 03-18-2016



N1 SITE PLAN - PHASE II
SCALE: 1"=40'

ORDINANCE NO. 16-05-05-__

HUFFINES AUTOMOBILE DEALERSHIP - PD MX-C

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE, ORDINANCE 13-05-02-08, BY AMENDING THE ZONING CLASSIFICATION FROM MIXED-USE COMMERCIAL (MX-C) TO PLANNED DEVELOPMENT MIXED USE COMMERCIAL (PD MX-C) ON PROPERTY DESCRIBED AS ON 13.773 ACRES OF LAND SITUATED IN THE E. A. GARRISON SURVEY, COUNTY ABSTRACT 511 BEING TRACTS 36, 35, 34, 33, AND 24 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS; PROVIDING FOR A PD DESIGN STATEMENT AND A PD DESIGN MAP; PROVIDING A LEGAL PROPERTY DESCRIPTION; APPROVING A PLANNED DEVELOPMENT MASTER PLAN; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas has adopted Ordinance 13-05-02-08, which adopts a Unified Development Code, which includes the Comprehensive Zoning Ordinance and which, in accordance with the City's Comprehensive Plan, establishes zoning districts and adopts a Zoning Map; and

WHEREAS, the hereinafter described property is zoned as Planned Development Classification under the City's Unified Development Code and a person having a proprietary interest in the property has requested a change in the zoning classification of said property; and

WHEREAS, the Planning and Zoning Commission of the City of Corinth and the City Council of the City of Corinth, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the City of Corinth City Council is of the opinion that said change in zoning should be made; and

WHEREAS, the City Council considered the following factors in making a determination as to whether the requested change should be granted or denied: safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the sites; safety from fire hazards and damages; noise producing elements and glare of the vehicular and stationary lights and effect of such lights on established character of the neighborhood; location, lighting and types of signs and relation of signs to traffic control and adjacent property; street size and adequacy of width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood; relationship and appropriateness of any changes to both the existing land use plan, comprehensive plan, and other planning documents of the City; adequacy of parking as determined by requirements of this ordinance for off-street parking facilities; location of ingress and egress points for parking and off-street loading spaces, and protection of public health by surfacing on all parking areas to control dust; effect on the promotion of health and the general welfare; effect on light and air; effect on the over-crowding of the land; effect on the concentration of population, and effect on transportation, water, sewerage, schools, parks and other public facilities; and

WHEREAS, the City Council further considered among other things the character of the districts; their peculiar suitability for particular uses, aesthetic quality of the architectural design, the design consistency throughout the site, the preservation of site integrity, the consistency of landscape design, the environmental quality impact of the bio-swale and detention facilities, the efforts to contribute to the overall community design objectives including adjacent properties, and provide a positive example for future projects, and

WHEREAS, the City Council further considered among other things the character of the districts and their peculiar suitability for particular uses and the view to conserve the value of the buildings, and encourage the most appropriate use of the land throughout this City; and

WHEREAS, the City Council finds that the change in zoning promotes the health and the general welfare, provides adequate light and air, prevents the over-crowding of land, avoids undue concentration of population, and facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and the general health, safety and welfare of the community;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:

SECTION I - LEGAL PROPERTY DESCRIPTION; AMENDMENT

That in accordance with the Unified Development Code, the Zoning Map of the City of Corinth is hereby amended by amending the zoning on 13.773 acres of land described in "Exhibit A" attached hereto, from Mixed Use-Commercial (MX-C) to Planned Development Mixed Use-Commercial (PD MX-C).

SECTION II – PLANNED DEVELOPMENT MASTER PLAN

The PD Design Statement and PD Concept Design Map documents approved and described as “Exhibit B” attached hereto and made a part hereof are approved.

SECTION III – LAND USE REGULATIONS

- A. The Zoning and Land Use Regulations set forth in “Exhibit C” attached hereto and made a part hereof for all purposes shall be adhered to in its entirety for the purposes of this Planned Development Mixed Use-Commercial District. In the event of conflict between the provisions of “Exhibit C” and provisions of any other exhibit, the provisions of “Exhibit C” control.
- B. That the zoning regulations and districts as herein established have been made in accordance with the Comprehensive Plan for the purpose of promoting the health, safety, morals and the general welfare of the community. They have been designed, with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future; to lessen congestion in the streets; to provide adequate light and air; to prevent over-crowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, drainage and surface water, parks and other commercial needs and development of the community. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community
- C. If, after two years from the date of approval of the Planned Development Master Plan, no substantial development progress has been made within the PD, then the Planned Development Master Plan shall expire. If the Planned Development Master Plan expires, a new Planned Development Master Plan must be submitted and approved according to the procedures within the Unified Development Code, Planned Development Application and Review. An extension of the two year expiration shall be granted if a development Application for the PD has been submitted and is undergoing the development review process or if the Director of Planning determines development progress is occurring.

- D. The Planned Development Master Plan shall control the use and development of the property, and all building permits and development requests shall be in accordance with the plan until it is amended by the City Council. The property owner shall furnish a reproducible copy of the approved PD Concept Design Map for signature by the Mayor and acknowledgement by the City Secretary. The Planned Development Master Plan, including the signed map shall be made a part of the permanent file and maintained by the City Secretary.

SECTION IV – PENALTY FOR VIOLATIONS

Any person, firm, or corporation violating any of the provisions of this ordinance shall upon conviction be fined a sum not to exceed two thousand dollars (\$2,000.00); and each and every day that these provisions are violated shall constitute a separate and distinct offense.

SECTION V – SEVERABILITY CLAUSE

If any section, paragraph, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION VI – EFFECTIVE DATE

This ordinance shall become effective after approval and publication as provided by law.

PASSED AND APPROVED THIS 5TH DAY OF MAY, 2016.

APPROVED:

Bill Heidemann, Mayor

ATTEST:

Kimberly Pence, City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION
13.773 ACRES

BEING all that certain lot, tract or parcel of land situated in the E. A. Garrison Survey, Abstract Number 511, City of Corinth, Denton County, Texas, being part of that certain called 20 acre tract of land, described in deed to Dorothy Williams Family Partners, Ltd., recorded in Document Number 1999-82645 of the Real Property Records of Denton County, Texas, and being part of that certain called one acre tract of land described in deed to Imogene Duncan, recorded in Volume 537, Page 326 of the Deed Records of Denton County, Texas, and being part of that certain called one acre tract of land described in deed to Imogene Duncan, recorded in Volume 529, Page 254 of the Deed Records of Denton County, Texas, and being part of that certain called one acre tract of land described in deed to Imogene Duncan, recorded in Volume 537, Page 327 of the Deed Records of Denton County, Texas and being part of that certain called one acre tract of land described in deed to Imogene Duncan, recorded in Volume 639, Page 592 of the Deed Records of Denton County, Texas, and being part of Tracts E, F, G and H as shown on the plat for H. R. Williams subdividing the west portion of the H. R. Williams First Tract and Second Tract, an addition to the Town of Corinth, Denton County, Texas, according to the plat thereof recorded in Cabinet J, Page 6 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" capped rebar found (Sam Inc. TXDOT) at the southwest corner of that certain called 0.478 acre tract of land described in deed to SEL Meadows Oak, LLC, recorded in Document Number 2008-712 of the Real Property Records of Denton County, Texas, and being on the east line of Tract A of said H. R. Williams Subdivision, and being on the east line of that certain called one acre tract of land, described in deed to Stephen G. Sferlazza, recorded in Volume 4079, Page 983 of the Deed Records of Denton County, Texas, from which a 1/2" capped rebar found (Precise) at the northeast corner thereof, bears N 00°25'00" W, 99.59 feet;

THENCE N 88°50'30" E, 160.95 feet with the south line of said 0.478 acre tract, to a Texas Department of Transportation Monument found at the southerly southwest corner of that certain called 0.828 acre tract of land, described as Parcel 17 in deed to the State of Texas, recorded in Document Number 2014-16066 of the Real Property Records of Denton County, Texas, being the northwest corner of that certain called 1.635 acre tract of land, described as Parcel 14 in deed to the State of Texas, recorded in Document Number 2014-78948 of the Real Property Records of Denton County, Texas, and being on the west line of Interstate Highway 35E, from which a 1/2" capped rebar found (Arthur Survey) at the northeast corner of said Parcel 14 and the southeast corner of said Parcel 17, bears N 88°50'30" E, 88.61 feet;

THENCE with the west line of said Parcel 14 and the west line of said Interstate Highway 35E the following:

S 41°46'40" E, 379.73 feet to a Texas Department of Transportation Monument found;

S 35°58'30" E, 332.11 feet to a Texas Department of Transportation Monument found;

S 39°51'30" E, 160.49 feet to a Texas Department of Transportation Monument found;

S 40°39'50" E, 210.32 feet to a Texas Department of Transportation Monument found at the southwest corner of said Parcel 14, being on the south line of said 20 acre tract, and being on the north line of that certain Called 20.121 Acre tract of land described in deed to Destiny Dallas LP, recorded in Document Number 1999-9138 of the Real Property Records of Denton County, Texas, from which a 5/8" rebar found at the southeast corner of said Parcel 14 and the southeast corner of said 20 acre tract and the northeast corner of said Destiny Dallas LP tract bears N 89°12'10" E, 87.94 feet;

THENCE S 89°12'10" W, with the south line of said 20 acre tract, and the north line of said 20.121 acre tract, passing at 855.12 feet the southeast corner of said Tract H, being the southeast corner of said Imogene Duncan tract recorded in Volume 537, Page 326, continuing with the south line thereof, a total distance of 1210.18 feet to a 1/2" capped rebar set (G&A Consultants) at the southeast corner of that certain called 0.014 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89410 of the Real Property Records of Denton County, Texas, and being on the east line of Tower Ridge Drive;

THENCE N 00°05'00" E, with the east line of said Tower Ridge Drive, and the east line of said 0.014 acre tract, passing at 117.97 feet a 1/2" capped rebar set (G&A Consultants) at the northeast corner thereof, being the southeast corner of that certain called 0.015 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89407 of the Real Property Records of Denton County, Texas, being on the north line of said Tract H and the north line of said Imogene Duncan tract recorded in Volume 537, Page 326, and being on the south line said Tract G, and the south line of said Imogene Duncan tract, recorded in Volume 529, Page 254, from said point a 5/8" capped rebar found (Cotton) bears S 00°05'00" W, 1.0 feet, continuing with the east line of said 0.015 acre tract, passing at 235.75 feet the northeast corner thereof, and being the southeast corner of that certain called 0.017 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89406 of the Real Property Records of Denton County, Texas, being on the north line of said Tract G, and the north line of said Imogene Duncan tract recorded Volume 529, Page 254, and being on the south line of said Tract F, and said Imogene Duncan tract recorded in Volume 537, Page 327, continuing with the east line of said 0.017 acre tract, passing at 353.53 feet a 1/2" capped rebar found (Cotton) at the northeast corner thereof, being the southeast corner of that certain called 0.019 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-89405 of the Real Property Records of Denton County, Texas, being on the north line of said Tract F, and the north line of said Imogene Duncan tract recorded in Volume 537, Page 327, and being the south line of said Tract E, and the south line of said Imogene Duncan tract recorded in Volume 639, Page 592, continuing with the east line of said 0.019 acre tract, a total distance of 471.31 feet to a 1/2" capped rebar found (COTTON) at the northeast corner thereof, being the southeast corner of that certain called 0.021 acre tract of land, described in deed to the City of Corinth, recorded in Document Number 2005-90592 of the Real Property Records of Denton County, Texas, being the north line of said Tract E, and the north line of said Imogene Duncan Tract recorded in Volume 639, Page 592, and being on the south line Tract D of said H. R. Williams Subdivision, and the south line of that certain tract of land, described in deed to Lionel E. Caldwell & Charmaine M. Caldwell, recorded in Volume 4578, Page. 1656 of the Deed Records of Denton County, Texas;

THENCE N 89°15'00" E, 357.80 feet with the north line of said Tract E and the north line of said Imogene Duncan tract recorded in Volume 639, Page 592, and the south line of said Tract D and the south line of said Caldwell tract to a 1/2" capped rebar set (G&A Consultants) at the southeast corner thereof, and being the northeast corner of said Tract E and the northeast corner of said Imogene Duncan tract recorded in Volume 639, Page 592;

THENCE N 00°25'00" E, with the east line of said Tract D and the east line of said Caldwell tract, passing at 117.85 feet a 1/2" capped rebar found (Alliance) at the northeast corner thereof, being the southeast corner of Tract C of said H. R. Williams Subdivision, and being the southeast corner of that certain called one acre tract of land, described in deed to Curtis L. Page & wife Patsy E. Page, recorded in Document Number 2005-88612 of the Real Property Records of Denton County, Texas, continuing with the east line thereof, passing at a distance of 235.70 feet a 1/2" rebar found at the northeast corner of said Tract C and the northeast corner of said Page tract, and being the southeast corner of Tract B of said H. R. Williams Subdivision and the southeast corner of that certain called one acre tract of land described in deed to Dwight R. Walker, recorded in Document Number 2005-88616 of the Real Property Records of Denton County, Texas, continuing with the east line thereof, passing at 353.54 feet the northeast corner thereof, and being the northeast corner of said Tract B and the northeast corner of said Dwight R. Walker tract, and being the southeast corner of said Tract A and the southeast corner of said Sferlazza tract, continuing with the east line thereof, a total distance of 372.28 feet to the **POINT OF BEGINNING** and containing approximately 13.773 acres of land.

**EXHIBIT “B”
HUFFINES KIA SUBARU DEALERSHIP PD MASTER PLAN
CONSISTING OF
PD DESIGN STATEMENT**

- i. This project / ordinance shall be referenced as the Huffines Automotive Planned Development Ordinance.
- ii. The owner / developer of the project will be Huffines Automotive Dealerships; the President of the group is S. Ray Huffines.
- iii. The property is located approximately 300 feet south of Meadows Oak, west of the I-35 ROW, north of the Destiny Dallas mobile home park, and partially abuts Tower Ridge Drive. Adjoining Land uses in relationship to the site are:
 - o North – approximately 3 acres zoned Mixed –Use Non-Residential Zoning – MX-C; there is currently a non-conforming single family house on the property, however, the property is being marketed for the commercial uses consistent with the existing zoning.
 - o East – I-35 highway and expanded right of way.
 - o South – approximately 10 plus acres zoned Mixed–Use Non-Residential Zoning – MX-C; approximately 2 to 3 acres of the frontage along I-35 is vacant and appropriate for use as zoned; the balance of the property is used as a non-conforming mobile home park.
 - o West of Tower Ridge Drive near the south half of the proposed project is the clubhouse and leasing office for a multi-family apartment complex; to the north of the multi-family project up to Meadows Oak the property is zoned Mixed–Use Non-Residential Zoning – MX-C and is currently anticipated for a new church site.
 - o East of Tower Ridge Drive and adjacent to the north half of the proposed project are 3 lots of approximately 1 acre each making a total of approximately 3 acres of land zoned Mixed–Use Non-Residential Zoning – MX-C; one of the lots (the one immediately north the subject tract) is currently a non-conforming rent house which the owner plans to remove and transition the property to a commercial use.

There is currently no connectivity between any of the properties with Tower Ridge serving as a common N-S access collector immediately west of the subject property. The I-35 service roads serve as the prime access along the east frontage of the subject property and the properties to the north and south.

Thus, joint access is suggested as shown on the proposed concept plan. The only proposed connectivity between any of the properties is the proposed mutual access easement between the subject property and the property to the north which is designed to open better commercial opportunities for the properties gaining enhanced access from the mutual access easement.

It is noted that the property adjacent to Lake Sharon Drive and one additional property east of Tower Ridge have existing residential use although said use is not in conformity to the land use plan. We believe it appropriate to exclude the residential adjacency requirements of the UDC from this project since the two parcels are expected to re-develop according to the existing business zoning classifications which the City has established; therefore, the UDC residential adjacency should not restrict the business use and the cohesive campus design and architecture proposed.

- iv. The subject property is approximately 13.8 acres and is proposed as the new location for Huffines Automotive Dealerships in Corinth.

The design concept for the site and overall development proposed by this PD and associated Concept Plan is summarized as follows:

To establish a new concept Automobile Dealership for Auto Sales and maintenance based on a campus style land plan that:

- a. Focuses three human scale, moderate sized sales buildings on the I-35 frontage with supporting structures generally behind the sales buildings. Both Phase I and expansion Phase II service / maintenance facilities are bridged or connected between the two new vehicle dealerships, and share a common customer vehicle entrance corridor between the two sales buildings. While it appears that there is one large building encompassing the two primary new vehicle dealerships and service facilities, there are actually two main buildings connected with a multi-bay open air covered service entrance or canopy.
- b. Actual service and maintenance facilities extend to the west behind the sales buildings. A service / collision repair facility is also located behind the dealership sales buildings. The customer sales facilities are oriented for full / direct visibility from I-35E; service and maintenance facilities will be located behind the sales buildings and thus are substantially buffered from view by the dealership sales structures. Provides required compliance with manufacturer facility design requirements while assuring design integrity and compatibility across the site through building shape, vertical and horizontal articulation, base and accent building materials (similar brick, compatible stone, glass, entry features, and other related materials), and a clean and access friendly ingress and egress plan.
- c. Maintains key location mature trees and supplements existing vegetation with new landscaping in compliance with City standards. Where possible, existing tree masses will be preserved and will serve as a perimeter buffer.
- d. The bio-swale filters runoff water from the property through an underground filtration system, and is also landscaped using a combination of shrubs, turf grass, and trees while channeling the runoff through bio-swales that act as a series of detention ponds. By clustering and appropriately locating the required trees, we will be able to replicate the appearance of natural tree groves blended into the attractive topo of the site, all of which is enhanced by the stone bordered retention / bio-swale system. It is noted that the project also provides for additional detention components on the south end of the project frontage and internally toward the north portion of the property thus taking advantage of the drainage basin divide running through the site.
- e. A low pipe rail will encircle the property. Along the frontage, the pipe rail will be supplemented with low shrubbery and vegetation, concealing much of the pipe rail along the frontage and visible areas along the north and south property lines near I-35. Around the balance of the property, the pipe rail will be supplemented by other security fencing (no less than 6 feet high and no more than 8 feet high) on the property line but flexible enough to avoid damage to preserved native trees.
- f. Separate monument signage as required for each sales building or franchise will be incorporated along the frontage behind TXDOT ROW within the project landscape setback. Additional signage identifying each franchised dealership and the pre-owned sales buildings will be incorporated into structures by providing appropriate locations on the front and sides of the buildings for signage. Details of building signage have been provided illustrating location, distribution, and spacing of signage.
- g. The Concept Plan provides for on-site growth based on the projected and current market demand for the Auto franchises which will be relocated from another site to the proposed site. Thus, the City will have built-in property and sales tax growth and expansion of quality jobs as

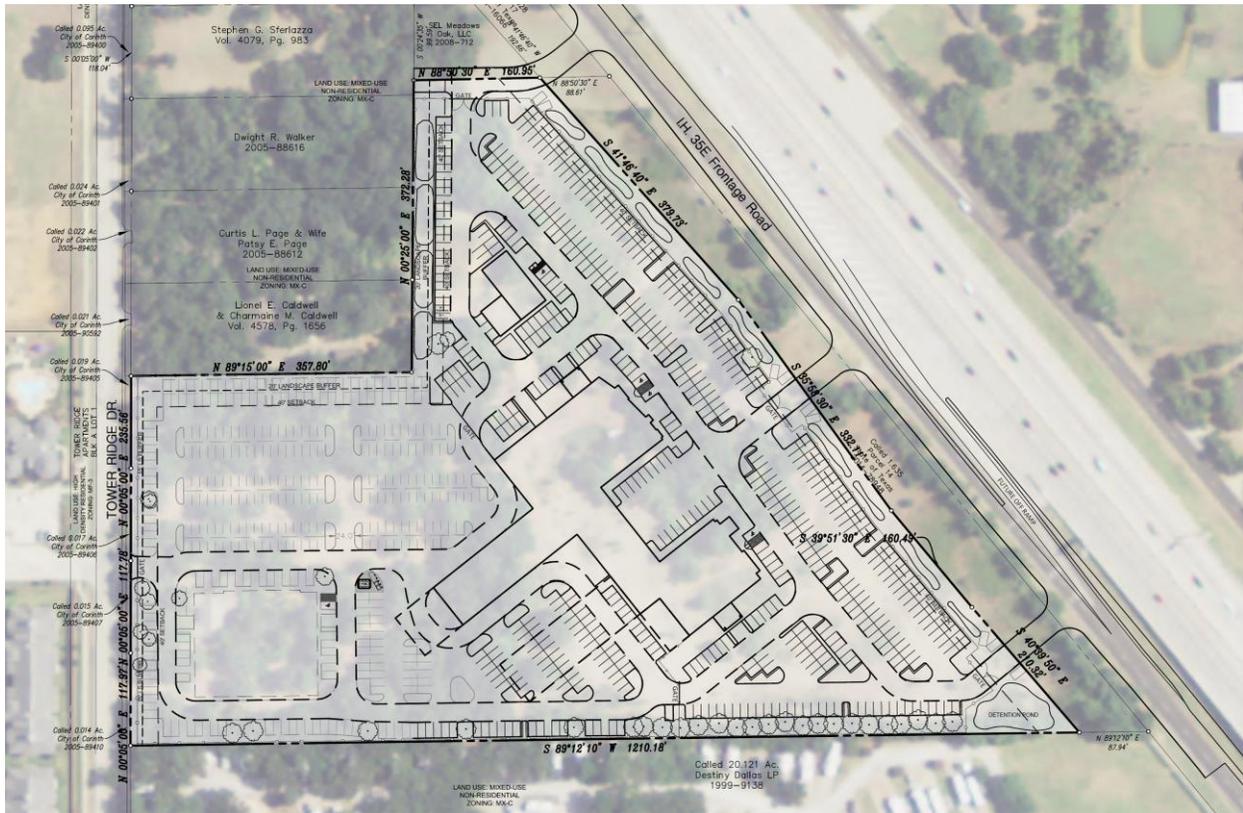
the site matures into its full capability. No other existing PD zoning districts are known to exist in the general area near the proposed project.

- v. The "MX-C" Mixed – Use Commercial District, including the regulations of the Corinth Unified Development Code, per the City of Corinth Unified Development Code has been selected as the base zoning district to regulate all uses and development regulations not identified as being modified by the subject PD regulations. The PD regulations hereinafter provides for the special provision required for the subject use to function as full sales and service automobile dealerships.
- vi. A list of all applicable special development regulations provided by the subject PD or anticipated as waivers or variances to the subdivision regulations is provided as an attachment hereto. The subject project will conform to all City standards except those which are in conflict with assuring a high quality and cohesive aesthetic design or those that simply are not appropriate for the proposed use or may be unique to the site circumstances.
- vii. There are only three existing streets or roadways that impact or serve the subject property (no new streets or roadways are anticipated or provided for in the City Comprehensive Plan). The three existing streets / roadways are: I-35, a high speed freeway with service roads; Lake Sharon Drive, two lane existing road that will become an east – west thoroughfare (future ROW and expansion are anticipated); and Tower Ridge Drive, a north south collector that has recently been expanded to its probable ultimate size of a collector.
- viii. The property elevation generally ranges from 623 feet to 591 feet and is a gently rolling site sloping to the center from both the east and west. The property drains to both the north and south providing for natural drainage both north and south. The site features a combination of Birome and Gasil fine sandy loams.
- ix. The applicant has provided a topographic map.
- xi. It appears the drainage area is generally equally divided with half flowing to the north and half flowing to the south. None of the property is in a flood zone; final civil plans will detail drainage plans and detention details. The nearest floodplain is over 550 feet to the west and over 500 feet to the east.
- xii. Water is adjacent to the property along roadways both east and west of the property. Wastewater is also adjacent to the property. Both water and wastewater will be extended into the property to serve the buildings and provide fire flow protection per the subdivision ordinance; plans for said utilities will be part of the project civil design subject to City review.
- xiii. There are no proposed residential densities on the property with all proposed development being commercial / business use in conformance with the proposed PD regulations. The structures on the site will total approximately 104,750 Square feet of space on approximately 13.5 acres; this will represent a floor to area ratio of about 0.178, a very low ratio. However, there will be several acres of paved parking for vehicle inventory.
- xiv. The project will be divided into two phases as illustrated on the Concept / Site Plan and Phasing Plan. Generally phase I will include the three sales venues and the initial phase of the service center as illustrated below on the PD Concept Design Map. Expansion of the Service Center and the addition of the Collision Center along with associated parking will be at a later date. The size of all facilities is detailed in the PD Zoning Ordinance.

xv. A list of all applicable special development regulations or modified regulations to the base zoning district; plus a list of anticipated **Subdivision Waivers** to be requested to the Subdivision Regulations or other applicable development regulations:

- Landscape Regulations
- Vehicle Parking Regulations
- Residential Adjacency Standards
- Exterior Façade Materials
- Sign Regulations
- Fencing and Screening Regulations
- Parking Lot Curbing
- Lighting and Glare

PD CONCEPT DESIGN MAP



CERTIFICATE OF APPROVAL – PD DESIGN MAP

Approved

 Mayor, City of Corinth, Texas

 Date

The undersigned, the City Secretary of the City of Corinth, Texas, hereby certifies that the foregoing Design Map for Huffines Kia Subaru Master Planned Development was submitted to the City Council on the ___ day of May, 2016 and the Council by formal action, then and there accepted the PD Design Map, and said Council further authorizes the Mayor to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness by hand this ___ day of May 2016.

 City Secretary
 City of Corinth, Texas

 Date

**EXHIBIT “C”
LAND USE REGULATIONS**

SECTION 1: REGULATIONS

A. Purpose

The regulations set forth in this Exhibit provide development standards for Non-Residential Mixed Use-Commercial designations along with uses associated with New and Used Automotive Dealerships – Sales and Service, Auto-Body Shop, and Above Storage Fuel Dispensing. Every use not authorized herein is expressly prohibited in this Planned Development Mixed Use Commercial (PD MX-C) District.

B. Base Districts

The MX-C, Mixed Use-Commercial District regulations of the Corinth Unified Development Code, Ordinance No. 13-05-02-08, shall apply except as modified herein.

SECTION 2: USES AND AREA REGULATIONS:

A. Purpose

This district is intended to provide for development of two new automobile dealerships, one previously-owned dealership (which will serve as the previously owned component for both new Automobile dealerships), two connected service centers and parts inventory and sales (part of which will be a phase II component), and a collision center (which will also be a phase II component).

B. Permitted Uses and Use Regulations

In the Planned Development (PD) District for Mixed Use-Commercial Uses, no building or land shall be used and no building shall be hereafter erected, reconstructed, enlarged or converted, unless permitted by the Mixed-Use Commercial (MX-C) District regulations of the Unified Development Code except as otherwise included in this PD Ordinance.

The Permitted Uses in the MX-C, Mixed-Use Commercial District as listed in Subsection 2.07 of the Unified Development Code, shall be permitted uses and shall also include the following use:

1. Automobile Sales and Service
2. Automobile Body Shop
3. Above Ground Fuel Tank

The following uses are permitted under MX-C zoning, but shall not be permitted within this Planned Development District by Specific Use Permit or any other means:

1. Assisted Living/Nursing Home
2. Dwelling, Single Family (detached)
3. Dwelling, Single Family (attached – duplex)
4. Dwelling, Single Family (attached – townhouse)
5. Dwelling, Multi-Family
6. Modular (Industrialized) Home
7. Retirement Housing

8. Studio Residence

C. Development Standards

The Development Standards for this PD are the development standards for MX-C Mixed-Use Commercial, Section 2.06.02 of the City's Unified Development Code except as otherwise stated herein.

1. UDC 2.07.07 **Accessory Buildings and Uses** shall apply.
2. UDC 2.08.05 **Nonresidential Dimensional Regulations Chart** shall apply.
3. UDC 2.09.01 **Landscape Regulations** shall apply except for the following:
 - a. Modifications to the Phase I landscape Plan that are consistent with the original intent of the plan and maintain the use of City approved plant materials may be approved by the Director of Planning or designee. The Phase II landscape plan shall be reviewed and approved by the City Planning Director or designee prior to issuance of a building permit for Phase II of the project.
4. UDC 2.09.02 **Tree Preservation Regulations** shall apply.
5. UDC 2.09.03 **Vehicle Parking Regulations** shall apply except for the following clarifications and supplemental regulations:
 - a. The provisions of UDC 2.09.03 shall apply for customer and employee parking and shall measure 10' x 20'. Employee parking shall be required for the number of employees on the site without regard for the square footage of the work area. Customer parking shall be calculated based on building square footage provided for customer shopping, financing and automobile transaction, waiting, and related public spaces. Areas for service, parts inventory and employee work stations may be excluded from the calculation of customer parking.
 - b. The parking ratio for customer accessible areas (including sales and lounge space) shall be 1 space per 350 square feet of floor area, as shown in the charts on the site plan associated with this PD.
 - c. Parking stalls intended for display, maintenance storage, and inventory storage purposes may measure 10'x18'.
6. UDC 2.09.04 **Building Façade Material Standards** shall apply and include the following percentages:

Kia Dealership

Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	28.8%	766	22.2%	1,414	41.0%	966	28.0%	300	8.7%	3,446
Metal**	5.3%	112	17.6%	180	28.3%	126	19.8%	217	34.2%	635
Stucco	25.9%	490	15.8%	873	28.2%	680	21.9%	1,057	34.1%	3,100
Stone	1.4%	72	43.1%	15	9.0%	72	43.1%	8	4.8%	167
Arch. CMU	25.9%	871	28.1%	70	2.3%	417	13.5%	1,740	56.2%	3,098
Tile	12.6%	404	26.8%	738	48.9%	354	23.5%	12	0.8%	1,508
Total	100.0%	2,715		3,290		2,615		3,334		11,954
Total Square Footage of Exterior Wall Area*					8,508	*excludes fenestration and doors				
Total Square Footage of Masonry Wall Area					7,873					
Total Percentage of Class 1 & 2 Masonry					92.5%	** most metals have masonry backing				

Subaru Dealership

Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	28.1%	1,344	38.0%	1,243	35.2%	636	18.0%	310	8.8%	3,533
Metal**	7.1%	190	21.4%	428	48.3%	120	13.5%	149	16.8%	887
Stucco	2.4%							302	100.0%	302
Stone	9.4%	235	19.9%	490	41.5%	386	32.7%	70	5.9%	1,181
Arch. CMU	33.2%	916	21.9%			916	21.9%	2,343	56.1%	4,175
Tile	19.8%	835	33.6%	932	37.5%	654	26.3%	62	2.5%	2,483
Total	100.0%	3,520		3,093		2,712		3,236		12,561
Total Square Footage of Exterior Wall Area*					9,028	*excludes fenestration and doors				
Total Square Footage of Masonry Wall Area					8,141					
Total Percentage of Class 1 & 2 Masonry					90.2%	** most metals have masonry backing				

Pre-Owned Dealership

Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	25.2%	484	24.1%	808	40.3%	484	24.1%	230	11.5%	2,006
Metal**	6.2%	140	28.3%	160	32.3%	140	28.3%	55	11.1%	495
Stucco	13.9%	110	10.0%			110	10.0%	884	80.1%	1,104
Stone	9.6%	234	30.5%	180	23.4%	234	30.5%	120	15.6%	768
Arch. CMU	20.9%	578	34.7%			578	34.7%	512	30.7%	1,668
Tile	24.2%	615	31.9%	689	35.8%	622	32.3%			1,926
Total	100.0%	2,161		1,837		2,168		1,801		7,967
Total Square Footage of Exterior Wall Area*					5,961	*excludes fenestration and doors				
Total Square Footage of Masonry Wall Area					5,466					
Total Percentage of Class 1 & 2 Masonry					91.7%	** most metals have masonry backing				

Service Center

Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	7.7%	744	51.2%	552	38.0%			156	10.7%	1,452
Metal**	9.0%	498	29.5%	525	31.1%	214	12.7%	450	26.7%	1,687
Stone	3.2%	42	7.0%	338	56.4%	147	24.5%	72	12.0%	599
Concrete	80.1%	2,940	19.6%	3,393	22.6%	4,927	32.8%	3,752	25.0%	15,012
Total	100.0%	4,224		4,808		5,288		4,430		18,750
Total Square Footage of Exterior Wall Area*					17,298	*excludes fenestration and doors				
Total Square Footage of Masonry Wall Area					15,611					
Total Percentage of Class 1 & 2 Masonry					90.2%	** most metals have masonry backing				

Collision Center

Exterior Materials	Total % all sides	North		East		South		West		Total Sq.Ft. all
		Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	Sq.Ft.	%	
Glazing	5.4%	220	33.3%					440	66.7%	660
Metal**	6.5%	229	29.0%	86	10.9%	140	17.7%	335	42.4%	790
Stone	5.3%	120	18.7%	180	28.0%	120	18.7%	222	34.6%	642
Concrete	82.8%	2,641	26.2%	2,462	24.5%	2,854	28.3%	2,112	21.0%	10,069
Total	100.0%	3,210		2,728		3,114		3,109		12,161
Total Square Footage of Exterior Wall Area*					11,501	*excludes fenestration and doors				
Total Square Footage of Masonry Wall Area					10,711					
Total Percentage of Class 1 & 2 Masonry					93.1%	** most metals have masonry backing				

7. UDC 2.09.05 **Residential Adjacency Standards** shall apply except:
 - a. UDC 2.09.05.1 Building materials will be permitted as shown on attached elevations.
 - b. UDC 2.09.05.2 No building, including buildings with a footprint of six thousand (6,000) square feet or less (as provided for in the UDC 2.09.05), shall be required to feature a pitched roof so as to maintain continuity of architectural design across the entire site.
8. UDC 2.09.06 **Nonresidential Architectural Standards** shall apply.
9. UDC 2.09.07 **Lighting and Glare Regulations** shall be subject to the following exceptions and supplemental provisions:
 - a. LED light sources (luminaires) are accepted as a light source.
 - b. UDC 2.09.07 C.3-4 (required turning off of Parking Luminaires and Building Luminaires). It is provided that site lighting is specifically considered to serve a prime security purpose across a large area of vehicle inventory, storage, and display and is critical for security. To achieve the security objective, the site lighting shall be permitted to maintain the design lighting standards (maximum of 19.9 fc, minimum of 4.2 fc, and 10.22 fc average along dealership frontage; maximum 12.6 fc, minimum of 0.0 fc, and 4.18 fc average on the balance of the project), except as follows:

- c. UDC 2.09.07 G.1 (Intensity of Illumination from property to other adjacent properties). This provision shall apply to properties adjacent to the subject site based on the current zoning of the parcels (none are residential zoning). All said properties are projected to be commercial districts; thus maximum fc between properties shall be 3.0 fc for commercial district adjacency except for the above noted residential adjacencies until such time as the residual adjacency is eliminated.
- d. Additional lighting detail:
 - i. All light sources (pole or building mounted) shall be shielded so as to not allow light to be directed off the property.
 - ii. Free standing light poles shall be a maximum of 22 feet tall, not counting the concrete base; standards may be mounted on concrete pedestals not to exceed 30 inches in height.

10. UDC 4.01 **Sign Regulations** shall apply except as follows:

- a. UDC 401.15 C - Monument Sign provisions shall be adjusted as follows to reflect the extended distance from the proposed I-35 access roads to the property line and to encourage continuity with site landscaping:
 - i. There shall be a “0” setback from property line to the nearest portion of a monument sign (either base or sign face).
 - ii. Sign area and dimensions are as follows:
 - (a) Length (horizontal) of sign face shall be a maximum of 15’.
 - (b) Height (vertical) – Maximum vertical dimension of sign face shall be 7’.
 - (c) The sign backing (structure on which the sign face is mounted) shall not exceed 100 Square feet which shall be measured as the external dimension of the sign backing.
 - (d) Base – a maximum 3’ tall base shall not be considered part of the sign face or sign backing structure if said base has no commercial message or logo.
 - (e) The maximum total height above ground level shall be 10’. (Note: landscaping complimentary to the overall landscape design may be installed adjacent to the sign base.)
 - iii. Maximum size per sign face (max of two faces per monument sign) shall be 85 SF per side for signs adjacent to I-35; any signs adjacent to any other roadway shall comply with the provisions of UDC 4.01.
 - iv. The sign face area shall be calculated as the maximum area encompassed by the vertical and horizontal limits of names, logos, or symbols within the sign face. The sign face may be mounted on a sign backing as defined above or may be used without any backing.
 - v. Each new or previously owned automobile dealership facility or building may have one (1) monument sign along I-35E access road frontage as would be allowed if such building was on a separately platted lot. The size of letters, logos, or symbols on the monument signs provided for in Section 10a. shall be limited to the size of the sign face area and shall be proportionate to the overall size of the sign face message.
 - vi. If, in the future, the sign ordinance is revised to allow for larger signage, any proposed monument sign shall be permitted to increase to the maximum allowable size to be consistent with the then-current design standards.
- b. On-site, free standing directional signage shall conform to the design criteria in the UDC, and shall be permitted based on an on-site directional signage plan submitted to and

approved by the Director of Planning when such signage is requested by submittal of a sign or building permit. Such signs shall be allowed in the quantity and at locations as are approved by the Director of Planning. Directional signage may include directional information such as “service, parts, and similar related locations on the property” along with arrows or directional symbols.

- c. Attached Sign - Building Mounted Signage – Building mounted sign provisions are hereby adjusted as follows to reflect the extended distance between the proposed I-35 Highway and access roads and the property line and building line:
 - i. Business Identification Signage will be allowed on a maximum of three building elevations for each of the three dealership sales buildings. The maximum square footage of signage for all elevations shall be based on the current City of Corinth calculation limitation for the “front façade” square footage allowed as provided for in the UDC. The letter, logo, and / or symbol size for all building mounted name and business identification signage shall be restricted to the maximum total building name / identification square footage calculation as provided in the UDC for the “front façade”. Such “front façade” square footage calculation may be placed or distributed on multiple single plane facades as shown on the building elevations attached herewith. Additionally, the maximum letter size permitted shall be 36” tall.
 - ii. Service, Parts, and Other Building (such as service / collision building) Identification Needs shall be allowed one primary name / identification sign per building on either the building frontage facing toward the I-35 highway or facing west. Primary building names shall have a maximum of 36” high letters. Secondary building identification signs may be allowed on other building faces to provide building names for deliveries, etc. Secondary names and signage directing customers to service drive or entrance drives shall have a maximum of 24” high letters.
 - iii. Sign placement on building – there shall be no restriction on the placement of attached signs for building name or identification on the structure so long as the aggregate width of signage on the front façade of a building does not exceed 50% of the façade width. Customer directions for service entrance shall not be subject to this provision. Non-frontage elevations shall not be permitted to have signage exceeding 40% of the non-frontage façade width.
- d. Sign permits will require permitting aside from the building permit.

11. UDC 4.02 **Fence and Screening Regulations** shall apply except as follows:

- a. A pipe rail not to exceed 30” in height shall be allowed around any portion of the site to supplement security.
- b. In order to provide for screening and security through intensive existing trees and vegetation, metal decorative fencing (tubular steel, wrought iron, and other decorative steel fencing, but not including chain link) shall be allowed around the perimeter of the site as illustrated on the Concept Plan. Said decorative metal fencing shall be no less than 6 feet and no more than 8 feet in height. Vegetative screening may be installed along with said fencing in areas where existing trees are not present to provide reasonable screening. If subsequently needed to provide needed screening for the internal areas used for storage of vehicles that are dismantled, wrecked, or in the process of being restored, a form of permitted solid or opaque fencing other than chain link must be approved by the Director of Planning.

- c. All decorative or security fencing, security pipe rail, and gates shall be shown on the site plan.
 - d. All exterior fencing shown on the site plan shall be located on the property line, except where such fencing may deviate to preserve native trees.
 - e. In non-vegetative areas, tubular metal fencing shall be used (generally in areas near frontage roads lacking existing trees and vegetation, but also as depicted on the Site Plan).
 - f. Concrete or masonry fencing shall not be required along the boundaries having a single family residential structure if such property is not zoned for single family use or if said property is expected to be redeveloped to non-residential uses.
 - g. Concrete (must be textured) or solid masonry fencing shall be required to screen the collision center if said facility is located within 100 feet of any property line across from residential and shall also be required along the site's frontage on Tower Ridge Drive.
 - h. All proposed fencing will require a fencing permit prior to construction.
12. Outside Display – outside vehicle (product) display is defined as positioning vehicles in locations intended to promote the brands, connect with consumer interest, highlight vehicle features, and show popular colors in a manner that rotates a variety of vehicles in locations as described below:
- a. Vehicle Parking Areas and Building Areas – These are locations behind the landscape setback where vehicles are parked for viewing in rows or in spots near or around the sales buildings that are reserved for vehicle display as indicated on the concept plan and / or illustrated in the provided pictorial graphics showing elevations and building perspectives.
 - b. Vehicle Display in Portion of Front Landscape Setback – a maximum of 10 vehicles (2 per side of entry drive) may be displayed in the westernmost 25' of the 30' landscape setback ("landscape setback vehicle locations") along the eastern North – South property line of the site (frontage adjacent to I-35) due to the unusually extreme distance between the east property line and the I-35 service road. The provision is subject to the following landscape vehicle display location criteria:
 - i. Be shown on the site plan or landscape plan.
 - ii. Blend with the landscape plan and bio-detention basins, including any sloping alignment of the vehicle (no mechanical or steel structure onto which vehicles are driven or placed); may include natural berms or blended stone bases onto which the vehicles are driven.
 - iii. Provide for a paved surface (including concrete, stamped concrete, or stone) that is designed to support the vehicle and preserve the integrity of the landscape.
 - iv. Vehicle Display in a portion of the Front Landscape Setback will terminate as a right when the Texas Highway Department widens or enlarges the highway (or service / access roads), so that the service / access roads are within an average of 20' from the east property line of the subject property. Until that time, vehicles may remain on display after business hours and on weekends and holidays.
13. Project Phasing and Components Included in each phase:
- a. Phase I – shall include:

- i. Two new vehicle dealership buildings / spaces and one pre-owned dealership building
 - ii. The initial service / maintenance / parts building for the site will be physically connected to the new vehicle dealership buildings / spaces.
 - iii. Parking required for each of the above facilities for customers, employees, and inventory
 - iv. 3 Paved ingress-egress locations from IH-35 service roads including the north-most ingress-egress location which is designated as a mutual access drive to serve the adjacent and subject properties. Note: it is understood that ingress-egress locations intersecting I-35 are subject to TXDOT approval.
 - v. Landscaping as illustrated on the landscape plan approved with this ordinance and the Concept / Site Plan; said landscape plan may be modified subject to modifications maintaining the basic design and changes to species of trees and other plant material being on the approved plant list and such modifications shall require staff approval.
 - vi. Three monument signs – one for each dealership
 - vii. Pipe rail surrounding the site with movable entry pipe rail provisions at entrances
 - viii. Fencing as detailed on the site plan, including all types of fencing around the entire perimeter of the property
 - ix. One compactor dumpster unit to serve the property and the required access drives to service said compactor.
 - x. As a matter of development sequence information, the electric pole relocation will be part of phase I as required for service regardless of the phase in which such distribution site is located.
- b. Phase II – shall include
- i. A second phase of the service-maintenance-parts building
 - ii. A collision repair building
 - iii. Parking required for each of the above facilities for customers, employees, and inventory (vehicles being serviced)
 - iv. An additional ingress-egress location with paved fire lane including a City approved accessible locking device (if gated) to accommodate emergency access. This fire lane may be allowed as part of phase I if required by the Fire Marshall.