



PLANNING AND ZONING COMMISSION

CITY OF CORINTH, TEXAS

3300 CORINTH PARKWAY, CORINTH, TEXAS

SPECIAL SESSION MEETING

**MONDAY, SEPTEMBER 12, 2016 – 7:00 P.M.**

City of Corinth ♦ 3300 Corinth Parkway ♦ Corinth, Texas 76208  
940-498-3260 ♦ 940-498-3266 Fax ♦ [www.cityofcorinth.com](http://www.cityofcorinth.com)  
Bill Heidemann, Mayor



\*\*\* PUBLIC NOTICE \*\*\*

**NOTICE OF THE CITY OF CORINTH  
PLANNING AND ZONING COMMISSION SPECIAL SESSION  
MONDAY, SEPTEMBER 12, 2016 7:00 P.M.  
CITY HALL – 3300 CORINTH PARKWAY**

**CALL TO ORDER, INVOCATION**

**CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine and will be enacted in one motion. Should the Chairman, Commissioner, or any citizen desire discussion of any Item that Item will be removed from the Consent Agenda and will be considered separately.

1. Consider and act on Minutes from the August 22, 2016 Planning and Zoning Commission Regular Session.

**PUBLIC HEARING / BUSINESS AGENDA ITEM**

2. TO HEAR PUBLIC OPINION REGARDING REQUEST FROM THE PROPERTY OWNER, SWISHER @ I-35 CORINTH LP FOR A ZONING CHANGE FROM C-2, COMMERCIAL TO PLANNED DEVELOPMENT C-2 (PD C-2) ON PROPERTY LEGALLY DESCRIBED AS 3.2882 ACRES BEING A PORTION OF LOT 1, BLOCK A, SWISHER 35-E ADDITION IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located on the north bound IH 35E frontage road north of Swisher and south of Burl St.)
- 2a. Consider and act on a zoning change from C-2, Commercial to Planned Development C-2 (PD C-2) on property legally described as 3.2882 acres being a portion of Lot 1, Block A, Swisher 35-E Addition in the City of Corinth, Denton County, Texas. (This property is located on the north bound IH 35E frontage road north of Swisher and south of Burl St.)

**PUBLIC HEARING / BUSINESS AGENDA ITEM**

3. TO HEAR PUBLIC OPINION REGARDING THE FINAL PLAT OF SWISHER 35-E ADDITION, LOTS X1, X2, 2A, AND 4-10, BLOCK A, BEING 10.307 ACRES AND BEING A REPLAT OF SWISHER 35-E ADDITION, LOTS 1 AND 3, BLOCK A, RECORDED IN DOC. NO. 2009-44 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located at on the northeast corner of IH 35E and Swisher Road.)
- 3a. Consider and act on the Final Plat of Swisher 35-E Addition, Lots X1, X2, 2A, and 4-10, Block A, being 10.307 acres and being a replat of Swisher 35-E Addition, Lots 1 and 3, Block A, recorded in Doc. No. 2009-44 in the City of Corinth, Denton County, Texas. (This property is located at on the northeast corner of IH 35E and Swisher Road.)

**EXECUTIVE SESSION**

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

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

**ADJOURN REGULAR SESSION**

Posted this 7<sup>th</sup> day of September, 2016 before 5:00 p.m. on the bulletin board at Corinth City Hall.

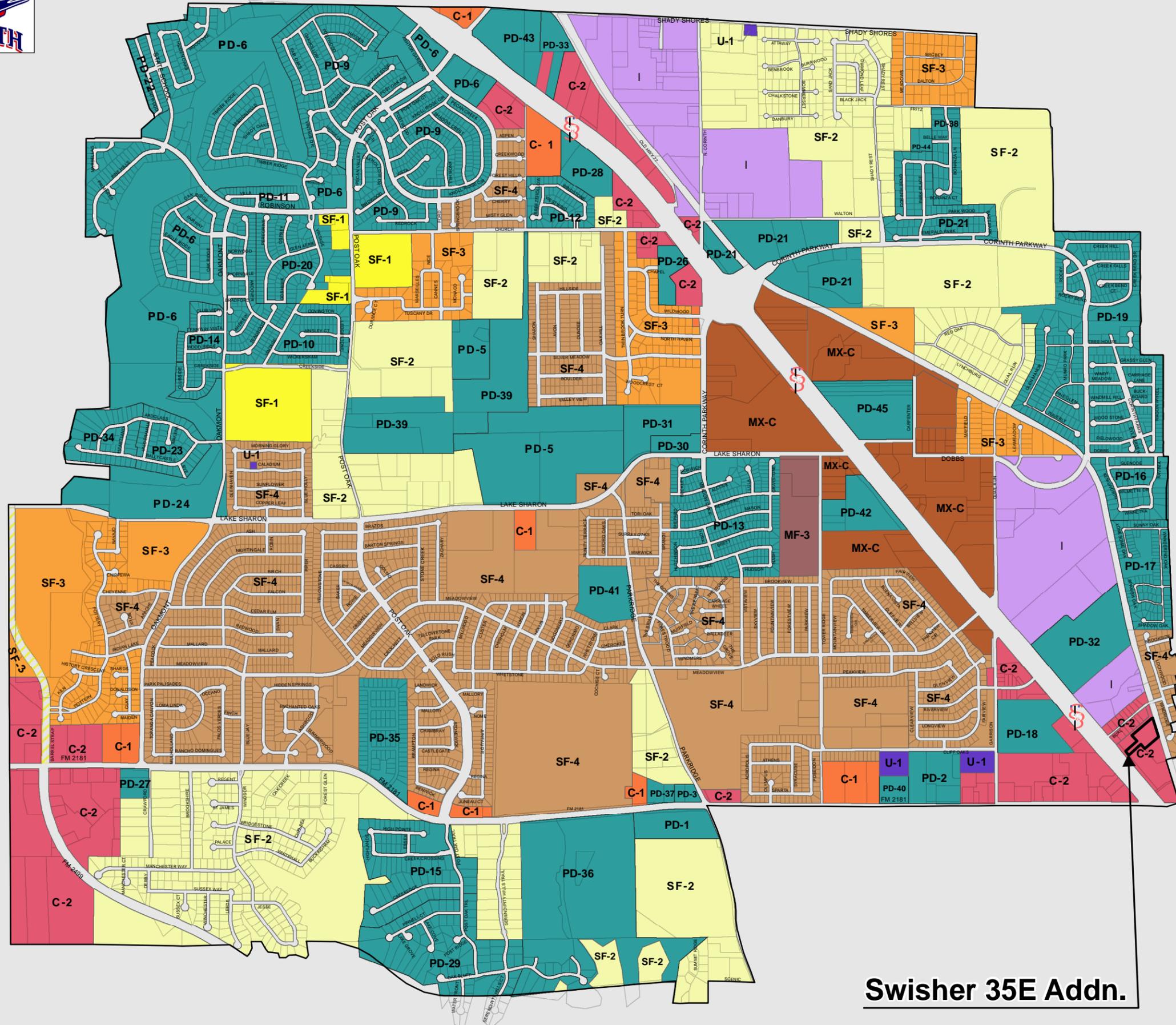
Nathan Abato  
Planning and Zoning Commission  
Planning and Development Coordinator  
City of Corinth, Texas.

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

**BRaille IS NOT AVAILABLE**



# City of Corinth Agenda Item Locations



### 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

Swisher 35E Addn.





## **CONSENT AGENDA ITEM #1**

### **Planning and Zoning Commission Special Session *September 12, 2016***

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#### **CONSENT AGENDA ITEM**

1. Consider and act on Minutes from the August 22, 2016 Planning and Zoning Commission Regular Session Meeting.

#### **AGENDA ITEM SUMMARY/BACKGROUND**

Consideration of the minutes from the August 22, 2016 Planning and Zoning Special Session Meeting.

#### **FINANCIAL SUMMARY**

Source of funding:

#### **RECOMMENDATION**

#### **ATTACHMENTS / SUPPORTING DOCUMENTS**

Copy of the minutes.

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Submitted By: Nathan Abato, Planning and Development Department

Finance Review: NA

Legal Review: NA

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

On this August 22, 2016, The Planning and Zoning Commission of the City of Corinth, Texas, met in a Regular Session at Corinth City Hall, located at 3300 Corinth Parkway, Corinth, TX. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members, to wit:

**Members Present:**

Brian Rush  
Bruce Hanson  
Dwayne Zinn

**Members Absent:**

Marc Powell  
Breien Velde

**CALL TO ORDER, INVOCATION**

The Regular Session Meeting of the Planning & Zoning Commission of the City of Corinth, Texas, was called to order by Brian Rush at 7:10 p.m. Mr. Rush delivered the invocation.

**CONSENT AGENDA**

1. Consider and act on Minutes from the July 25, 2016 Planning and Zoning Commission Regular Session.

**MOTION** made by Mr. Hanson to approve the consent agenda.

**SECONDED** by Mr. Zinn

**3-0. All in favor.**

**Ayes:** Bruce Hanson, Dwayne Zinn, Brian Rush  
**Noes:** none  
**Absent:** Marc Powell, Breien Velde

**MOTION TO APPROVE CARRIES**

2. TO HEAR PUBLIC OPINION REGARDING A REQUEST BY THE APPLICANT RICHARD FRONTERHOUSE, WITH GLENN THURMAN, INC., AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER FIRST TEXAS HOMES, INC., FOR A SPECIFIC USE PERMIT (SUP) TO ALLOW A “TEMPORARY CONCRETE BATCH PLANT” ON PROPERTY ZONED PLANNED DEVELOPMENT (PD) SF-4, SINGLE FAMILY RESIDENTIAL DISTRICT ON APPROXIMATELY 2.5 ACRES OUT OF A TOTAL 25.75 ACRES LEGALLY DESCRIBED AS LOTS 1-30, BLOCK A; LOTS 1-11, BLOCK B; LOTS 1-10, BLOCK C; LOTS 1-10, BLOCK D; LOTS 1-10, BLOCK E AND LOTS 1-17, BLOCK F, VALENCIA ADDITION BEING 25.752 ACRES SITUATED IN THE BUFFALO BAYOU, BRAZOS AND COLORADO RAILROAD COMPANY SURVEY, ABSTRACT NUMBER 153 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. THIS PROPERTY IS LOCATED ON THE NORTH SIDE OF F.M. 2181, WEST OF POST OAK DR.

**PUBLIC HEARING** opened at 7:21 PM.

Ms. Levy gave an overview of the request—a batch plant on 2.5 acres, needed to pour the concrete for the streets in the Valencia subdivision. The applicant is requesting a two week time frame for the operation of the batch plant. She said the other alternative would be to have concrete trucked in and would last about 30 days—and increased traffic. The height is 20 feet tall with a 10 foot chain-linked fence around it. The applicant is meeting all of the City requirements. Ms. Levy also said they have applied for a permit from the Texas Commission on Environmental Quality (TCEQ)—but that the City’s requirements are a little more restrictive than the TCEQ’s.

**Mr. Richard Fronterhouse**, from Flatland Environmental, said he began in the business in 2001. The TCEQ permit is enforced by the Environmental Protection Agency (EPA). He said he'll have a diesel engine on site, the same size as a tractor trailer. He said the redi-mix plants create a lot more dust than a batch plant. The sand and gravel piles will be watered to reduce dust. All chemicals will be stored in a sealed container. He said they are estimating five to seven days of actual batching. He also said if they are denied there will be 300 to 400 dump trucks that will be on site—and if the dump trucks are forced to truck in the concrete in very hot weather, the product becomes more brittle. The City will be liable for the product once the performance bonds run out. And more dust and traffic would be added.

**David Seymour**, 3204 Summerwood, opposed.

**Phil Shelp**, 2101 FM 2181, opposed.

**Marilyn Mays**, 2101 FM 2181, opposed.

**Carmen Baggette**, 2205 Yellowstone Ln., opposed

**Heidi Dillon**, 2207 Yellowstone Ln., opposed

**Virginia Holt**, 3500 Buckingham Dr., neither in support of or opposed to

**Brenda and Karen White**, 2213 Yellowstone Park Ln., opposed

**Richard Mickle**, 3209 Brampton Dr., opposed

**Mr. Hanson** asked if this will be the only requested batch plant for this project. Mr. Fronterhouse answered yes.

**Mr. Hanson** asked about the start and stop time for the operation of the batch plant. Mr. Fronterhouse answered 7AM to 6PM Monday through Friday, and 8AM to 2PM on Saturday—and he is willing to work with the City on those hours.

**Mr. Hanson** asked about the possible effect on the drainage plan. Mr. Fronterhouse said he expects no change on the plan, and that the goal is 100% containment of any storm water. Mr. Hanson also asked what happens to the ground when the plant is removed. Mr. Fronterhouse said the ground and grade is returned to what it was prior to the batch plant operation.

**Mr. Zinn** asked if the applicant can clarify the difference between a cement plant and a batch plant. Mr. Fronterhouse said cement plants are often located far from residential areas. The batch plant mixes sand, gravel, water, and a couple of chemicals. He also said he cares for public health.

**Mr. Hanson** asked about the start and stop times. Ms. Levy said normal construction times are 7AM to 9PM, seven days a week—and that the applicant is proposing reduced hours.

**Mr. Zinn** asked if this tract drains towards 2181. Mr. Brownlee answered yes.

**Mr. Rush** asked about the time frame of the Specific Use Permit. Ms. Levy said she recommends adding an additional two weeks in case of weather issues.

**Mr. Hanson** asked if this is a recommendation only. Ms. Levy answered yes.

**PUBLIC HEARING** closed at 7:50 PM.

- 2a. Consider and act on a Specific Use Permit (SUP) to allow a “Temporary Concrete Batch Plant” for approximately two weeks on property zoned Planned Development (PD) SF-4, Single Family Residential District on approximately 2.5 acres out of a total of 25.75 acres being 25.752 acres legally described as Lots 1-30, Block A; Lots 1-11, Block B; Lots 1-10, Block C; Lots 1-10, Block D; Lots 1-10, Block E and Lots 1-17, Block F, Valencia Addition being 25.752 acres situated in The Buffalo Bayou, Brazos and Colorado Railroad Company Survey, Abstract Number 153 in the City of Corinth, Denton County, Texas.

**MOTION** made by Mr. Hanson to recommend approval of the temporary Specific Use Permit (SUP) subject to the TCEQ (Texas Commission on Environmental Quality) permit approval, and subject to the expiration of the SUP on the 30<sup>th</sup> day after a building permit is issued.

**Mr. Hanson** said this seems to be the lesser of the way things go—a far better solution than several hundred roller trucks.

**SECONDED** by Mr. Zinn

**3-0. All in favor.**

**Ayes:** Bruce Hanson, Dwayne Zinn, Brian Rush  
**Noes:** none  
**Absent:** Marc Powell, Breien Velde

#### **MOTION TO RECOMMEND APPROVAL CARRIES**

3. TO HEAR PUBLIC OPINION REGARDING A REPLAT OF DATCU-CORINTH ADDITION, LOT 1, BLOCK A, BEING A TOTAL OF 5.6 ACRES LEGALLY DESCRIBED AS ALL OF LOT 1, BLOCK A IN THE J.B. THETFORD SURVEY, ABSTRACT NO. 1308, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (THIS PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF I-35E AND WILDWOOD DR.)

**PUBLIC HEARING** opened at 7:51 PM.

**Ms. Levy** gave a brief overview of the replat request—which is being done to account for a portion of a water line easement being abandoned, along with additional easements being dedicated.

**Mr. Lee Allison**, Allison Engineering, said that during construction, lines were found where they were not supposed to be.

**PUBLIC HEARING** closed at 7:56 PM.

- 3a. Consider and act on Lot 1, Block A of the DATCU-CORINTH Addition Replat being a total of 5.610 acres legally described as all of Lot 1, Block A, Daticu-Corinth Addition in the J.B. Thetford Survey, Abstract Number 1308, in the City of Corinth, Denton County, Texas.

**Ms. Levy** said staff is recommending approval as presented.

**MOTION** made by Mr. Zinn to approve the replat as presented.

**SECONDED** by Mr. Hanson.

**3-0. All in favor.**

**Ayes:** Bruce Hanson, Dwayne Zinn, Brian Rush  
**Noes:** none  
**Absent:** Marc Powell, Breien Velde

### MOTION TO APPROVE CARRIES

4. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT/PROPERTY OWNER ANTHONY SWARTZ OF OXFORD 2181, INC., FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION FROM RETAIL TO MIXED USE WITH RESIDENTIAL ON APPROXIMATELY 10.275 ACRES OF LAND LEGALLY DESCRIBED AS LOT 1R, BLOCK 1, TALLAL ADDITION, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

**PUBLIC HEARING** opened at 7:59 PM.

**Ms. Levy** said this and the next items are companion items and would like to cover them together.

**Ms. Levy** gave an overview of the request—changing the land use on the site to MX-R (mixed-use with residential). The development will have 240 multi-family units, with 7,700 square feet of retail on the ground floor of buildings three and four—and a total of five buildings on the site. The building height will be four stories, tuck-under garages, and 9,000 square feet of open space along with a retention pond and a hardscape trail.

**Mr. Marc Tolson**, with Arrive Architecture Group, presented the request to the Commission. He said his firm also designed The Boulevard apartment complex. He said the site is too far from I35 to be just commercial, and too close to I35 to be single family residential and his design achieves a good balance.

**PUBLIC HEARING** closed at 8:15 PM.

- 4a. Consider and act on an amendment to the Comprehensive Plan Future Land Use Designation from Retail to Mixed Use with Residential on approximately 10.275 acres of land legally described as Lot 1R, Block 1, Tallal Addition, in the City of Corinth, Denton County, Texas. (This property is located on the north side of F.M. 2181, and the east side of S. Garrison Rd.)

**Ms. Levy** said staff is recommending approval.

**Mr. Hanson** asked if this request was denied, the zoning would also have to be denied. **Ms. Levy** answered yes.

**MOTION** made by Mr. Zinn to recommend approval as submitted.

**SECONDED** by Mr. Hanson.

**Mr. Hanson** said this is a reasonable change in the comprehensive plan—and mixes in some retail capabilities.

**3-0. All in favor.**

<b>Ayes:</b>	Bruce Hanson, Dwayne Zinn, Brian Rush
<b>Noes:</b>	none
<b>Absent:</b>	Marc Powell, Breien Velde

### MOTION TO RECOMMEND APPROVAL CARRIES

5. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT/OWNER ANTHONY SWARTZ OF OXFORD 2181, INC. FOR A ZONING CHANGE FROM C-2 COMMERCIAL DISTRICT TO PLANNED DEVELOPMENT (PD) MX-R MIXED USE WITH RESIDENTIAL DISTRICT WITH MODIFIED DEVELOPMENT STANDARDS ON APPROXIMATELY 10.275 ACRES OF LAND LEGALLY DESCRIBED AS LOT 1R, BLOCK 1, TALLAL ADDITION, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.

**PUBLIC HEARING** opened at 8:17 PM.

**Ms. Levy** said the developer has worked with staff on adding additional amenities and that this project would be a good addition to the City—and that staff is recommending approval.

**Mr. Zinn** asked about the property to the north and if a landscaping buffer is required. Ms. Levy said there is some give and take on this project and that there is already landscaping in place already—and they are proposing a screening wall.

**Mr. Hanson** asked if this project was just high density residential, without the commercial aspect, would they still have to do the landscape buffer. Ms. Levy answered yes, that was a challenge due to the ordinances requiring buffers for straight multi-family and straight commercial. They have tried to merge the requirements the best could.

**Mr. Hanson** asked if this is primarily a residential change with some commercial added to it. Ms. Levy answered yes.

**PUBLIC HEARING** closed at 8:25 PM.

**5a.** Consider and act on a zoning change from C-2 Commercial District to Planned Development (PD) MX-R Mixed Use with Residential District on 10.275 acres of land legally described as Lot 1R, Block 1, Tallal Addition, in the City of Corinth, Denton County, Texas. (This property is located on the north side of F.M. 2181, and the east side of S. Garrison Rd.

**Ms. Levy** said this will be going to City Council on September 15.

**Mr. Hanson** asked about requiring the site plan in place for MX-R. Ms. Levy said yes, all of the plans submitted are attached to this request, but, for the building permit site plan process, they will have to come back to Planning and Zoning and City Council. The request tonight is for the zoning site plan process.

**MOTION** made by Mr. Hanson to recommend approval of the request subject to the City Council approval of the companion comprehensive planned amendment request.

**SECONDED** by Mr. Zinn.

**3-0. All in favor.**

**Ayes:** Bruce Hanson, Dwayne Zinn, Brian Rush

**Noes:** none

**Absent:** Marc Powell, Breien Velde

#### **MOTION TO RECOMMEND APPROVAL CARRIES**

**6.** TO HEAR PUBLIC OPINION REGARDING THE FINAL PLAT OF COSERV ADDITION LOT 2R AND 5R BEING A REPLAT OF COSERV ADDITION LOT 2 AND LOT 5 AS SHOWN ON THE PLAT RECORDED AS DOCUMENT NUMBER 2012-201 PRDCT IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located at 7701 IH 35E.)

**PUBLIC HEARING** opened at 8:27 PM.

**Ms. Cubbage** gave an overview on the plat request from COSERV. She said all of the construction documents meet the City's requirements.

**Mr. Justin Lansdowne**, G&A Consultants, gave a brief explanation on the plat request. Lot 5 will be divided and make that part of Lot 2R.

**PUBLIC HEARING** closed at 8:31 PM.

- 6a.** Consider and act on the final plat of CoServ Addition Lot 2R and 5R being a replat of CoServ Addition Lot 2 and Lot 5 as shown on the plat recorded as document number 2012-201 PRDCT in the City of Corinth, Denton County, Texas.

**MOTION** made by Mr. Zinn to approve the final plat of Lots 2R and 5R as presented.

**SECONDED** by Mr. Hanson

**3-0. All in favor.**

**Ayes:** Bruce Hanson, Dwayne Zinn, Brian Rush  
**Noes:** none  
**Absent:** Marc Powell, Breien Velde

**MOTION TO APPROVE CARRIES**

- 7.** TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT JUSTIN LANSDOWNE, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER DENTON COUNTY ELECTRIC COOP (COSERV) FOR A ZONING CHANGE FROM I, INDUSTRIAL TO PLANNED DEVELOPMENT I (PD I) ADDING A TOWER/ANTENNA AND OUTSIDE STORAGE AS PERMITTED USES ON PROPERTY LEGALLY DESCRIBED AS 47.847 ACRES BEING LOT 2 AND A PORTION OF LOT 5 OF THE COSERV ADDITION IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located at 7701 S. Stemmons Frwy.)

**PUBLIC HEARING** opened at 8:33 PM.

**Ms. Cubbage** gave a presentation on the request. The base zoning is Industrial and has been since 1973. The applicant is requesting outside storage and an antenna as permitted uses. She said the landscaping plan meets the outside storage area. The rezoning is 47+ acres. They are also adding 243,000 square feet of storage to the existing 414,000—which equals 34% of storage coverage on the site. They are asking for a maximum of 35% of storage coverage.

**Ms. Cubbage** said staff recommends that any future tower/antenna request come through a planned development amendment. And staff recommends approval of the request.

**Mr. Lansdowne** gave a presentation on the zoning request. He said COSERV moved to Corinth in 1984. Their number of customers has grown, and this request will help them meet the demand.

**Jerome Radake**, 2503 Kenilworth, neither in support of or opposed to

**PUBLIC HEARING** closed at 8:45 PM.

- 7a.** Consider and act on a zoning change from I, Industrial to Planned Development I (PD I) adding Tower/Antenna and Outside Storage as permitted uses on property legally described as 47.847 acres being Lot 2 and a portion of Lot 5 of the CoServ Addition in the City of Corinth, Denton County, Texas.

**Ms. Cubbage** said she noticed the photometric plan exceeds the limitations on the east side of the side, and that Mr. Lansdowne will fix that prior to City Council.

**Mr. Hanson** asked where the wall is going to be in relation to the sidewalks on Corinth Parkway. Ms. Cubbage said—there will be the road, a grassy area, the sidewalk, trees, and then the wall.

**Mr. Hanson** asked about the site plan requirements for this request. Ms. Cubbage said she wanted the site plan attached to help with the placement of future development at the site—to clarify the location.

**Mr. Hanson** asked if staff has a specific language in mind for the planned development amendment process.

**Ms. Cubbage** said they could add something under 12 in Section 13—page 11 of 13 in the ordinance—Exhibit C. Land Use Regulations.

**MOTION** made by Mr. Hanson to recommend approval of the planned development as submitted with the following addition: of Section 13 on page 11 of 13 for the COSERV Planned Development I Development District, Request for Future Additional Towers/Antennas shall be required to amend the planned development through the planned development amendment process.

**SECONDED** by Mr. Zinn.

**3-0. All in favor.**

**Ayes:** Bruce Hanson, Dwayne Zinn, Brian Rush  
**Noes:** none  
**Absent:** Marc Powell, Breien Velde

**MOTION TO RECOMMEND APPROVAL CARRIES**

8. Consider and act on a the site plan on 47.847 acres being Lot 2R CoServ Addition in the City of Corinth, Denton County, Texas.

**Ms. Cubbage** said staff recommends approval if the planned development is approved.

**Mr. Zinn** asked if this request goes on to City Council. Ms. Cubbage answered yes.

**MOTION** made by Mr. Hanson to recommend approval of the site plan subject to the correction of the lighting plan to conform with the rules in the planned development.

**SECONDED** by Mr. Zinn.

**3-0. All in favor.**

**Ayes:** Bruce Hanson, Dwayne Zinn, Brian Rush  
**Noes:** none  
**Absent:** Marc Powell, Breien Velde

**MOTION TO RECOMMEND APPROVAL CARRIES**

**RECESS** from 9:10 PM to 9:19 PM.

9. TO HEAR PUBLIC OPINION REGARDING REQUEST FROM THE PROPERTY OWNER, SWISHER @ I-35 CORINTH LP FOR A ZONING CHANGE FROM C-2, COMMERCIAL TO PLANNED DEVELOPMENT C-2 (PD C-2) ON PROPERTY LEGALLY DESCRIBED AS ACRES BEING A PORTION OF LOT 1, BLOCK A, SWISHER 35-E ADDITION IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located on the north bound IH 35E frontage road north of Swisher and south of Burl St.)

**Mr. Zinn** recused himself from this agenda item.

**PUBLIC HEARING** opened at 9:21 PM.

**Ms. Cubbage** gave a presentation on the zoning change request. She said the proposed base zoning is C-2—storage units are proposed for the new use. The only way to allow storage units for this site is through the establishment of a planned development. Within the land use regulations, they are providing for an increased height and number of stories—four stories, forty feet in height. The future land use designation is Commercial, which is consistent with mini storage. Approval is at the discretion of the Commission.

**Mr. Chris Anderson**, Provident Realty Advisors, gave a presentation on the zoning change request. He said he is only requesting three stories with a height of 40 feet. He has done several self-storage businesses in the past and they have become very retail-oriented. The rest of the site in front of the existing hotel is being chopped up for restaurants. The building will be mostly masonry with some stucco at the top, for accents. He said the access to Burl Street will be gated and would be just for emergency access. There will be 1,500 to 2,500 square feet of retail space for boxes, tape, and moving blankets. The building will be manned during general business hours only—but will have the capability to lockdown automatically.

**Ronald Hill**, 3310 Windridge Ln., opposed

**Daniel Martinez**, 3303 Windridge Ln., opposed

**PUBLIC HEARING** closed at 9:27 PM.

- 9a.** Consider and act on a zoning change from C-2, Commercial to Planned Development C-2 (PD C-2) on property legally described as 3.2882 acres being a portion of Lot 1, Block A, Swisher 35-E Addition in the City of Corinth, Denton County, Texas. (This property is located on the north bound IH 35E frontage road north of Swisher and south of Burl St.)

**\*No action was taken on item # 9 due to the board not sitting in a quorum. A Planning and Zoning Special Meeting is tentatively scheduled for September 12, 2016 to address this agenda item.**

- 10.** TO HEAR PUBLIC OPINION REGARDING THE FINAL PLAT OF SWISHER 35-E ADDITION, LOTS X1, X2, 2A, AND 4-10, BLOCK A, BEING 10.307 ACRES AND BEING A REPLAT OF SWISHER 35-E ADDITION, LOTS 1 AND 3, BLOCK A, RECORDED IN DOC. NO. 2009-44 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located at on the northeast corner of IH 35E and Swisher Road.

**Mr. Zinn** recused himself from this agenda item.

**PUBLIC HEARING** opened at 9:27 PM.

**Ms. Cubbage** said the current plat is three lots, the proposed plat would be 11 lots—two of which are detention. Lot 9 is the proposed area of the storage building. She said the developer and City Engineer have worked together on resolving some issues. Mr. Mike Brownlee, City Engineer, said the Panda Express plans along with the rest of the site seem to work okay. All of the major comments have been addressed, and Mr. Brownlee feels comfortable with the engineering plans at the site.

**Ronald Hill**, 3310 Windridge Ln., opposed

**Daniel Martinez**, 3303 Windridge Ln., opposed

**PUBLIC HEARING** closed at 9:40 PM.

- 10a.** Consider and act on the Final Plat of Swisher 35-E Addition, Lots X1, X2, 2A, and 4-10, Block A, being 10.307 acres and being a replat of Swisher 35-E Addition, Lots 1 and 3, Block A, recorded in Doc. No. 2009-44 in the City of Corinth, Denton County, Texas. (This property is located at on the northeast corner of IH 35E and Swisher Road.)

**\*No action was taken on item # 10 due to the board not sitting in a quorum. A Planning and Zoning Special Meeting is tentatively scheduled for September 12, 2016 to address this agenda item.**

**ADJOURN**

Meeting adjourned at 9:41 PM.

**MINUTES APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

\_\_\_\_\_  
Brian Rush, Planning and Zoning Commission Chairman

\_\_\_\_\_  
Nathan Abato, Planning and Zoning Commission Secretary



## **PUBLIC HEARING / BUSINESS ITEM 2 & 2a**

### **Planning and Zoning Commission Special Session**

*September 12, 2016*

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#### **AGENDA ITEM**

**PUBLIC HEARING:** TO HEAR PUBLIC OPINION REGARDING REQUEST FROM THE PROPERTY OWNER, SWISHER @ I-35 CORINTH LP FOR A ZONING CHANGE FROM C-2, COMMERCIAL TO PLANNED DEVELOPMENT C-2 (PD C-2) ON PROPERTY LEGALLY DESCRIBED AS 3.2882 ACRES BEING A PORTION OF LOT 1, BLOCK A, SWISHER 35-E ADDITION IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located on the north bound IH 35E frontage road north of Swisher and south of Burl St.)

**BUSINESS:** Consider and act on a zoning change from C-2, Commercial to Planned Development C-2 (PD C-2) on property legally described as 3.2882 acres being a portion of Lot 1, Block A, Swisher 35-E Addition in the City of Corinth, Denton County, Texas. (This property is located on the north bound IH 35E frontage road north of Swisher and south of Burl St.)

#### **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 planned development zoning change will be presented to City Council.

The Planning and Zoning Commission recommendation is scheduled to go before City Council for final action at the September 15, 2016 City Council workshop and regular session meeting.

#### **NOTIFICATION TO PUBLIC**

Prior to the Planning and Zoning Commission meeting; twenty-five (25) property owners whose properties fall within 200' of the subject properties received public hearing letters. Public hearing signs were placed along IH 35E frontage road. Prior to the City Council, notice will be published in the Denton Record Chronicle, the City's official newspaper.

#### **AGENDA ITEM DESCRIPTION**

Originally this site was the home of Executive Mobile Home Park; development of the Swisher-35 Addition began with a conveyance plat approved in October 2005 to allow for the sale of the property. The final plat with construction plans was approved in June 2007 allowing for the development of the Comfort Inn located on Lot 3 by City Council.

At this time, the proposed processes and projects proposed below have been submitted and will be presented for at the Planning and Zoning Commission meeting:

- A zoning change from C-2, Commercial to Planned Development C-2, Commercial adding Storage Units, Mini to the allowed uses on a portion of Lot 1, Block A Swisher 35-E Addition
- Swisher 35-E Addition Lots X1, X2, 2A, 4-10, Block A Final Plat being a replat of Swisher 35-E Addition Lot 1 and Lot 2, Block A.

Cross Engineering, applicant and authorized representative for the property owner has made application for a zoning change. The base zoning proposed is C-2, Commercial however, the Planned Development district (PD C-2) would allow for Storage Units, Mini as a permitted use on 3.2882 acres. The use “Storage Units, Mini” under the Unified Development Code guidelines allows for this use by Specific Use Permit (SUP) in I, Industrial zoned districts.

Mr. Anderson has proposed on the intended Lot 9, Block A three buildings for mini storage. The comparison chart below provides the required and proposed regulations and standards for the proposed self-storage project:

UDC	C-2	UDC Standards	Proposed for Mini Storage
2.07.03	Storage Uses, Mini	Not allowed in C-2	Allowed in this PD
2.08.05	Maximum Height	2 ½ stories / 40'	3 stories / 40'
2.09.03	Vehicle Parking Regs	1 space / 2 emp 1 space/ 1000 sf flr	1 space / 2000 sf floor
2.09.05	Residential Adjacency	Class 1 Masonry w/in 400' Resid	Double row of trees
2.09.06	Non-Residential Architectural Standards	5' at every 50' of bldg length for flat roofs.	5' at every 50' of building length only below the roof line.

A map of existing mini storage / self-storage facilities is included as well as supporting documents (UDC excerpts) regarding the chart above. This agenda item is for consideration of the zoning change only. After approval of the zoning change and platting and prior to construction; the developer will submit detailed site plan documents (site plan, elevations, landscape and photometric) for consideration.

### **ZONING**

Zoning on this site is currently C-2, Commercial.

### **COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION**

The Comprehensive Plan Future Land Use Map shows this area as Commercial and is consistent with the proposed plan.

### **FINANCIAL SUMMARY**

Source of Funding: No funding is required.

### **STAFF RECOMMENDATION**

Staff would like to see an element of office/warehouse incorporated into this development. Approval is at the discretion of the Commission.

### **ATTACHMENTS / SUPPORTING DOCUMENTS**

- Zoning Map
- Land Use Map
- Existing Storage Facility Location Maps
- Residential Adjacency Standards

Planning and Zoning Commission  
Agenda Item Memo – Swisher 35-3 Self Storage PD C-2  
2016.09.12 Special Session

Non-Residential Architectural Standards  
Current Plat and Proposed Plat  
Zoning Exhibit  
Submitted Exhibits  
Draft PD Ordinance Land Use Regulations

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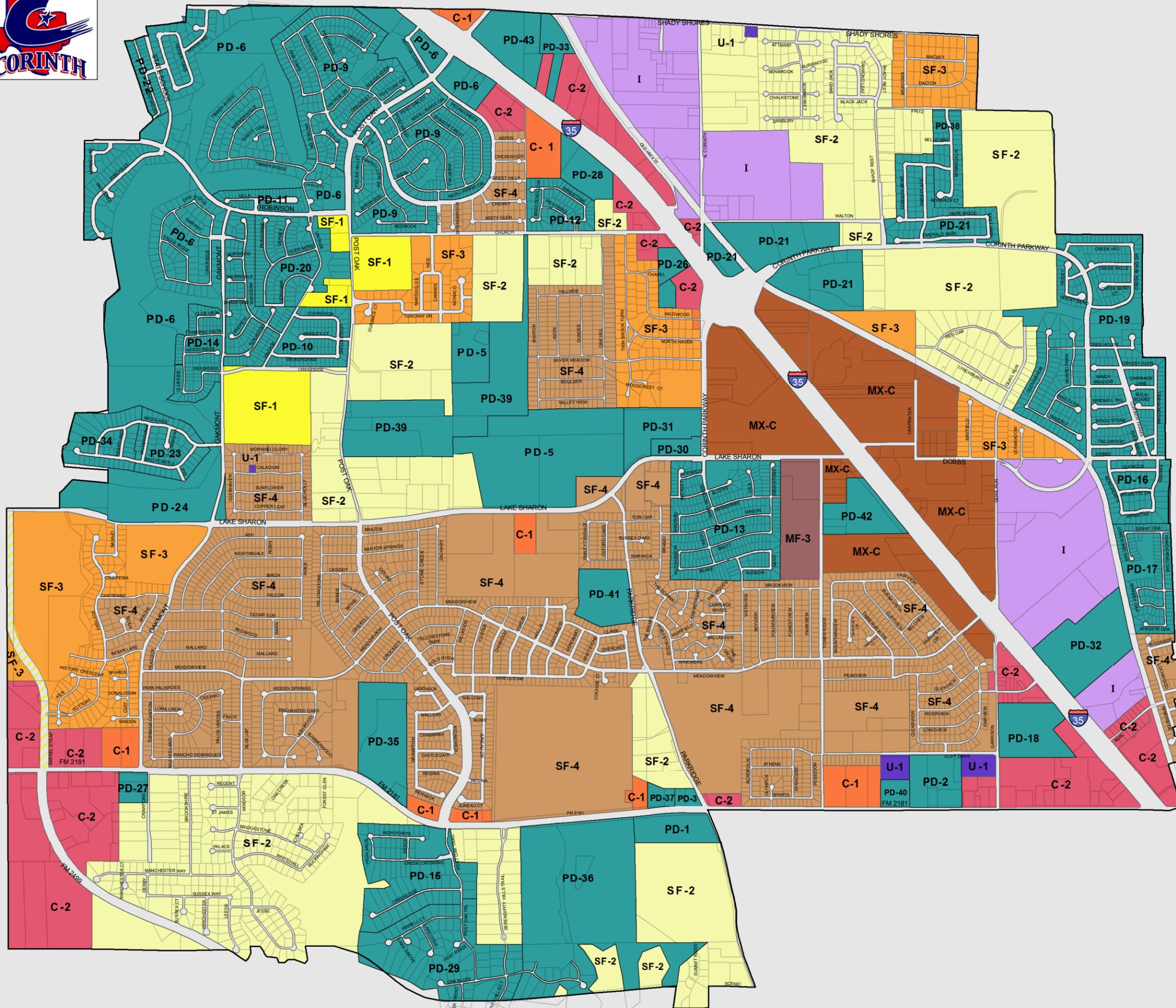
Submitted By: Barbara Cabbage, Planning and Development Manager  
Department: Planning and Development

Finance Review: Yes  NA  Legal Review: Yes  NA

Director Review and Approval:



# City of Corinth Zoning Map

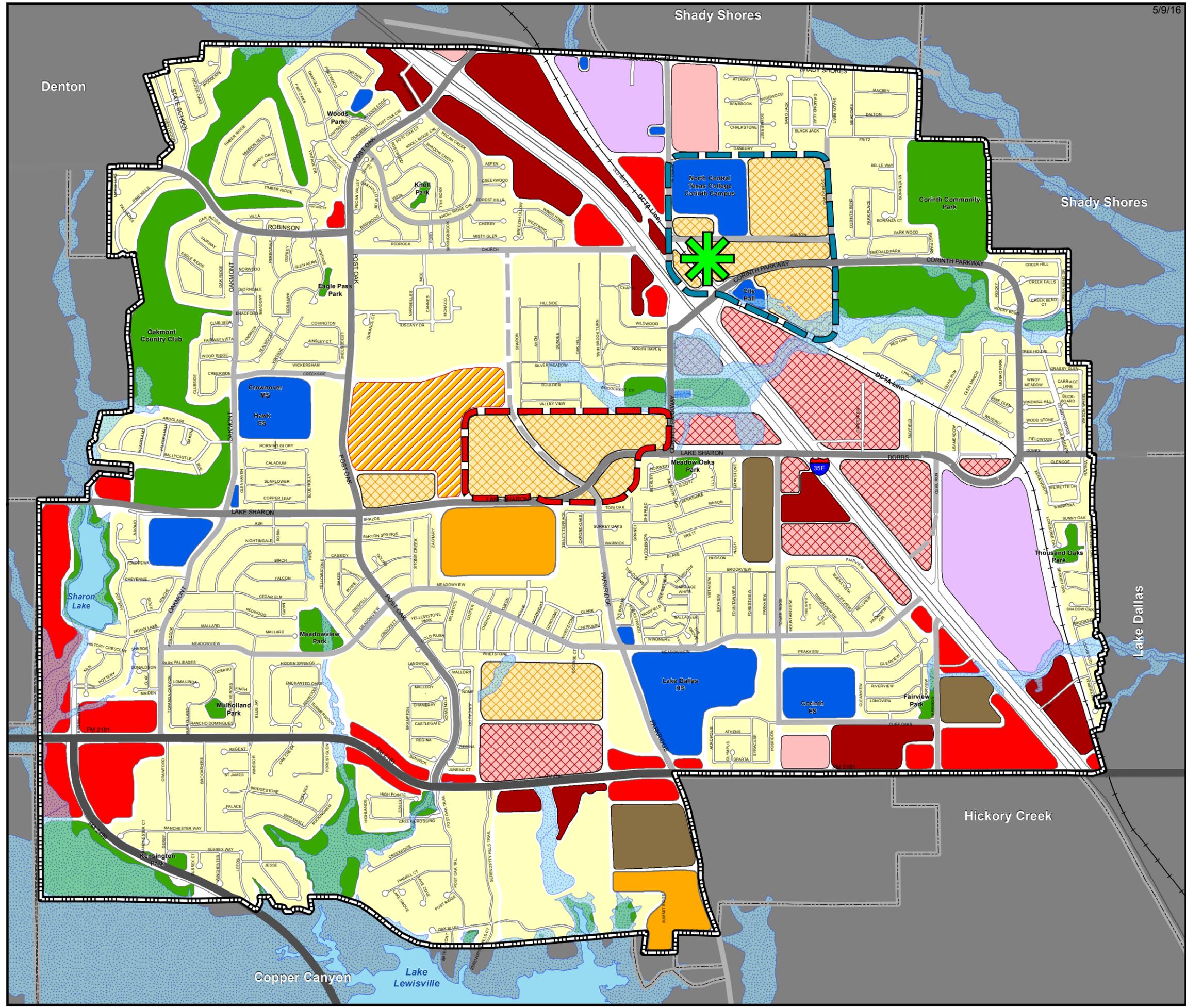


## Legend

- 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



# 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.





# CITY OF CORINTH

## SELF STORAGE FACILITIES



## 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.

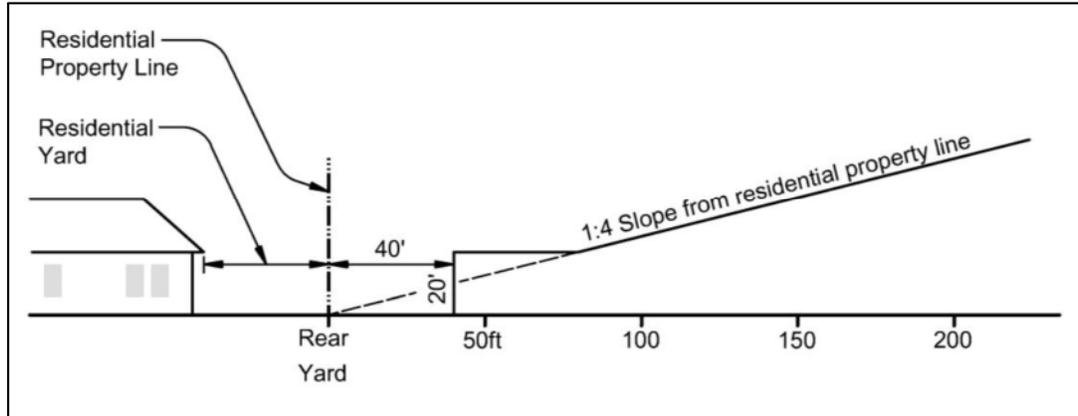


Figure 12: Building Setback from Residential Property Line



**2.09.06. Nonresidential Architectural Standards**

**A. Purpose and Intent**

1. This section of the [UDC](#) is intended to ensure that all nonresidential buildings shall be compatible with the architectural character and design as described within the [Comprehensive Plan](#) in terms of style, mass, material, height, roof design, and other exterior elements.
2. All buildings shall be finished on all four sides with the same materials (meeting the masonry requirements as set forth below), detailing, and features and with a higher level of finish on the front facades (as set forth in the requirements below).

**B. Applicability**

All nonresidential buildings shall comply with this section.

**C. Nonresidential Building Orientation**

Any building (excluding parking garages) within view of a public [Right-of-Way](#) shall either face such [Right-of-Way](#) or shall have a facade facing such [Right-of-Way](#) in keeping with the character of the [Front Façade](#).

**D. Nonresidential Design Elements Requirements**

1. Following is a list of design elements that, based upon the size of a building (see [2.09.06. D.2](#) below), shall be incorporated into a building’s design:

Table 17: Menu of Nonresidential Design Elements	
1	Canopies, awnings, or porticos
2	Overhangs
3	Recesses or projections
4	Arcades
5	Peaked roof forms
6	Arches
7	Outdoor patios
8	Display windows
9	Architectural details; such as, tile work or moldings, integrated into the building façade
10	Integrated planters or wing walls that incorporate landscape and sitting areas
11	Offsets, reveals or projecting ribs used to express architectural or structural bays

2. A building’s floor area shall determine the minimum number of required design elements implemented in its construction as set forth in the table below:

Table 18: Required Minimum Number of Design Element	
Building Square Footage	Minimum Number of Design Elements
0 – 50,000 s.f.	3
50,001 – 100,000 s.f.	5
Over 100,001 s.f.	7

**E. Nonresidential Front Façade Entry Requirements**

1. A [Front Façade](#) shall be articulated and designed to present a distinctive entry presence, emphasizing the building’s entry point along the façade.
2. Each building shall provide a sheltered entry.

#### F. Nonresidential Building Articulation

Façade depth and height articulation shall be required on the front façade of a building, per the following:

1. Depth articulation of at least three (3) feet shall be required for every thirty (30) feet of building façade length. Depth articulation applies only below the roofline.
2. Height articulation for flat roofs of at least five (5) feet shall be required for every fifty (50) feet of building façade length. Pitched roofs do not require height articulation.

#### G. Tripartite Building Design/Composition

1. Buildings shall incorporate a tripartite building composition (base, middle and top).
2. The tripartite shall be proportioned to the other elements of the tripartite and the overall structure.



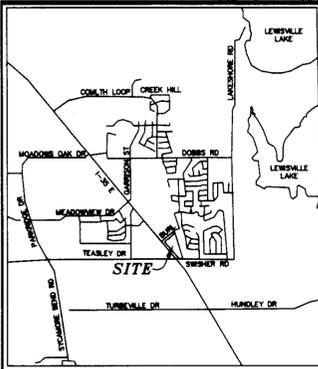
Figure 13: Tripartite Building Design/Composition

#### H. Roof Design Standards

1. All structures shall be constructed with a pitched roof, flat roof with a parapet, true mansard roof, or any combination thereof.
2. All flat roof surfaces shall be screened from ground level views so that such roof surfaces are not visible.
3. Parking structure decks shall not be considered roofs.
4. Roofs of stairwells and elevator machine rooms and other similar spaces shall be exempt from roofing design standards so long as they are not visible from ground level. For the



purpose of this paragraph, visible shall be defined as “capable of being seen at a height of six feet (6’) while standing at the highest grade on the property line.”



LOT 1 ONLY  
 LIENHOLDER'S RATIFICATION OF PLAT DEDICATION  
 STATE OF TEXAS §  
 COUNTY OF §

Whereas, Samuel Joseph Wilson the lienholder of the property described hereon, does hereby ratify all dedications and provisions of this plat as shown.  
 Lienholder: Samuel Joseph Wilson Date: 1-22-09

BEFORE ME, the undersigned authority in and for Denton, County, Texas, on this day personally appeared Samuel Joseph Wilson known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND, SEAL OF OFFICE, this the 22 day of January, 2009.  
Barbara LaShon Bush  
 Notary Public in and for the State of Texas

Barbara LaShon Bush  
 Type of Print Notary's Name  
 My commission expires: 03-38-2010

VICINITY MAP  
 N.T.S.

LOT 3 ONLY  
 LIENHOLDER'S RATIFICATION OF PLAT DEDICATION  
 STATE OF TEXAS §  
 COUNTY OF §

Whereas, Jason Worley, as a Vice President of American National Bank, a national banking association the lienholder of the property described hereby, does hereby ratify all dedications and provisions of this plat as shown.  
 Lienholder: Jason Worley Date: 2-10-09

BEFORE ME, the undersigned authority in and for Denton, County, Texas, on this day personally appeared Jason Worley, as a Vice President of American National Bank, a national banking association known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he is authorized to execute the foregoing instrument on behalf of said American National Bank of Texas for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND SEAL OF OFFICE, this the 10<sup>TH</sup> day of February, 2009.  
Terri Thomason  
 Notary Public in and for the State of Texas

Terri Thomason  
 Type of Print Notary's Name  
 My commission expires: 6-29-11



EASEMENT LINE TABLE	
BEARING	LENGTH
L1 S 50'18"52" W	50.20'
L2 N 50'18"52" E	52.82'
L3 S 50'20"29" W	46.61'
L4 N 50'18"52" E	47.47'
L5 S 50'18"52" W	82.16'
L6 N 50'18"52" E	61.74'
L7 N 73'05"05" E	50.15'
L8 N 40'06"26" W	22.95'
L9 N 49'53"34" E	24.00'
L10 N 40'06"26" W	20.97'
L11 S 16'52"26" E	12.83'
L12 S 28'07"34" W	52.30'
L13 S 61'52"26" E	16.00'
L14 N 28'07"34" E	56.98'
L15 S 16'52"33" E	7.37'
L16 N 73'06"07" E	14.39'
L17 S 73'07"34" W	25.69'
L18 S 16'52"26" E	16.00'
L19 N 73'07"34" E	31.07'
L20 N 40'09"42" W	10.00'
L21 S 40'09"42" E	10.00'
L22 S 73'06"07" W	24.00'
L23 S 16'52"33" E	9.99'
L24 S 73'07"01" W	16.00'
L25 N 16'52"33" W	4.48'
L26 S 73'07"34" W	8.83'
L27 N 73'07"34" E	8.83'
L28 S 73'07"34" W	26.29'
L29 N 16'52"26" W	16.52'
L30 S 73'06"07" W	6.76'

LOT 2, BLOCK A  
 SWISHER 35-E ADDITION  
 (C.A.B. W. PG. 605)  
 P.R.D.C.T.

CURVE TABLE				
DELTA	RADIUS	LENGTH	CHORD	
C1	91'47"27"	26.00'	41.65'	N 83'47"25" W - 37.34'
C2	88'12"33"	26.00'	40.03'	N 06'12"35" E - 36.19'
C3	91'44"18"	30.00'	48.03'	N 83'47"22" W - 43.07'
C4	90'25"18"	30.00'	47.34'	N 05'06"13" E - 42.58'
C5	89'34"42"	26.00'	40.65'	N 84'53'47" W - 36.63'
C6	90'25"18"	26.00'	41.03'	N 05'06"13" E - 36.93'
C7	88'15"42"	30.00'	46.21'	N 06'12'38" E - 41.78'
C8	89'24"12"	26.00'	40.57'	S 84'57'25" E - 36.58'
C9	18'35"19"	30.00'	9.73'	S 26'10'06" E - 9.69'
C10	161'24'41"	2.00'	5.63'	S 63'49'54" W - 3.95'
C11	90'34'00"	26.00'	41.10'	S 05'01'52" W - 36.95'
C12	89'34'42"	30.00'	46.90'	N 84'53'47" W - 42.27'
C13	21'00'03"	30.00'	11.00'	S 39'14'40" W - 10.93'
C14	20'02'10"	30.00'	10.49'	N 59'45'46" E - 10.44'
C15	88'53'59"	26.00'	40.34'	S 85'42'43" E - 36.41'
C16	113'17'16"	50.00'	98.86'	S 73'31'04" E - 83.53'
C17	89'58'33"	50.00'	78.52'	S 28'06'51" W - 70.70'
C18	88'53'59"	26.00'	40.34'	S 28'39'10" W - 36.41'
C19	86'02'55"	26.00'	29.97'	S 73'52'26" E - 28.34'
C20	89'58'33"	26.00'	40.83'	N 28'06'51" E - 36.76'
C21	113'17'16"	26.00'	51.41'	N 73'31'04" W - 43.43'
C22	89'10'00"	26.00'	40.46'	S 05'15'18" W - 36.50'

BOUNDARY LINE TABLE	
BEARING	LENGTH
L1 S 44'09'17" E	26.47'
L2 N 50'27'36" E	67.12'
L3 N 37'30'09" W	27.41'
L4 N 73'06'07" E	141.16'

INTERSTATE HIGHWAY NO. 35-E  
 (UNIMPROVED HIGHWAY ROAD)  
 608.21' W  
 N 40'15'19" W  
 N 40'15'19" W  
 N 40'15'19" W

LOT 1, BLOCK A  
 415,420 SQ. FT.  
 OR  
 9.537 AC.

LOT 3, BLOCK A  
 65,671 SQ. FT.  
 OR  
 1.508 AC.

CERTIFICATE OF SURVEYOR  
 STATE OF TEXAS §  
 COUNTY OF COLLIN §

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

Hal Mollenkopf  
 Registered Professional Land Surveyor No. 5439  
 Date: 01-21-09



STATE OF TEXAS §  
 COUNTY OF COLLIN §

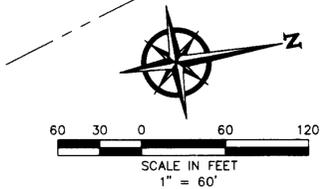
BEFORE ME, the undersigned authority, on this day personally appeared Hal Mollenkopf, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 21 day of JANUARY, 2009.  
W.R. PERMAN  
 Notary Public in and for the State of Texas  
 Type of Print Notary's Name



**CURRENT PLAT**

OWNER'S ACKNOWLEDGEMENT AND DEDICATION  
 STATE OF TEXAS §  
 COUNTY OF §  
 We, the undersigned, owners of the land shown on this plat within the area described by metes and bounds as follows:  
 BEING a 11.044 acre tract of land situated in the H.H. Swisher Survey, Abstract No. 1220, Denton County, Texas, said tract being all of Lot 1, Block A, Swisher 35-E Addition, an addition to the City of Corinth, Texas, as recorded in Cabinet W, Page 605, Plat Records Denton County, Texas (P.R.D.C.T.), said tract being more particularly described as follows:  
 COMMENCING at the southeast corner of said Lot 2 said Swisher 35-E Addition (Cabinet W, Page 605), said corner being at the intersection of the north right-of-way line of Swisher Road (variable width) and on the west line of a 100' R.O.W. deed to the City of Denton, as recorded in County Clerk Document No. 93-0058485, Deed Records Denton County, Texas (D.R.D.C.T.);  
 THENCE South 89 degrees 52 minutes 29 seconds West, along said north right-of-way line, a distance of 157.12 feet to a point for corner;  
 THENCE North 84 degrees 08 minutes 18 seconds West, along said north right-of-way line, a distance of 51.14 feet to a found TxDOT brass monument the southwest corner of said Lot 2, said corner being on the east right-of-way line of Interstate Highway No. 35-E (variable width), said corner being on a circular curve to the right, having a radius of 5879.65 feet and whose chord bears North 40 degrees 39 minutes 56 seconds West, a distance of 133.61 feet;  
 THENCE Northwest, along said east right-of-way line and said curve to the right, through a central angle of 01 degrees 18 minutes 07 seconds, an arc distance of 133.61 feet to a 5/8-inch found iron rod at the end of said curve;  
 THENCE North 40 degrees 15 minutes 19 seconds West, along said east right-of-way line, a distance of 93.73 feet to 1/2-inch set iron rod with cap stamped "RPLS 5439" (hereinafter referred to as "with cap") for the POINT OF BEGINNING, said corner being the northeast corner of said Lot 2 and the southwest corner of said Lot 1;  
 THENCE North 40 degrees 15 minutes 19 seconds West, along said east right-of-way line, a distance of 608.21 feet to a 1/2-inch set iron rod with cap for corner;  
 THENCE North 40 degrees 01 minutes 20 seconds West, along said east right-of-way line, a distance of 313.59 feet to a 5/8-inch found iron rod the northeast corner of said Lot 1, said corner being the southwest corner of Gibson Heights Addition, as recorded in Volume 2, Page 110, P.R.D.C.T.;  
 THENCE North 50 degrees 07 minutes 58 seconds East, departing said east right-of-way line and along said Lot 1 and said Gibson Addition, a distance of 269.65 feet to a 1/2-inch set iron rod with cap for corner;  
 THENCE South 44 degrees 09 minutes 17 seconds East, a distance of 26.47 feet to a 1/2-inch set iron rod with cap for corner;  
 THENCE North 50 degrees 27 minutes 36 seconds East, a distance of 67.12 feet to a 1/2-inch set iron rod with cap for corner;  
 THENCE North 37 degrees 30 minutes 09 seconds West, a distance of 27.41 feet to a 1/2-inch set iron rod with cap for corner;  
 THENCE North 49 degrees 49 minutes 05 seconds East, a distance of 311.96 feet to a 1/2-inch set iron rod with cap for corner;  
 THENCE North 17 degrees 17 minutes 53 seconds West, a distance of 153.91 feet to a 5/8-inch found iron rod for corner;  
 THENCE North 50 degrees 15 minutes 18 seconds East, a distance of 60.09 feet to a 1/2-inch set iron rod with cap for corner on the east line of said Lot 1 and the aforementioned City of Denton west right-of-way line;  
 THENCE South 16 degrees 52 minutes 26 seconds East, along said west right-of-way line, a distance of 1198.81 feet to a 1/2-inch set iron rod with cap for corner for the southeast corner of said Lot 1 and the northeast corner of said Lot 2;  
 THENCE South 73 degrees 07 minutes 34 seconds West, departing said west right-of-way line and along said Lots 1 and 2, a distance of 99.47 feet to a 1/2-inch set iron rod with cap for corner;  
 THENCE South 49 degrees 44 minutes 41 seconds West, along said Lots 1 and 2, a distance of 206.18 feet to the POINT OF BEGINNING AND CONTAINING 481,091 square feet or 11.044 acres of land more or less, and designated herein as Final Plat of Lots 1 & 3, Block A, Swisher 35-E Addition to the City of Corinth was submitted to the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2009, and the Council, by formal action, then and there accepted the fee simple dedication of streets, thoroughfares, alleys, and parks to the public use forever and dedication of easements for trails, sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the Subdivision Ordinance and Design Criteria as shown for the purpose and consideration therein expressed.



Note:  
 Bearings based on Swisher 35-E Addition, as recorded in Cabinet W, Page 605, P.R.D.C.T.

LEGEND	
S.I.R.	1/2" SET IRON ROD
W/CAP	WITH CAP STAMPED "RPLS 5439"
F.I.R.	FOUND IRON ROD
P.R.D.C.T.	PLAT RECORDS DENTON COUNTY TEXAS
D.R.D.C.T.	DEED RECORDS DENTON COUNTY TEXAS
S.V.E.	SIGHT VISIBILITY EASEMENT

Certificate of Final Plat Approval  
 Approved  
Elizabeth A. Musick 23 February 2009  
 Chairwoman, Planning and Zoning Commission  
 City of Corinth, Texas

Approved  
Jerome M. Skibell 9/25/09  
 Mayor, City of Corinth, Texas

The undersigned, the City Secretary and the City of Corinth, Texas, hereby certifies that the foregoing Final Plat of Lots 1 & 3, Block A, Swisher 35-E Addition to the City of Corinth was submitted to the City Council on the 21 day of January, 2009, and the Council, by formal action, then and there accepted the fee simple dedication of streets, thoroughfares, alleys, and parks to the public use forever and dedication of easements for trails, sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the Subdivision Ordinance and Design Criteria as shown and set forth in and upon said plat, that the public works and infrastructure improvements have been completed in accordance with the construction plans, have been tested and have been accepted by the City, that the City is now acceptable for filing with Denton County and said Council further authorized the Mayor to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness by hand this 21 day of February, A.D., 2009.  
Kimberly Case  
 City Secretary  
 City of Corinth, Texas

Certification of Completion and Authorization to File  
 Approved  
Jerome M. Skibell 2/25/09  
 Mayor, City of Corinth, Texas

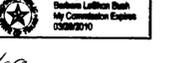
The undersigned, the City Secretary and the City of Corinth, Texas, hereby certifies that the foregoing Final Plat of Lots 1 & 3, Block A, Swisher 35-E Addition to the City of Corinth was submitted to the City Council on the 21 day of January, 2009, and the Council, by formal action, then and there accepted the fee simple dedication of streets, thoroughfares, alleys, and parks to the public use forever and dedication of easements for trails, sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the Subdivision Ordinance and Design Criteria as shown and set forth in and upon said plat, that the public works and infrastructure improvements have been completed in accordance with the construction plans, have been tested and have been accepted by the City, that the City is now acceptable for filing with Denton County and said Council further authorized the Mayor to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness by hand this 21 day of February, A.D., 2009.  
Kimberly Case  
 City Secretary  
 City of Corinth, Texas

Date: 1/21/09  
 Owner: SWISHER-35, Ltd., a Texas limited partnership.  
 By: Corinth Properties, L.L.C., a Texas limited liability company, its General Partner.  
 By: Jerome M. Skibell  
 Jerome M. Skibell, President

STATE OF TEXAS §  
 COUNTY OF §  
 BEFORE ME, the undersigned authority, on this day personally appeared Jerome M. Skibell, President of Corinth Properties, L.L.C., a Texas limited liability company, the General Partner of Swisher -35, Ltd., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said limited partnership in the capacity therein stated and for the purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 21 day of January, 2009.  
Barbara LaShon Bush  
 Notary Public in and for the State of Texas



Owner: SPAFSP Corporation, a Texas corporation  
 By: Sateesh Patel  
 Sateesh Patel

Date: 2/11/09  
 STATE OF TEXAS §  
 COUNTY OF §

BEFORE ME, the undersigned authority, on this day personally appeared Sateesh Patel, President of SPAFSP Corporation, a Texas corporation known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said corporation in the capacity therein stated and for the purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11 day of February, 2009.  
Kimberly Case  
 Notary Public in and for the State of Texas



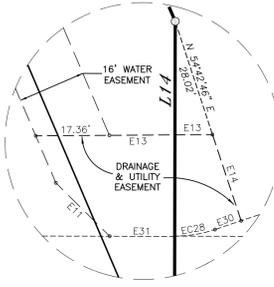
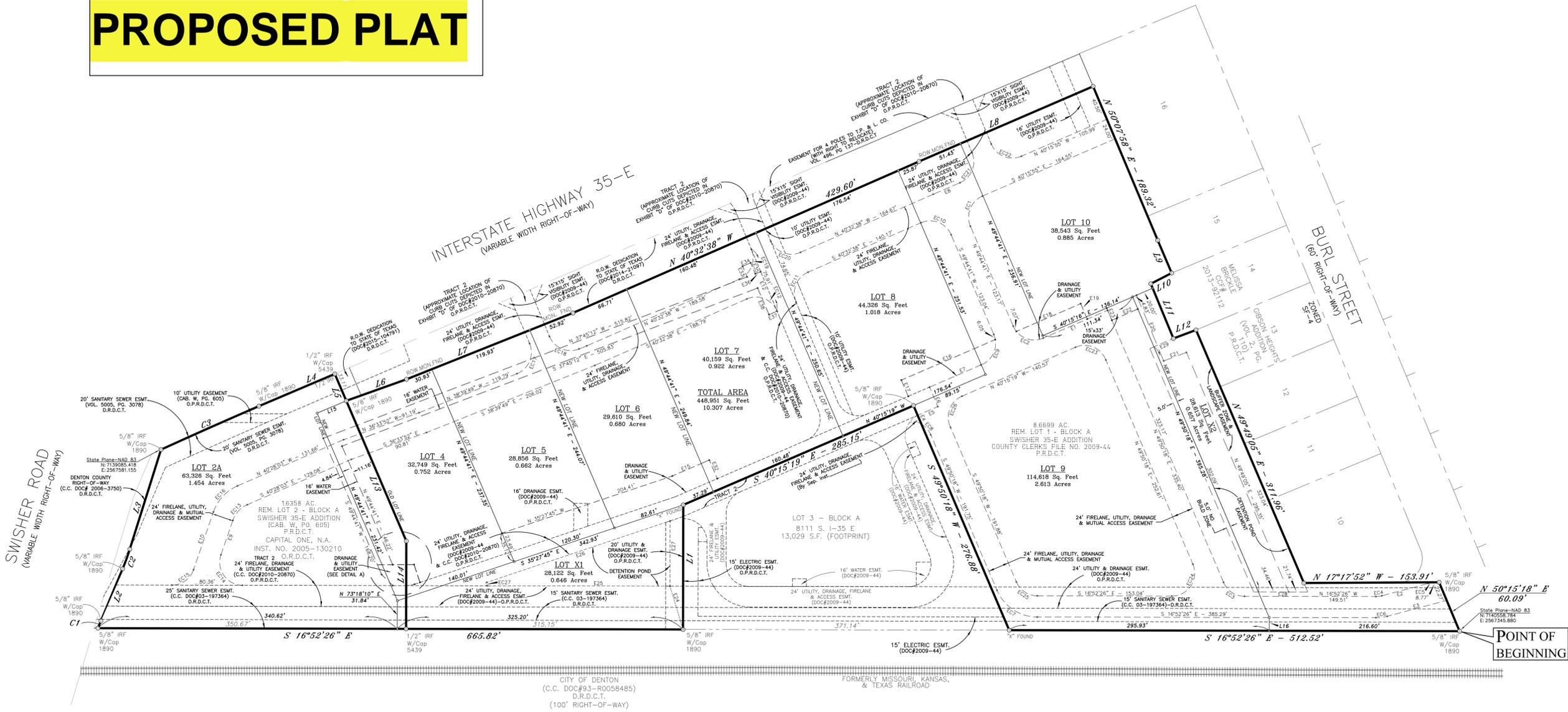
Type of Print Notary's Name

**FINAL PLAT**  
**SWISHER 35-E ADDITION**  
 LOTS 1 & 3, BLOCK A  
 11.044 ACRES  
 SITUATED IN THE  
 H.H. SWISHER SURVEY, ABST. NO. 1220  
 CITY OF CORINTH  
 DENTON COUNTY, TEXAS  
 BY  
**MOLLENKOPF LAND SURVEYING**  
 SURVEYING & MAPPING  
 1216 N. CENTRAL EXPRESSWAY, SUITE 203B  
 MCKINNEY, TX 75070  
 (214) 544-3334 (214) 544-3335 FAX

Filed for Record in  
 Denton County  
 On: Feb 27, 2009 at 12:00P  
 As a  
 Plat  
 SWISHER 35-E ADDITION  
 Job Number: 2009- 44  
 No. of Pages: 1  
 Amount 50.00  
 Receipt Number - 561519  
 Ascenda Records



# PROPOSED PLAT



DETAIL "A"  
SCALE: 1"=20"

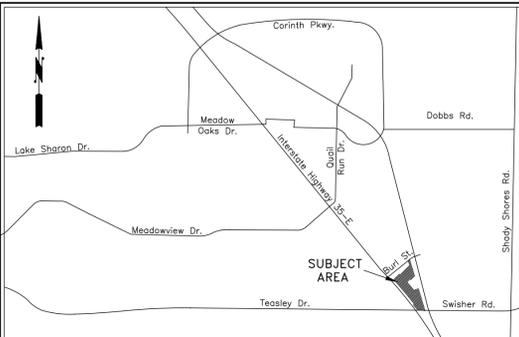
## LEGEND

- BOUNDARY LINE
- NEW LOT BOUNDARY LINE
- ADJOINER PROPERTY LINE
- EASEMENT LINE

## ABBREVIATIONS

Vol. = Volume  
Pg. = Page  
Doc. # = Document Number  
D.R.D.C.T. = Deed Records, Denton County, Texas  
P.R.D.C.T. = Plat Records, Denton County, Texas  
O.P.R.D.C.T. = Official Plat Records, Denton County, Texas  
IRS = 1/2" Iron Rod Set with cap stamped "RPLS 4701" (Unless otherwise noted)  
CM = Controlling Monument

## VICINITY MAP



## LINE TABLE

LINE	BEARING	DISTANCE
L1	N 73°06'07" E	141.16
L2	N 84°17'41" W	64.16
L3	N 89°32'11" W	118.28
L4	N 39°54'53" W	93.75
L5	N 49°44'41" E	33.11
L6	N 36°33'52" W	72.78
L7	N 38°39'49" W	203.78
L8	N 40°15'55" W	215.60
L9	N 49°49'05" E	40.33
L10	S 44°09'17" E	26.69
L11	N 30°27'36" E	67.72
L12	N 37°30'09" W	27.41
L13	N 49°44'12" E	173.07
L14	N 73°08'35" E	93.48
L15	S 39°54'04" E	35.97
L16	N 73°07'34" E	15.04

## EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
E1	N 40°15'19" W	79.82
E2	N 31°50'22" W	54.72
E3	S 11°52'27" E	70.08
E4	S 49°49'28" W	10.67
E5	N 40°15'16" W	25.00
E6	S 40°54'38" W	24.00
E7	N 40°15'19" W	64.75
E8	N 40°15'55" W	33.23
E9	S 87°54'00" W	41.39
E10	N 87°54'30" W	69.20
E11	S 27°36'22" W	17.84
E12	N 50°22'06" E	48.34
E13	N 17°23'24" W	41.68
E14	N 54°32'15" E	21.32
E15	N 40°15'19" W	45.79
E16	S 40°15'16" E	116.45
E17	N 49°44'41" E	20.01
E18	N 40°15'19" W	79.89
E19	N 49°44'41" E	19.02
E20	N 50°27'36" E	80.70
E21	N 37°30'09" W	27.66
E22	S 40°15'16" E	32.16
E23	S 49°50'18" W	15.00
E24	S 05°08'09" W	51.30
E25	S 16°52'26" E	207.76
E26	N 32°27'45" W	219.78
E27	N 73°08'35" E	73.81
E28	S 16°52'26" E	56.21
E29	N 40°09'42" W	24.13
E30	S 32°27'09" W	6.50
E31	S 17°04'42" W	15.26
E32	N 49°44'41" E	22.94
E33	N 49°44'41" E	11.37
E34	N 40°32'58" W	10.00
E35	N 49°44'41" E	13.61
E36	N 37°43'11" W	6.33
E37	S 40°32'58" W	10.00
E38	S 49°44'41" W	32.83

## CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1°01'16"	491.00	8.75	N 84°48'19" W	8.75
C2	5°14'33"	259.50	23.70	N 86°54'56" W	23.69
C3	1°11'14"	879.65	121.84	N 40°50'56" W	121.84

## EASEMENT CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
EC1	90°15'46"	26.00	40.96	S 85°23'48" E	36.85
EC2	89°09'59"	26.00	40.84	N 04°44'40" E	36.77
EC3	66°42'24"	26.00	30.27	N 16°28'56" E	28.59
EC4	15°00'01"	26.00	6.81	N 24°22'26" W	6.79
EC5	82°34'00"	26.00	38.11	N 36°04'17" W	33.89
EC6	15°00'01"	50.00	13.09	S 24°22'26" E	13.05
EC7	66°42'24"	50.00	58.22	S 16°28'51" W	54.99
EC8	38°07'04"	26.00	16.39	S 31°44'44" W	16.12
EC9	90°00'00"	26.00	40.84	N 85°15'19" W	36.77
EC10	90°17'19"	26.00	40.97	S 04°36'01" W	36.86
EC11	89°08'29"	26.00	40.85	S 85°06'53" E	36.49
EC12	90°53'17"	26.00	41.24	S 04°53'59" E	37.05
EC13	47°26'27"	30.00	24.84	S 64°11'16" E	24.14
EC14	108°57'56"	26.00	49.45	N 37°36'52" E	42.32
EC15	11°02'04"	26.00	32.23	N 52°23'28" W	30.21
EC16	47°26'27"	50.00	41.40	N 64°11'16" W	40.23
EC17	91°01'18"	26.00	41.30	N 84°10'28" W	37.10
EC18	88°48'48"	26.00	40.38	N 02°49'43" E	36.44
EC19	88°53'34"	26.00	40.34	N 84°59'28" W	36.41
EC20	87°36'50"	26.00	39.88	N 03°20'50" E	36.10
EC21	89°21'13"	26.00	40.58	N 84°58'11" W	36.38
EC22	90°35'17"	26.00	41.11	N 05°01'43" E	36.96
EC23	90°05'37"	26.00	40.88	N 04°47'30" E	36.80
EC24	11°31'19"	26.00	6.14	S 73°31'04" E	43.43
EC25	66°42'44"	26.00	30.27	S 16°28'56" W	28.59
EC26	89°54'23"	26.00	40.80	N 85°12'30" W	36.74
EC27	18°30'44"	1.97	5.60	S 64°23'03" W	3.89
EC28	18°35'20"	30.00	9.73	S 26°10'06" E	9.69

OWNER LOTS 1A, 4-11  
SWISHER @ 1-35 CORINTH, LP  
10210 N. Central Expressway  
Suite 300  
Dallas, Texas 75231  
972-385-4136

OWNER LOT 2A  
CAPITAL ONE, N.A.  
1680 Capital One Drive  
McLean, Virginia 22102  
817-334-7244

SURVEYOR  
RINGLEY & ASSOCIATES  
701 S. Tennessee Street  
McKinney, Texas  
972-542-1266  
lhr@ringley.com

## FINAL REPLAT

**SWISHER 35-E ADDITION**  
**LOTS X1, X2, 2A, 4 - 10, BLOCK A**  
**448,951 SF, 10.307 ACRES**

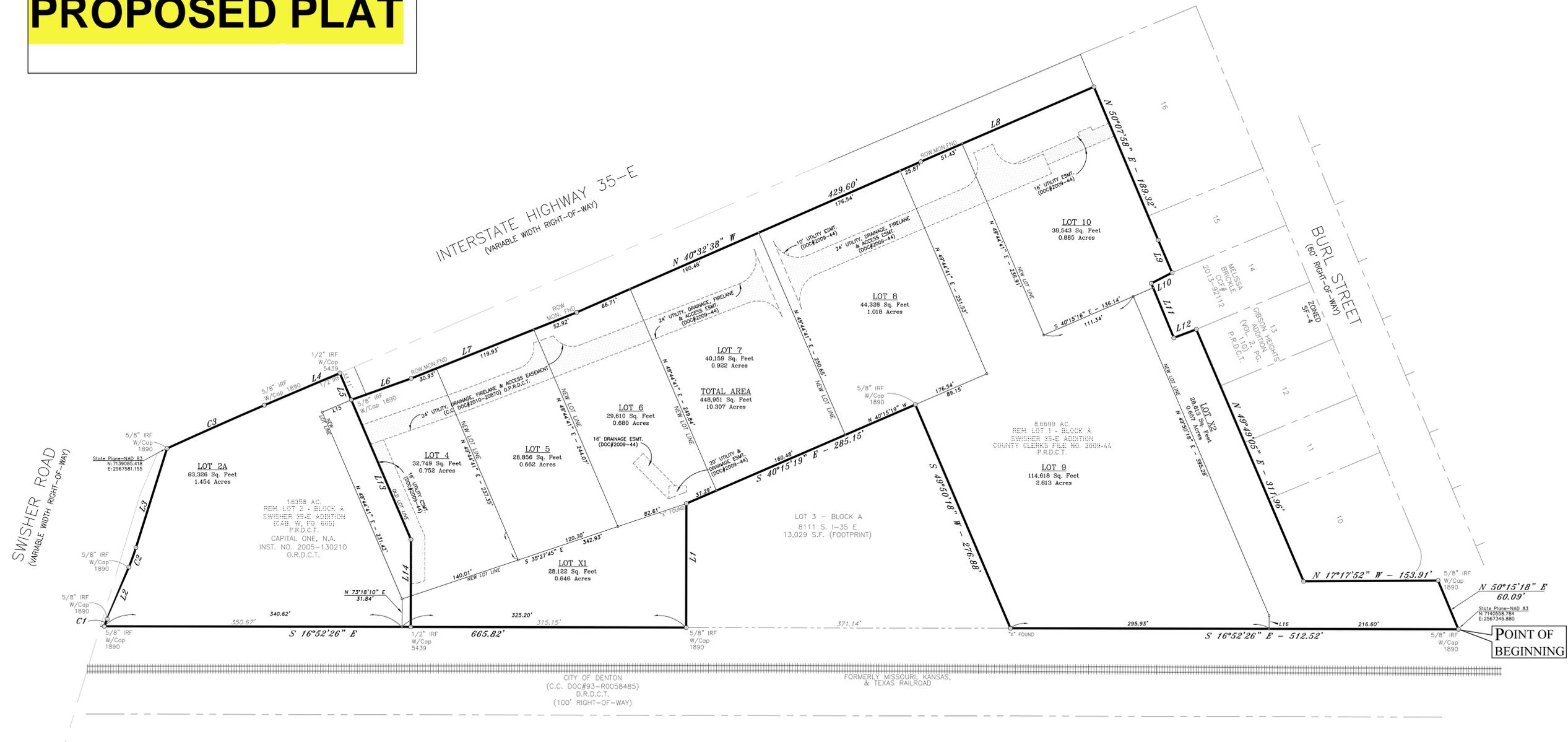
SITUATED IN THE  
**H.H. SWISHER SURVEY, ABSTRACT No. 1220**  
CITY OF CORINTH  
DENTON COUNTY, TEXAS

**RINGLEY & ASSOCIATES, INC.**  
701 S. Tennessee - McKinney, Texas 75069  
(972) 542-1266  
Texas Firm Registration No. 10061300

Date	Job	Title
06/15/16	16052	16052-RP.DWG

Scale Drawn by Checked by Sheet  
1" = 60' Mark Hank L. Ringley 1 of 3

# PROPOSED PLAT



## LEGEND

BOUNDARY LINE	---
NEW LOT BOUNDARY LINE	---
ADJOINER PROPERTY LINE	---
EASEMENT LINE	---

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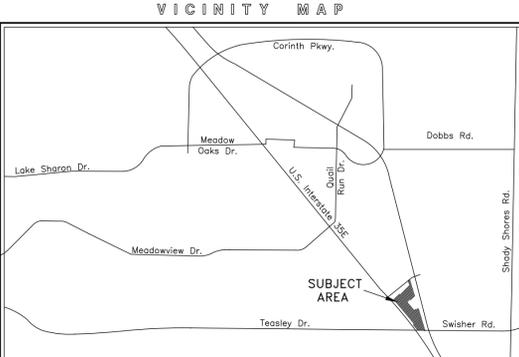
### LINE TABLE

LINE	BEARING	DISTANCE
L1	N 73°06'07" E	141.16'
L2	N 84°17'41" W	64.16'
L3	N 89°32'11" W	118.29'
L4	N 39°54'53" W	93.75'
L5	N 49°44'41" E	33.11'
L6	N 36°33'52" W	72.78'
L7	N 38°39'49" W	203.78'
L8	N 40°15'55" W	215.60'
L9	N 49°49'05" E	40.33'
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L11	N 50°27'36" E	67.12'
L12	N 37°30'09" W	27.41'
L13	N 49°44'12" E	173.07'
L14	N 73°08'35" E	99.48'
L15	S 39°34'04" E	35.37'
L16	N 73°07'54" E	15.04'

### CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1°01'16"	491.00'	8.75'	N 84°48'19" W	8.75'
C2	5°14'33"	259.00'	23.70'	N 86°54'56" W	23.69'
C3	1°11'14"	8679.65'	121.84'	N 40°30'58" W	121.84'

## DETAIL EASEMENTS TO BE ABANDONED



**ENGINEER**  
 CROSS ENGINEERING CONSULTANTS, INC.  
 131 S. Tennessee Street  
 McKinney, Texas  
 972-562-4409  
 JHake@crossengineering.biz

**SURVEYOR**  
 RINGLEY & ASSOCIATES  
 701 S. Tennessee Street  
 McKinney, Texas  
 972-542-1266  
 lhr@ringley.com

**OWNER**  
 SWISHER @ I-35 CORINTH, LP  
 10210 N. Central Expressway  
 Suite 300  
 Dallas, Texas  
 972-385-4136

## FINAL REPLAT

**SWISHER 35-E ADDITION  
 LOTS X1, X2, 2A, 4 - 10, BLOCK A  
 448,951 SF, 10.307 ACRES**

**SITUATED IN THE  
 H.H. SWISHER SURVEY, ABSTRACT No. 1220  
 CITY OF CORINTH  
 DENTON COUNTY, TEXAS**

**RINGLEY & ASSOCIATES, INC.**  
 701 S. Tennessee - McKinney, Texas 75069  
 (972) 542-1266  
 Texas Firm Registration No. 10061300

Date	Job	Title
06/15/16	16052	16052-AP.DWG
Scale	Drawn by	Checked by
1" = 60'	Mark Hank	L. R. Ringley
		Sheet
		2 of 3

OWNER'S CERTIFICATE

# PROPOSED PLAT

STATE OF TEXAS        )  
COUNTY OF DENTON    )

WE, the undersigned, owners of the land shown on this plat within the area described by metes and bounds as follows:

BEING 10.307 acres of land situated in the City of Corinth, in the H.H. Swisher Survey, Abstract No. 1220 of Denton County, Texas and being a part of Lot 1, Block A of SWISHER 1-35 ADDITION, an addition to the City of Corinth, according to the Final Plat thereof, recorded in Document No. 2009-44, Plat Records of Denton County, Texas (P.R.D.C.T.) and also being a part of Lot 2, Block A of SWISHER 1-35 ADDITION, an addition to the City of Corinth, according to the Final Plat thereof, recorded in Cabinet W, Page 605, P.R.D.C.T. and being more particularly described by metes & bounds as follows:

BEGINNING at a 5/8 inch iron rod, topped with a plastic cap, stamped "RPLS 1890" (hereinafter referred to as "with cap"), found for the most northerly northeast corner of the above described Lot 1, Block A, at the intersection of the south right-of-way line of Burl Street (60' wide R.O.W.) and the west line of a 100' wide right-of-way deed to the City of Denton, recorded in Document No. 93-R0058485, Deed Records, Denton County, Texas (D.R.D.C.T.);

THENCE: South 16 deg. 52 min. 26 sec. East (Reference Bearing), along the common line of said Lot 1, Block A and said City of Denton Right-of-way, a distance of 512.52 feet to an "X" found in concrete for the northeast corner of Lot 3, Block A of the above described Swisher 1-35 Addition;

THENCE: South 49 deg. 50 min. 18 sec. West, along the common line of said Lots 1 and 3, Block A, a distance of 276.88 feet to a 5/8 inch iron rod, with cap, found for the northwest corner of said Lot 3, Block A and an inside ell corner of said Lot 1, Block A;

THENCE: South 40 deg. 15 min. 19 sec. East, continuing along the common line of said Lots 1 and 3, Block A, a distance of 285.15 feet to an "X" found in concrete for the southwest corner of said Lot 3, Block A and an inside ell corner of said Lot 1, Block A;

THENCE: North 73 deg. 06 min. 07 sec. East, continuing along the common line of said Lots 1 and 3, Block A, a distance of 141.16 feet to a 5/8 inch iron rod, with cap, found on the west line of the above described City of Denton Right-of-way, for the southeast corner of said Lot 3, Block A and same being the southerly northeast corner of said Lot 1, Block A;

THENCE: South 16 deg. 52 min. 26 sec. East, along the common line of said Lot 1, Block A and said City of Denton Right-of-way, at 295.15 feet, passing a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 5439", found for the southeast corner of said Lot 1, Block A and the northeast corner of the above described Lot 2, Block A and continuing on for a total distance of 665.82 feet to a 5/8 inch iron rod, with cap, found on the north Right-of-way line of Swisher Road (variable width R.O.W.) established in a deed to Denton County, recorded in Document No. 2006-33750, D.R.D.C.T. and said point being in a non-tangent curve to the right, having a radius of 491.00 feet, a central angle of 01 deg. 01 min. 16 sec. and a chord that bears North 84 deg. 48 min. 19 sec. West - 8.75 feet;

THENCE: Along said Swisher Road Right-of-way and with said curve to the right, an arc distance of 8.75 feet to a 5/8 inch iron rod, with cap, found for corner at the end of said curve;

THENCE: North 84 deg. 17 min. 41 sec. West, continuing along said Right-of-way line, a distance of 64.16 feet to a 5/8 inch iron rod, with cap, found for corner at the beginning of a curve to the left, having a radius of 259.00 feet, a central angle of 05 deg. 14 min. 33 sec. and a chord that bears North 86 deg. 54 min. 56 sec. West - 23.69 feet;

THENCE: Continuing along said Right-of-way and with said curve to the left, an arc distance of 23.70 feet to a 5/8 inch iron rod, with cap, found for corner at the end of said curve;

THENCE: North 89 deg. 32 min. 11 sec. West, continuing along said Right-of-way, a distance of 118.28 feet to a 5/8 inch iron rod, with cap, found for corner on the west line of said Lot 2, Block A, at the intersection of the north Right-of-way line of Swisher Road and the east Right-of-way line of Interstate Highway 35-E (variable width R.O.W.) and said point being in a non-tangent curve to the right, having a radius of 5,879.65 feet, a central angle of 01 deg. 11 min. 14 sec. and a chord that bears North 40 deg. 50 min. 56 sec. West - 121.84 feet;

THENCE: Along the common line of said Lot 2, Block A and said Interstate Highway 35-E and with said curve to the right, an arc distance of 121.84 feet to a 5/8 inch iron rod, with cap, found for corner at the end of said curve;

THENCE: North 39 deg. 54 min. 53 sec. West, continuing along the common line of said Lot 2, Block A and said highway, a distance of 93.75 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 5439", found for the northwest corner of Lot 2, Block A, the original southwest corner of Lot 1, Block A and same being the southwest corner of that certain called 0.0128 acre tract of land described as Parcel 69B in a deed to the State of Texas, recorded in Document No. 2015-104791, D.R.D.C.T.;

THENCE: North 49 deg. 44 min. 41 sec. East, along the common line of said Lot 2, Block A and said Parcel 69B, a distance of 33.11 feet to a 5/8 inch iron rod, with cap, found for the southeast corner of said Parcel 69B;

THENCE: North 36 deg. 33 min. 52 sec. West, along the current east Right-of-way line of Interstate Highway 35-E and the east line of said Parcel 69B, at 18.04 feet passing the northeast corner of said Parcel 69B and same being the southeast corner of that certain called 0.8157 acre tract of land described as Parcel 75 in a deed to the State of Texas, recorded in Document No. 2014-21097, D.R.C.C.T. and continuing along the current east Right-of-way line of Interstate Highway 35-E and the east line of said Parcel 75 for a total distance of 72.78 feet to a Texas Department of Transportation concrete monument with an aluminum disk (hereinafter referred to as "TxDOT Monument"), found for corner;

THENCE: Continuing along the current east Right-of-way line of Interstate Highway 35-E and the east line of said Parcel 75 as follows:

North 38 deg. 39 min. 49 sec. West, a distance of 203.78 feet to a TxDOT Monument found for corner;  
North 40 deg. 32 min. 38 sec. West, a distance of 429.60 feet to a TxDOT Monument found for corner;  
North 40 deg. 15 min. 55 sec. West, a distance of 215.60 feet to a 5/8 inch iron rod, topped with an aluminum TxDOT disk found on the north side of a screening wall, on the north line of said Lot 1, Block A, the south line of Gibson Heights Addition, an addition to the City of Corinth, according to the plat thereof, recorded in Volume 2, Page 110, P.R.D.C.T. and being the northeast corner of said Parcel 75;

THENCE: Departing from said highway, along the common line of said Lot 1, Block A and said Gibson Heights Addition as follows:

North 50 deg. 04 min. 39 sec. East, a distance of 229.65 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for corner;  
South 44 deg. 09 min. 17 sec. East, a distance of 26.69 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for corner;  
North 50 deg. 27 min. 36 sec. East, a distance of 67.12 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for corner;  
North 37 deg. 30 min. 09 sec. West, a distance of 27.41 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for corner;  
North 49 deg. 49 min. 05 sec. East, a distance of 311.96 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for the southeast corner of said Gibson Heights Addition and same being an inside ell corner for said Lot 1, Block A;

THENCE: North 17 deg. 17 min. 52 sec. West, continuing along the common line of said Lot 1, Block A and Gibson Heights Addition, a distance of 153.91 feet to a 5/8 inch iron rod, with cap, found for the most northerly northwest corner of said Lot 1, Block A, on the south right-of-way line of the above mentioned Burl Street;

THENCE: North 50 deg. 15 min. 18 sec. East, along the common line of said Lot 1, Block A and said Burl Street, a distance of 60.09 feet to the POINT OF BEGINNING and containing 448,951 square feet or 10.307 Acres of land.

and designated herein as the SWISHER 35-E ADDITION to the City of Corinth, Texas, and whose name is subscribed hereto, hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, parks, and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules, and regulations thereon shown for the purpose and consideration therein expressed.

Owner of Lots 1A, 4, 5, 6, 7, 8, 9, 10 & 11, Block A  
Swisher @ 1-35 Corinth, LP  
Swisher @ 1-35 Corinth, LLC, its General Partner

Owner of Lot 2A, Block A  
Capital One, N.A.

\_\_\_\_\_  
Julian Hawes, Jr.,  
Vice President of  
General Partnership

\_\_\_\_\_  
Kenneth Kido  
Executive Vice President  
Retail Distribution

STATE OF TEXAS        )  
COUNTY OF DALLAS)

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, this day personally appeared **Julian Hawes, Jr.**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_

STATE OF VIRGINIA    )  
COUNTY OF FAIRFAX   )

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, this day personally appeared **Kenneth Kido**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_

OWNER'S STATEMENT FOR FIRE LANE EASEMENT

The undersigned covenants and agrees that they shall construct upon the fire lane easements, as dedicated and shown hereon, a fire lane in accordance with the Fire Code and City standards and that they shall maintain the same in a state of good repair at all times in accordance with City Ordinance. The fire lane easement shall be kept free of obstructions in accordance with the City Ordinance. The maintenance of pavement in accordance to City Ordinance of the fire lane easements is the responsibility of the owner. The owner shall identify the fire lane in accordance with City Ordinance. The Chief of Police or his/her duly authorized representative is hereby authorized to cause such fire lane and utility easements to be maintained free and unobstructed at all times for fire department and emergency use

Owner (Printed Name): \_\_\_\_\_

Owner (Signature): \_\_\_\_\_

Date: \_\_\_\_\_

Owner (Printed Name): \_\_\_\_\_

Owner (Signature): \_\_\_\_\_

Date: \_\_\_\_\_

SURVEYOR'S CERTIFICATE

I, Lawrence H. Ringley, Registered Public Surveyor, hereby certify that I have prepared this plat from an actual on-the-ground survey of the land and the corner monuments shown thereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Corinth, Texas.

RELEASED 08/24/16 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

Lawrence H. Ringley  
State of Texas, No. 4701

STATE OF TEXAS        )  
COUNTY OF COLLIN    )

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, this day personally appeared **Lawrence H. Ringley**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_

CERTIFICATE OF FINAL PLAT APPROVAL (FOR FINAL PLATS WITH REQUIRED PUBLIC IMPROVEMENTS INSTALLED AFTER APPROVAL)

Approved

\_\_\_\_\_  
Chairman, Planning and Zoning Commission        Date  
City of Corinth, Texas

The undersigned, the City Secretary of the City of Corinth, Texas, hereby certifies that the foregoing Final Plat of the \_\_\_\_\_ Subdivision or Addition to the City of Corinth was submitted to the Planning and Zoning Commission on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and the Commission, by formal action, then and there accepted the Final Plat and hereby authorizes the developer to proceed with the construction of public works improvements and infrastructure as indicated on the accompanying construction plans, and said Commission further authorizes the Chairman of the Planning and Zoning Commission to note the acceptance thereof by signing his/her name as hereinabove subscribed.  
Witness by hand this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
City Secretary City of Corinth, Texas

Approved & Accepted

\_\_\_\_\_  
Director of Planning  
City of Corinth, Texas

\_\_\_\_\_  
Date

## FINAL REPLAT

### SWISHER 35-E ADDITION LOTS X1, X2, 2A, 4 - 10, BLOCK A 448,951 SF, 10.307 ACRES

SITUATED IN THE  
**H.H. SWISHER SURVEY, ABSTRACT No. 1220**  
CITY OF CORINTH  
DENTON COUNTY, TEXAS

 <b>RINGLEY &amp; ASSOCIATES, INC.</b>			
<small>701 S. Tennessee - McKinney, Texas 75069 (972) 542-1266</small>			
Texas Firm Registration No. 10061300			
Date	Job	Title	
06/15/16	16052	16052-AP.DWG	
Scale	Drawn by	Checked by	Sheet
N.T.S.	Mark Hank	L. H. Ringley	3 of 3

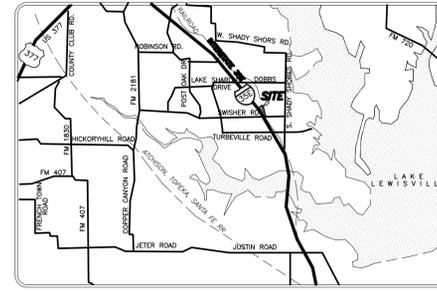
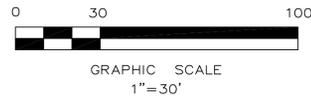
**LEGEND**

■ Limits of Zoning

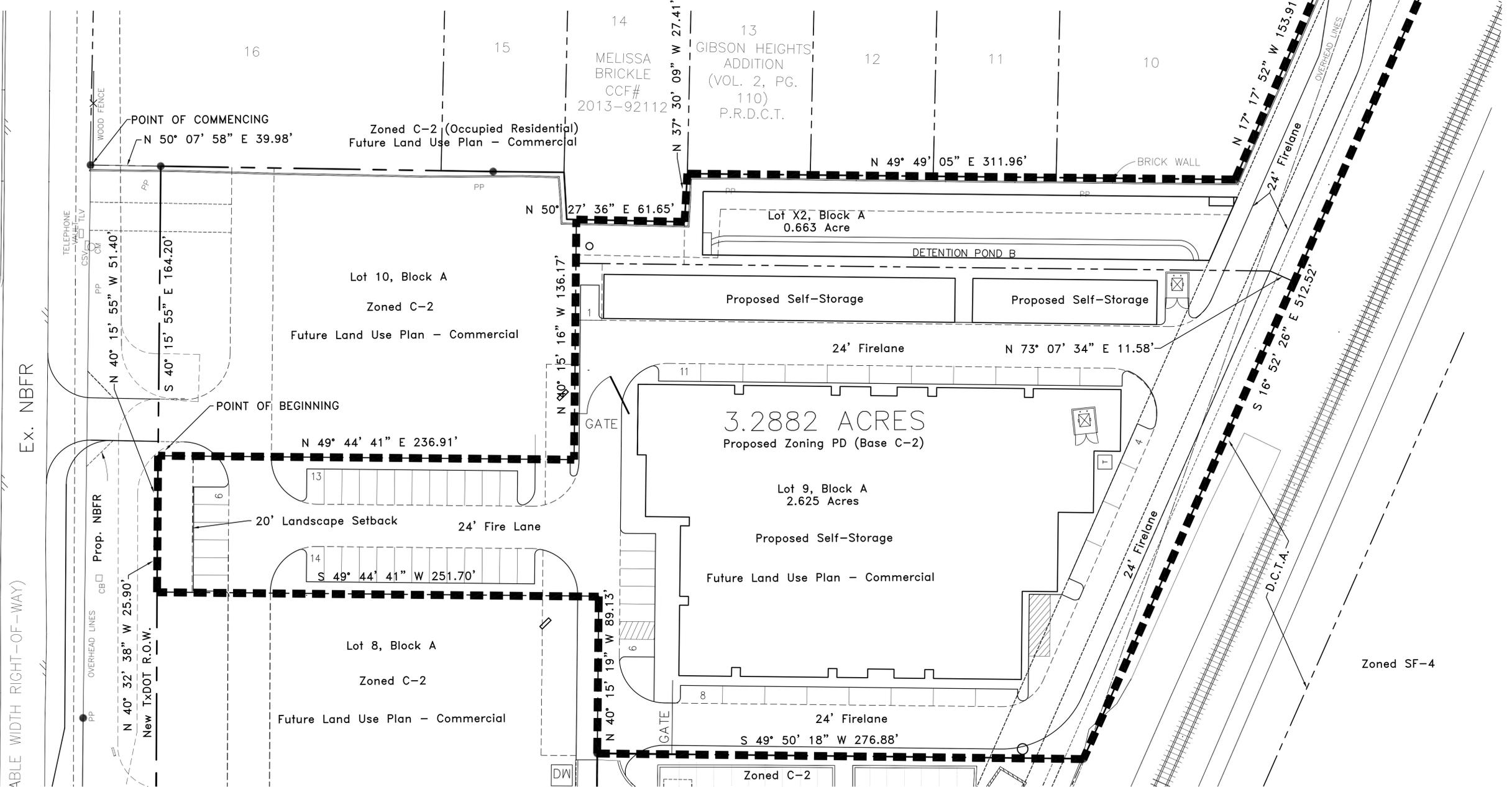
**SITE DATA TABLE**

<b>Zoning:</b>	Lot 9, Block A
Existing	C-2 (COMMERCIAL 2)
Proposed	PD (BASE C-2)
<b>Area Information:</b>	
3,2882 Acres out of Swisher 35-E Addition situated in the H.H. Swisher Survey, Abstract No. 1220 located in the City of Corinth, Denton County, Texas.	

<b>Building Data:</b>	
1 Story	2,875 sf
1 Story	5,000 sf
3 Story	113,025 sf
Total SF:	120,900
<b>Parking Data:</b>	
Required	1/1000 = 121
Provided	61



IH 35E



NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.  
BUILDINGS SHOWN ARE FOR REFERENCE ONLY.  
THIS DOCUMENT IS FOR ZONING PURPOSES ONLY.

Issue Dates:	Revisions:	Date:
1	1	
2	2	
3	3	
4	4	
5	5	
6	6	

<b>CROSS ENGINEERING CONSULTANTS</b>		
131 S. Tennessee St.		McKinney, Texas 75069
972.562.4409		Texas P.E. Firm No. F-5935
Drawn By:	Checked By:	Scale:
C.E.C.I.	C.E.C.I.	1" = 30'

<b>ZONING EXHIBIT</b>	
SWISHER 35-E SELF STORAGE	
PROVIDENT REALTY ADVISORS, INC.	
CITY OF CORINTH, TEXAS	

Sheet No.	<b>A1</b>
Project No.	16020

SWISHER 35-E SELF STORAGE

Overall:	6,226 sf
Glass/Doors:	144 sf
	6,082 sf
metal:	297 5%
brick 1:	3,194 53%
brick 2:	916 15%
stucco 1:	417 7%
stucco 2:	1,258 20%

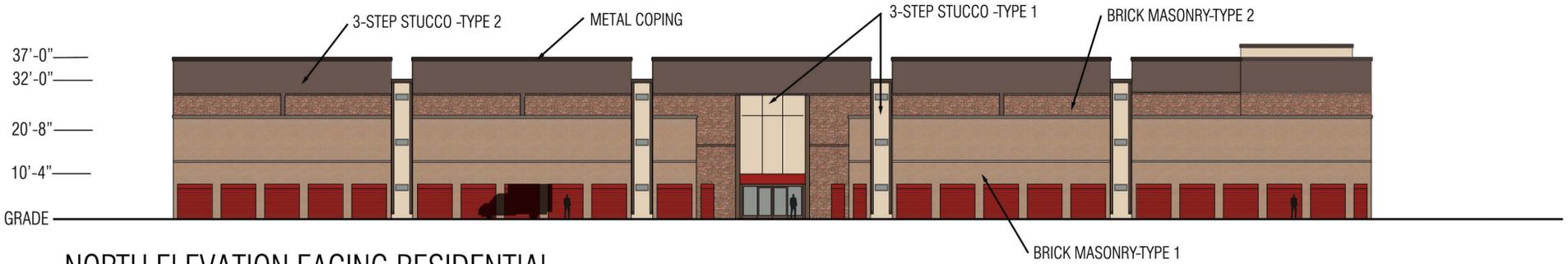
EAST ELEVATION:  
 Class 1 Masonry: 4,110 68%  
 Class 2 Masonry: 1,675 27%  
 TOTAL MASONRY: 5,785 95%  
 Metal Accent: 297 5%



EAST ELEVATION FACING RESIDENTIAL

Overall:	10,155 sf
Glass/Doors:	-1,620 sf
	8,535 sf
metal:	342 4%
brick 1:	3,817 46%
brick 2:	1,575 18%
stucco 1:	891 10%
stucco 2:	1,910 22%

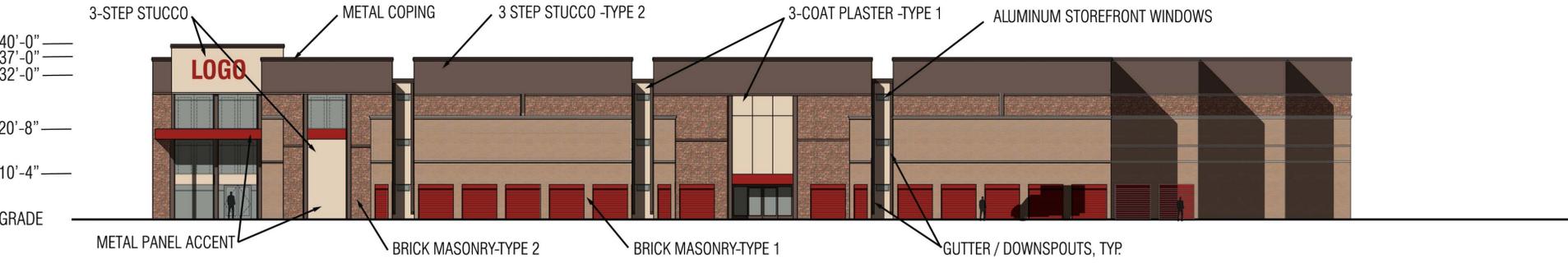
NORTH ELEVATION:  
 Class 1 Masonry: 5,392 64%  
 Class 2 Masonry: 2,801 32%  
 TOTAL MASONRY: 8,193 96%  
 Metal Accent: 342 4%



NORTH ELEVATION FACING RESIDENTIAL

Overall:	10,179 sf
Glass/Doors:	1,624 sf
	8,555 sf
metal:	556 6%
brick 1:	3,325 39%
brick 2:	1,801 21%
stucco 1:	1,802 21%
stucco 2:	1,071 13%

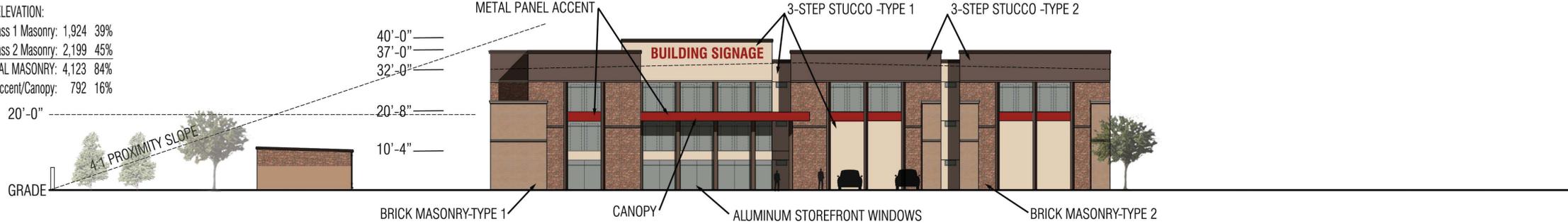
SOUTH ELEVATION:  
 Class 1 Masonry: 5,126 60%  
 Class 2 Masonry: 3,603 34%  
 TOTAL MASONRY: 8,729 94%  
 Metal accent: 556 6%



SOUTH ELEVATION FACING COMMERCIAL PROPERTIES / HOTEL

Overall:	6,202 sf
Glass/Doors:	1,287 sf
	4,915 sf
metal:	792 16%
brick 1:	712 14%
brick 2:	1,212 25%
stucco 1:	1,316 27%
stucco 2:	883 18%

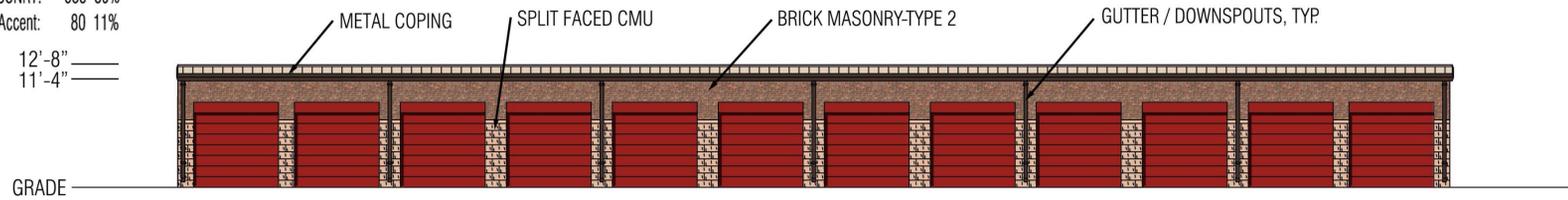
WEST ELEVATION:  
 Class 1 Masonry: 1,924 39%  
 Class 2 Masonry: 2,199 45%  
 TOTAL MASONRY: 4,123 84%  
 Metal Accent/Canopy: 792 16%



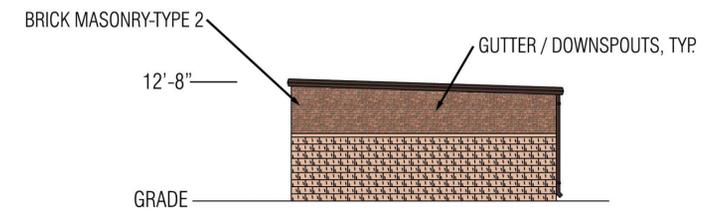
WEST ELEVATION FACING INTERSTATE 35

Overall:	1,483 sf
Glass/Doors:	768 sf
	715 sf
metal:	80 11%
brick 1:	347 49%
arch cmu:	288 40%

SOUTH ELEVATION:  
 Class 1 Masonry: 347 49%  
 Class 2 Masonry: 288 40%  
**TOTAL MASONRY: 635 89%**  
 Metal Accent: 80 11%



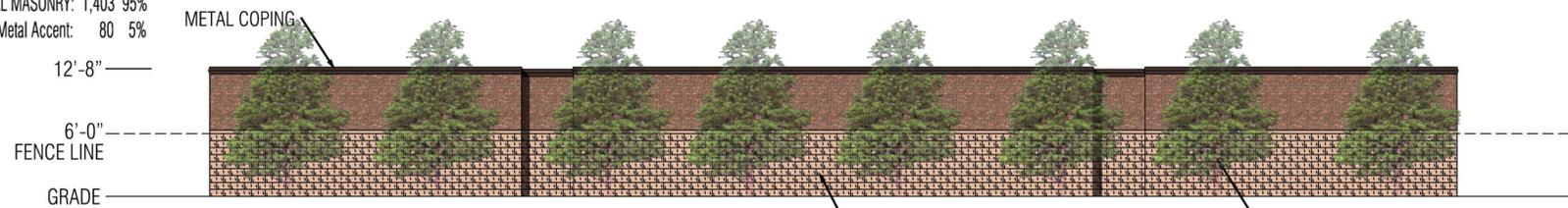
SOUTH ELEVATION FACING 3-STORY STORAGE BUILDING (BUILDING 3)



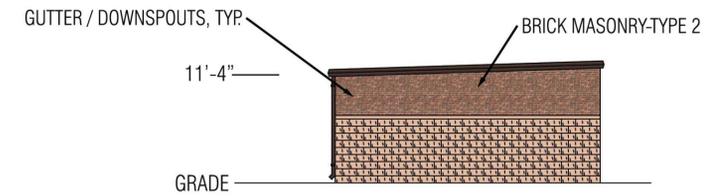
WEST ELEVATION FACING I-35

Overall:	1,483 sf
Glass/Doors:	0 sf
	1,483 sf
metal:	80 5%
brick 1:	683 46%
arch cmu:	720 49%

NORTH ELEVATION:  
 Class 1 Masonry: 683 46%  
 Class 2 Masonry: 720 49%  
**TOTAL MASONRY: 1,403 95%**  
 Metal Accent: 80 5%



NORTH ELEVATION FACING RESIDENTIAL (BUILDING 3)



EAST ELEVATION FACING RESIDENTIAL

Overall:	2,408 sf
Glass/Doors:	1,240 sf
	1,168 sf
metal:	131 11%
brick 1:	470 40%
arch cmu:	567 49%

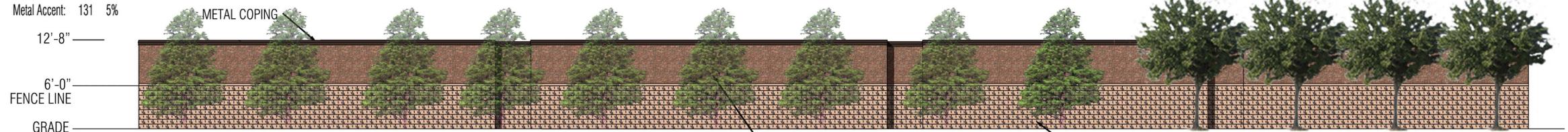
SOUTH ELEVATION:  
 Class 1 Masonry: 470 40%  
 Class 2 Masonry: 567 49%  
**TOTAL MASONRY: 1,037 89%**  
 Metal accent: 131 11%



SOUTH ELEVATION FACING 3-STORY STORAGE BUILDING (BUILDING 2)

Overall:	2,408 sf
Glass/Doors:	0 sf
	2,408 sf
metal:	131 5%
brick 1:	1,107 46%
arch cmu:	1,170 49%

NORTH ELEVATION:  
 Class 1 Masonry: 1,107 46%  
 Class 2 Masonry: 1,170 49%  
**TOTAL MASONRY: 2,277 95%**  
 Metal Accent: 131 5%



NORTH ELEVATION FACING RESIDENTIAL (BUILDING 2)

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**3.2882 ACRE COMMERCIAL TRACT**

BEING a 3.2882 acre tract of land in the H. H. Swisher Survey, Abstract No. 1220, and being a part of Lot 1, Block A, Swisher 35-E Addition, an addition to the City of Corinth, Denton County, Texas, as recorded in document number 2009-44, Denton County Plat Records, and being described by metes and bounds as follows:

COMMENCING at a point at the most westerly corner of the above mentioned Lot 1, Block A, Swisher 35-E Addition, said point being in the east right-of-way line of IH 35E and also being the southwest corner of Lot 16, Gibson Heights Addition, as recorded in Volume 2, Page 110, Denton County Plat Records;

THENCE along with the east right-of-way line of IH 35E and the southeast property line of said Lot 16, North 50 deg. 07 min. 58 sec. East, a distance of 39.98 feet to a point, said point being the east right-of-way line of IH 35-E as reflected in Right-of-way dedication to the State of Texas recorded in document number 2014-21097, D.R.D.C.T;

THENCE continuing along with the east right-of-way line of IH 35E, South 40 deg. 15 min. 55 sec. East, 164.20 feet to the POINT OF BEGINNING;

THENCE departing the east right-of-way line of IH 35E, North 49 deg. 44 min. 41 sec. East, 236.91 feet to a point;

THENCE North 40 deg. 15 min. 16 sec. West, 136.17 feet to a point;

THENCE North 50 deg. 27 min. 36 sec. East, 61.65 feet to a point;

THENCE North 37 deg. 30 min. 09 sec. West, 27.41 feet to a point;

THENCE North 49 deg. 49 min. 05 sec. East, 311.96 feet to a point;

THENCE North 17 deg. 17 min. 52 sec. West, 153.91 feet to a point;

THENCE North 50 deg. 15 min. 18 sec. East, 60.09 feet to a point;

THENCE South 16 deg. 52 min. 26 sec. East, 512.52 feet to a point;

THENCE South 49 deg. 50 min. 18 sec. West, 276.88 feet to a point;

THENCE North 40 deg. 15 min. 19 sec. West, 89.13 feet to a point;

THENCE South 49 deg. 44 min. 41 sec. West, 251.70 feet to a point;

THENCE North 40 deg. 32 min. 38 sec. West, 25.90 feet to a point;

THENCE North 40 deg. 15 min. 55 sec. West, 51.40 feet to the POINT OF BEGINNING and containing 3.2882 acres of land, more or less.

## **EXHIBIT "B"**

### **SWISHER 35E SELF STORAGE PD C-2 PD DESIGN STATEMENT**

#### **General Property Information**

The Swisher 35-E Self Storage development is located on the east side of Interstate 35E and the north side of Swisher Road (FM 2181). The property is part of a subdivision, Swisher 35-E Addition. A subdivision replat is submitted concurrently with this rezoning. The subdivision is a replat of 10.3057 acres. The area of this PD covers 3.2882 acres.

#### **Property Adjacency**

The subject property is bounded on the east by Interstate 35E, on the west by the railroad, and on the north and south by other properties within the Swisher/35E addition replat. Beyond the 135 R.O.W, there are commercial tracts. East of the railroad R.O.W. are single family residential properties, some in Corinth and others in Lake Dallas city limits. Beyond the replat area to the north are lots zoned commercial (C.2) but whose current use is residential.

#### **Existing and Requested Zoning Classifications**

Currently, the subject property is zoned C-2, as is the balance of the Swisher 35-E subdivision and the property to the north of the subdivision on Burl St. This rezoning request seeks to add the mini storage/self-storage use (Storage Units, Mini) to the existing uses allowed by the underlying C.2 zoning by virtue of a Planned Development District with the exceptions or modifications noted in Exhibit C, Land Use Regulations, of the submittal. The concept plan and development standards for this submittal includes a modified number of parking spaces from those required by UDC 2.09.03, E.24 (which does not specifically address mini storage/selfstorage uses). Other modifications address minor exceptions to the architectural standards. The maximum number of stories is increased from 2 1/2 stories to 3 stories. The maximum height remains at 40 feet as stipulated by UDC 2.08.05. UDC 2.09.06 F(1) is modified to require articulation depth in the façade of 5 feet at a frequency or no less than 50 feet of façade length. Note that this is to correspond to the same 50 feet requirement in UDC 2.09.06 F (2) for height articulation. UDC 2.09.05 C(1) is modified to allow the use of stucco above the 2nd story.

#### **Proposed Densities**

The concept plan for the requested zoning of the 35E/Swisher self-storage development includes a total of 121,510 SF on 2.6248 acres of land. The building footprints total 46,350 SF. Lot coverage is 40.54%. The F.A.R. is 1.06:1.

#### **Development Concept Plan**

The Concept Plan for this development is attached as Exhibit D. As part of the rezoning documents for this development, Exhibit C is included. This exhibit includes specific requirements amendments to the existing provisions of the City of Corinth Unified Development Code. The items included therein have been briefly outlined in the preceding text of this statement.

#### **Thoroughfare Impact**

A traffic impact assessment for the development of the Swisher 35-E subdivision has been previously prepared, reviewed by the City of Corinth, and forwarded to TxDOT for their concurrence. A copy of that document is included in the rezoning submittal for this tract.

### **Environmental Aspects**

With the exception of Lot 3 (the existing hotel), which is not a part of the replat, the future subdivision is currently undeveloped. The subject tract was previously part of a larger mobile home community which has been removed. The tract is currently clear with the exception of 3 existing trees. The general topography of the tract is gently sloping to the east northeast a total in elevation of approximately 3 feet. The soil type is sandy clay with moderate to slow permeability.

### **Drainage Information**

Some drainage infrastructure exists along the southern boundary of this tract. With the Swisher 35-E replat submittal, this system will be expanded to accept the drainage from this tract, proposed lots 8 and 10, and directing their storm water to a shared detention area on lot 11. The detention area will outfall to existing drainage along the railroad R.O.W.

### **Utility Infrastructure**

The existing development of the initial Swisher 35-E subdivision generally anticipated the layout proposed for the Swisher 35-E replat. Much of the necessary water and sewer utilities exist, and the proposed Swisher 55-E self-storage tract is currently served by these facilities. Along with the replat, these existing systems will be expanded to specifically provide service to the all proposed lots. Utility and drainage engineering plans are submitted with the proposed replat concurrently with this rezoning request.

### **Overall Project Summary**

This rezoning will provide for a high quality, modern, and very attractive addition to the City of Corinth. The proposed use is one that, while providing substantial value, is one of quiet, very low intensity impact. The height, architectural features, screening, and landscape are designed to fit the intent of the City of Corinth Uniform Development Code.



## **EXHIBIT “C” LAND USE REGULATIONS**

### **SECTION 1: GENERAL**

#### **A. Purpose**

The regulations set forth in this Exhibit provide development standards for nonresidential C-2, Commercial designations along with Storage Units, Mini identified by metes and bounds on Exhibit A. Every use not authorized herein is expressly prohibited in this Planned Development C-2 Commercial District (PD C-2).

#### **B. Base District**

The C-2 , Commercial District regulations of the Corinth Unified Development Code, Ordinance No. 13-05-02-08, as amended, and as modified by this (PD) Planned Development district.

### **SECTION 2: USES AND AREA REGULATIONS**

#### **A. Purpose**

This district is intended for the development of Storage Units, Mini, associated leasing and retail associated with storage.

#### **B. Permitted Uses and Use Regulations**

In the Planned Development (PD) district for retail and commercial business uses no building or land shall be used, and no building shall hereafter be erected, reconstructed, enlarged or converted unless otherwise provided in the C-2 Nonresidential District Regulations of the Unified Development Code, as modified herein.

The Permitted Uses in the C-2, 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. Storage Units, Mini

### **C. Dimensional Regulations**

The Dimensional Regulations in Section 2.08.05 of the Unified Development Code, Ordinance No. 13.05.02.08, for C-2 Retail and Commercial Business District shall apply to the development of this property except as follows:

1. For Storage Unit uses only:
  - a. Maximum height (stories/feet); 3 stories/40 feet
  - b. Maximum building area: lot coverage 50%

### **D. Zoning Development Regulations**

The Development Regulations for this Planned Development (PD) are the development standards for C-2 Retail and Commercial Businesses 2.05.02 of the Corinth Unified Development Code except as otherwise stated below:

For Storage Unit, Mini uses only:

1. UDC 2.07.07 Accessory Buildings and Uses shall apply.
2. UDC 2.09.01 Landscape Regulations shall apply.
3. UDC 2.09.02 Tree Preservation shall apply.
4. UDC 2.09.03 Vehicle Parking Regulations shall apply except as follows:
  - a. Parking Space Schedule for Storage Units, Mini: 1 space for each 2000 gross S.F. of building area.
5. UDC 2.09.04 Building Façade Material Standards shall apply.
6. UDC 2.09.05 Residential Adjacency Standards shall be amended as follows:
  - a. The use of stucco is allowed above the 2nd story, and, as accent detail on lower stories.
7. UDC 2.09.06 Non-Residential Architectural Standards shall be modified as follows:
  - a. Depth of articulation of at least 5 feet shall be required for every 50 feet of building façade length.
  - b. Depth articulation applies only below the roofline.
8. UDC 2.09.07 Lighting and Glare regulations shall apply.
9. UDC 4.01 Sign Regulations shall apply.
10. UDC 4.02 Fence and Screening regulations shall apply.



## **PUBLIC HEARING / BUSINESS ITEM 3 & 3a**

### **Planning and Zoning Commission Special Session**

*September 12, 2016*

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#### **AGENDA ITEM**

**PUBLIC HEARING:** TO HEAR PUBLIC OPINION REGARDING THE FINAL PLAT OF SWISHER 35-E ADDITION, LOTS X1, X2, 2A, AND 4-10, BLOCK A, BEING 10.307 ACRES AND BEING A REPLAT OF SWISHER 35-E ADDITION, LOTS 1 AND 3, BLOCK A, RECORDED IN DOC. NO. 2009-44 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located at on the northeast corner of IH 35E and Swisher Road.)

**BUSINESS:** Consider and act on the Final Plat of Swisher 35-E Addition, Lots X1, X2, 2A, and 4-10, Block A, being 10.307 acres and being a replat of Swisher 35-E Addition, Lots 1 and 3, Block A, recorded in Doc. No. 2009-44 in the City of Corinth, Denton County, Texas. (This property is located at on the northeast corner of IH 35E and Swisher Road.)

#### **APPROVAL PROCESS**

Public hearings will be held during the Planning and Zoning Commission meeting. The Planning and Zoning Commission will take final action on the replat.

#### **NOTIFICATION TO PUBLIC**

Prior to the Planning and Zoning Commission meeting; public hearing signs were placed along IH 35E frontage road and notice published in the Denton Record Chronicle, the City's official newspaper.

#### **AGENDA ITEM DESCRIPTION**

Originally this site was the home of Executive Mobile Home Park; development of the Swisher-35 Addition began with a conveyance plat approved in October 2005 to allow for the sale of the property. The final plat with construction plans was approved in June 2007 allowing for the development of the Comfort Inn located on Lot 3 by City Council.

At this time, Chris Anderson is proposing Swisher 35-E Addition Lots X1, X2, 2A, 4-10, Block A Final Plat being a replat of Swisher 35-E Addition Lot 1 and Lot 2, Block A. The replat sub-divides Lots 1 and 2, Block A into seven (7) pad site lots and two (2) detention pond lots. Lot 9 is proposed in the zoning change as stated from the previous agenda item as the site for the Swisher 35-E Self Storage. The Planning and Development Department have an application in-house for Panda Express locating on Lot 8. There is additional interest on other lots; Staff is awaiting submittal soon.

#### **ZONING**

Zoning on this site is C-2, Commercial (proposed PD C-2 – Council 9/15).

#### **COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION**

The Comprehensive Plan Future Land Use Map shows this area as Commercial and Retail.

#### **FINANCIAL SUMMARY**

Source of Funding: No funding is required.

**STAFF RECOMMENDATION**

Staff’s recommendation will be presented at the Planning and Zoning Commission meeting. There are some outstanding review comments that are being addressed regarding the civil construction documents. The project engineer and the City Engineer are currently working through these items and Staff anticipates that these will be remedied, reviewed and accepted by the City Engineer prior to the meeting.

**ATTACHMENTS / SUPPORTING DOCUMENTS**

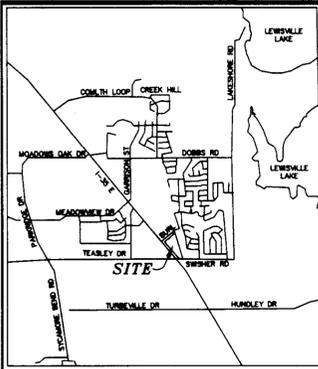
Current Plat and Proposed Plat

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Submitted By: Barbara Cabbage, Planning and Development Manager  
Department: Planning and Development

Finance Review: Yes  NA  Legal Review: Yes  NA

Director Review and Approval:



LOT 1 ONLY  
 LIENHOLDER'S RATIFICATION OF PLAT DEDICATION  
 STATE OF TEXAS §  
 COUNTY OF §

Whereas, Samuel Joseph Wilson the lienholder of the property described hereon, does hereby ratify all dedications and provisions of this plat as shown.  
 Lienholder: Samuel Joseph Wilson Date: 1-22-09

BEFORE ME, the undersigned authority in and for Denton, County, Texas, on this day personally appeared Samuel Joseph Wilson known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND, SEAL OF OFFICE, this the 22 day of January, 2009.  
Barbara LaShon Bush  
 Notary Public in and for the State of Texas

Barbara LaShon Bush  
 Type of Print Notary's Name  
 My commission expires: 03-38-2010

VICINITY MAP  
 N.T.S.

LOT 3 ONLY  
 LIENHOLDER'S RATIFICATION OF PLAT DEDICATION  
 STATE OF TEXAS §  
 COUNTY OF §

Whereas, Jason Worley, as a Vice President of American National Bank, a national banking association the lienholder of the property described hereby, does hereby ratify all dedications and provisions of this plat as shown.  
 Lienholder: Jason Worley Date: 2-10-09

BEFORE ME, the undersigned authority in and for Denton, County, Texas, on this day personally appeared Jason Worley, as a Vice President of American National Bank, a national banking association known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he is authorized to execute the foregoing instrument on behalf of said American National Bank of Texas for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND SEAL OF OFFICE, this the 10<sup>TH</sup> day of February, 2009.  
Terri Thomason  
 Notary Public in and for the State of Texas

Terri Thomason  
 Type of Print Notary's Name  
 My commission expires: 6-29-11



EASEMENT LINE TABLE	
BEARING	LENGTH
L1 S 50'18"52" W	50.20'
L2 N 50'18"52" E	52.82'
L3 S 50'20"29" W	46.61'
L4 N 50'18"52" E	47.47'
L5 S 50'18"52" W	62.16'
L6 N 50'18"52" E	61.74'
L7 N 73'05"05" E	50.15'
L8 N 40'06"26" W	22.95'
L9 N 49'53"34" E	24.00'
L10 N 40'06"26" W	20.97'
L11 S 16'52"26" E	12.83'
L12 S 28'07"34" W	52.30'
L13 S 61'52"26" E	16.00'
L14 N 28'07"34" E	56.98'
L15 S 16'52"33" E	7.37'
L16 N 73'06"07" E	14.39'
L17 S 73'07"34" W	25.69'
L18 S 16'52"26" E	16.00'
L19 N 73'07"34" E	31.07'
L20 N 40'09"42" W	10.00'
L21 S 40'09"42" E	10.00'
L22 S 73'06"07" W	24.00'
L23 S 16'52"33" E	9.99'
L24 S 73'07"01" W	16.00'
L25 N 16'52"33" W	4.48'
L26 S 73'07"34" W	8.83'
L27 N 73'07"34" E	8.83'
L28 S 73'07"34" W	26.29'
L29 N 16'52"26" W	16.52'
L30 S 73'06"07" W	6.76'

LOT 2, BLOCK A  
 SWISHER 35-E ADDITION  
 (C.A.B. W. PG. 605)  
 P.R.D.C.T.

CURVE TABLE				
DELTA	RADIUS	LENGTH	CHORD	
C1	91'47"27"	26.00'	41.65'	N 83'47"25" W - 37.34'
C2	88'12"33"	26.00'	40.03'	N 06'12"35" E - 36.19'
C3	91'44"18"	30.00'	48.03'	N 83'47"22" W - 43.07'
C4	90'25"18"	30.00'	47.34'	N 05'06"13" E - 42.58'
C5	89'34"42"	26.00'	40.65'	N 84'53"47" W - 36.63'
C6	90'25"18"	26.00'	41.03'	N 05'06"13" E - 36.93'
C7	88'15"42"	30.00'	46.21'	N 06'12"38" E - 41.78'
C8	89'24"12"	26.00'	40.57'	S 84'57"25" E - 36.58'
C9	18'35"19"	30.00'	9.73'	S 26'10"06" E - 9.69'
C10	161'24"41"	2.00'	5.63'	S 63'49"54" W - 3.95'
C11	90'34"00"	26.00'	41.10'	S 05'01"52" W - 36.95'
C12	89'34"42"	30.00'	46.90'	N 84'53"47" W - 42.27'
C13	21'00"03"	30.00'	11.00'	S 39'14"40" W - 10.93'
C14	20'02"10"	30.00'	10.49'	N 59'45"46" E - 10.44'
C15	88'53"59"	26.00'	40.34'	S 85'42"43" E - 36.41'
C16	113'17"16"	50.00'	98.86'	S 73'31"04" E - 83.53'
C17	89'58"33"	50.00'	78.52'	S 28'06"51" W - 70.70'
C18	88'53"59"	26.00'	40.34'	S 28'39"10" W - 36.41'
C19	86'02"55"	26.00'	29.97'	S 73'52"26" E - 28.34'
C20	89'58"33"	26.00'	40.83'	N 28'06"51" E - 36.76'
C21	113'17"16"	26.00'	51.41'	N 73'31"04" W - 43.43'
C22	89'10"00"	26.00'	40.46'	S 05'15"18" W - 36.50'

BOUNDARY LINE TABLE	
BEARING	LENGTH
L1 S 44'09"17" E	26.47'
L2 N 50'27"36" E	67.12'
L3 N 37'30"09" W	27.41'
L4 N 73'06"07" E	141.16'

INTERSTATE HIGHWAY NO. 35-E  
 (UNIMPROVED HIGHWAY ROAD)  
 608.21' W  
 N 40'15"19" W  
 N 40'15"19" W  
 N 40'15"19" W

LOT 1, BLOCK A  
 415,420 SQ. FT.  
 OR  
 9.537 AC.

LOT 3, BLOCK A  
 65,671 SQ. FT.  
 OR  
 1.508 AC.

CERTIFICATE OF SURVEYOR  
 STATE OF TEXAS §  
 COUNTY OF COLLIN §

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

Hal Mollenkopf  
 Registered Professional Land Surveyor No. 5439

Date: 01-21-09  
 STATE OF TEXAS §  
 COUNTY OF COLLIN §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 21 day of JANUARY, 2009.  
W.R. PERMAN  
 Notary Public in and for the State of Texas

W.R. PERMAN  
 Type of Print Notary's Name



**CURRENT PLAT**

OWNER'S ACKNOWLEDGEMENT AND DEDICATION  
 STATE OF TEXAS §  
 COUNTY OF §

We, the undersigned, owners of the land shown on this plat within the area described by metes and bounds as follows:

BEING a 11.044 acre tract of land situated in the H.H. Swisher Survey, Abstract No. 1220, Denton County, Texas, said tract being all of Lot 1, Block A, Swisher 35-E Addition, an addition to the City of Corinth, Texas, as recorded in Cabinet W, Page 605, Plat Records Denton County, Texas (P.R.D.C.T.), said tract being more particularly described as follows:

COMMENCING at the southeast corner of said Lot 2 said Swisher 35-E Addition (Cabinet W, Page 605), said corner being at the intersection of the north right-of-way line of Swisher Road (variable width) and on the west line of a 100' R.O.W. deed to the City of Denton, as recorded in County Clerk Document No. 93-0058485, Deed Records Denton County, Texas (D.R.D.C.T.);

THENCE South 89 degrees 52 minutes 29 seconds West, along said north right-of-way line, a distance of 157.12 feet to a point for corner;

THENCE North 84 degrees 08 minutes 18 seconds West, along said north right-of-way line, a distance of 51.14 feet to a found TxDOT brass monument the southwest corner of said Lot 2, said corner being on the east right-of-way line of Interstate Highway No. 35-E (variable width), said corner being on a circular curve to the right, having a radius of 5879.65 feet and whose chord bears North 40 degrees 39 minutes 56 seconds West, a distance of 133.61 feet;

THENCE Northwest, along said east right-of-way line and said curve to the right, through a central angle of 01 degrees 18 minutes 07 seconds, an arc distance of 133.61 feet to a 5/8-inch found iron rod at the end of said curve;

THENCE North 40 degrees 15 minutes 19 seconds West, along said east right-of-way line, a distance of 93.73 feet to 1/2-inch set iron rod with cap stamped "RPLS 5439" (hereinafter referred to as "with cap") for the POINT OF BEGINNING, said corner being the northeast corner of said Lot 2 and the southwest corner of said Lot 1;

THENCE North 40 degrees 15 minutes 19 seconds West, along said east right-of-way line, a distance of 608.21 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 40 degrees 01 minutes 20 seconds West, along said east right-of-way line, a distance of 313.59 feet to a 5/8-inch found iron rod the northeast corner of said Lot 1, said corner being the southwest corner of Gibson Heights Addition, as recorded in Volume 2, Page 110, P.R.D.C.T.;

THENCE North 50 degrees 07 minutes 58 seconds East, departing said east right-of-way line and along said Lot 1 and said Gibson Addition, a distance of 269.65 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 44 degrees 09 minutes 17 seconds East, a distance of 26.47 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 50 degrees 27 minutes 36 seconds East, a distance of 67.12 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 37 degrees 30 minutes 09 seconds West, a distance of 27.41 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 49 degrees 49 minutes 05 seconds East, a distance of 311.96 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 17 degrees 17 minutes 53 seconds West, a distance of 153.91 feet to a 5/8-inch found iron rod for corner;

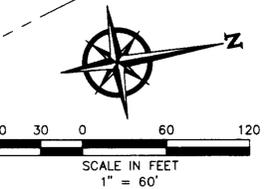
THENCE North 50 degrees 15 minutes 18 seconds East, a distance of 60.09 feet to a 1/2-inch set iron rod with cap for corner on the east line of said Lot 1 and the aforementioned City of Denton west right-of-way line;

THENCE South 16 degrees 52 minutes 26 seconds East, along said west right-of-way line, a distance of 1198.81 feet to a 1/2-inch set iron rod with cap for corner for the southeast corner of said Lot 1 and the northeast corner of said Lot 2;

THENCE South 73 degrees 07 minutes 34 seconds West, departing said west right-of-way line and along said Lots 1 and 2, a distance of 99.47 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 49 degrees 44 minutes 41 seconds West, along said Lots 1 and 2, a distance of 206.18 feet to the POINT OF BEGINNING AND CONTAINING 481,091 square feet or 11.044 acres of land more or less;

and designated herein as Final Plat of Lots 1 & 3, Block A, Swisher 35-E Addition to the City of Corinth was submitted to the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2009, and the Council, by formal action, then and there accepted the fee simple dedication of streets, thoroughfares, alleys, and parks to the public use forever and dedication of easements for trails, sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the Subdivision Ordinance and Design Criteria as shown for the purpose and consideration therein expressed.



LEGEND

S.I.R.	1/2" SET IRON ROD
W/CAP	WITH CAP STAMPED "RPLS 5439"
F.I.R.	FOUND IRON ROD
P.R.D.C.T.	PLAT RECORDS DENTON COUNTY TEXAS
D.R.D.C.T.	DEED RECORDS DENTON COUNTY TEXAS
S.V.E.	SIGHT VISIBILITY EASEMENT

Certificate of Final Plat Approval  
 Approved  
Elizabeth A. Musick 23 February 2009  
 Chairwoman, Planning and Zoning Commission  
 City of Corinth, Texas

Approved  
Jerome M. Skibell 9/25/09  
 Mayor, City of Corinth, Texas

The undersigned, the City Secretary and the City of Corinth, Texas, hereby certifies that the foregoing Final Plat of Lots 1 & 3, Block A, Swisher 35-E Addition to the City of Corinth was submitted to the City Council on the 21 day of January, 2009, and the Council, by formal action, then and there accepted the fee simple dedication of streets, thoroughfares, alleys, and parks to the public use forever and dedication of easements for trails, sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the Subdivision Ordinance and Design Criteria as shown and set forth in and upon said plat, that the public works and infrastructure improvements have been completed in accordance with the construction plans, have been tested and have been accepted by the City, that the City is now acceptable for filing with Denton County and said Council further authorized the Mayor to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness by hand this 21 day of February, A.D., 2009.  
Kimberly Case  
 City Secretary  
 City of Corinth, Texas

Certification of Completion and Authorization to File  
 Approved  
Jerome M. Skibell 2/25/09  
 Mayor, City of Corinth, Texas

The undersigned, the City Secretary and the City of Corinth, Texas, hereby certifies that the foregoing Final Plat of Lots 1 & 3, Block A, Swisher 35-E Addition to the City of Corinth was submitted to the City Council on the 21 day of January, 2009, and the Council, by formal action, then and there accepted the fee simple dedication of streets, thoroughfares, alleys, and parks to the public use forever and dedication of easements for trails, sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the Subdivision Ordinance and Design Criteria as shown and set forth in and upon said plat, that the public works and infrastructure improvements have been completed in accordance with the construction plans, have been tested and have been accepted by the City, that the City is now acceptable for filing with Denton County and said Council further authorized the Mayor to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness by hand this 21 day of February, A.D., 2009.  
Kimberly Case  
 City Secretary  
 City of Corinth, Texas

Date: 11/21/09  
 Owner: SWISHER-35, Ltd., a Texas limited partnership.  
 By: Jerome M. Skibell  
 Jerome M. Skibell, President

STATE OF TEXAS §  
 COUNTY OF §

BEFORE ME, the undersigned authority, on this day personally appeared Jerome M. Skibell, President of Swisher-35, Ltd., a Texas limited liability company, the General Partner of Swisher-35, Ltd., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said limited partnership in the capacity therein stated and for the purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 21 day of January, 2009.  
Barbara LaShon Bush  
 Notary Public in and for the State of Texas

Barbara LaShon Bush  
 Type of Print Notary's Name

Owner: SPAFSP Corporation, a Texas corporation  
 By: Sateesh Patel  
 Sateesh Patel

STATE OF TEXAS §  
 COUNTY OF §

BEFORE ME, the undersigned authority, on this day personally appeared Sateesh Patel, President of SPAFSP Corporation, a Texas corporation known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said corporation in the capacity therein stated and for the purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11 day of February, 2009.  
Kimberly Case  
 Notary Public in and for the State of Texas

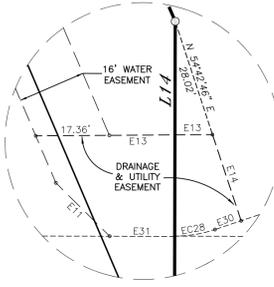
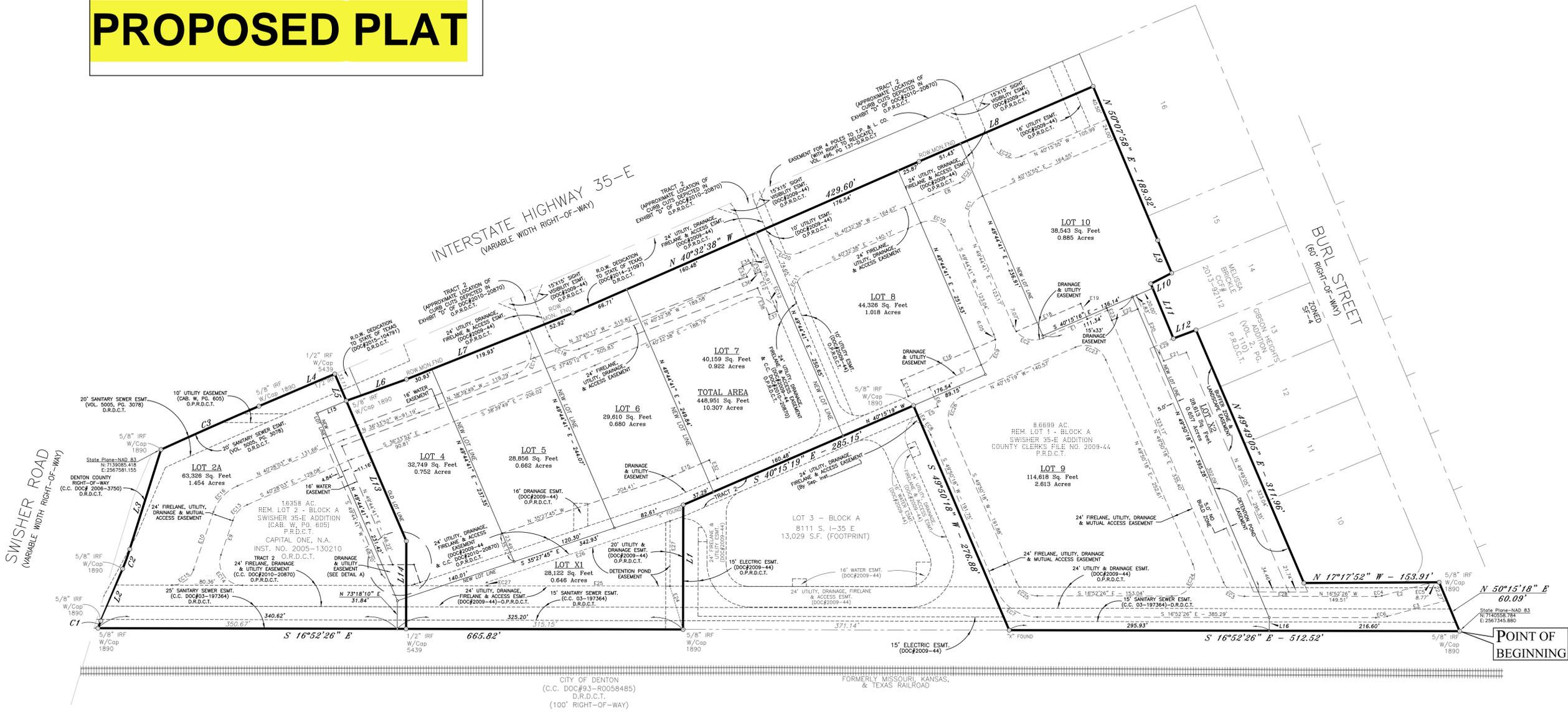
Kimberly Case  
 Type of Print Notary's Name

**FINAL PLAT**  
**SWISHER 35-E ADDITION**  
 LOTS 1 & 3, BLOCK A  
 11.044 ACRES  
 SITUATED IN THE  
 H.H. SWISHER SURVEY, ABST. NO. 1220  
 CITY OF CORINTH  
 DENTON COUNTY, TEXAS  
 BY  
**MOLLENKOPF LAND SURVEYING**  
 SURVEYING & MAPPING  
 1216 N. CENTRAL EXPRESSWAY, SUITE 203B  
 MCKINNEY, TX 75070  
 (214) 544-3334 (214) 544-3335 FAX

Filed for Record in  
 Denton County  
 On: Feb 27, 2009 at 12:00P  
 As a  
 Plat  
 SWISHER 35-E ADDITION  
 Job Number: 2009- 44  
 No. of Pages: 1  
 Amount 50.00  
 Receipt Number - 561519  
 Ascenda Records



# PROPOSED PLAT



DETAIL "A"  
SCALE: 1"=20"

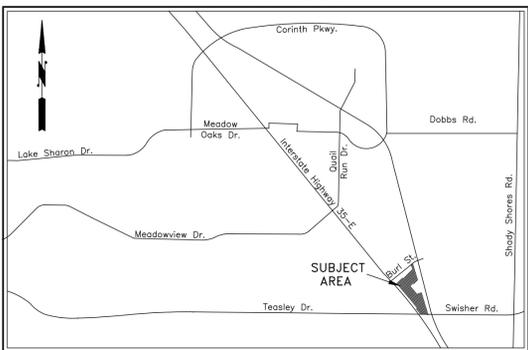
## LEGEND

- BOUNDARY LINE
- NEW LOT BOUNDARY LINE
- ADJOINER PROPERTY LINE
- EASEMENT LINE

## ABBREVIATIONS

Vol. = Volume  
Pg. = Page  
Doc. # = Document Number  
D.R.D.C.T. = Deed Records, Denton County, Texas  
P.R.D.C.T. = Plat Records, Denton County, Texas  
O.P.R.D.C.T. = Official Plat Records, Denton County, Texas  
IRS = 1/2" Iron Rod Set with cap stamped "RPLS 4701" (Unless otherwise noted)  
CM = Controlling Monument

## VICINITY MAP



## LINE TABLE

LINE	BEARING	DISTANCE
L1	N 73°06'07" E	141.16
L2	N 84°17'41" W	64.16
L3	N 89°32'11" W	118.28
L4	N 39°54'53" W	93.75
L5	N 49°44'41" E	33.11
L6	N 36°33'52" W	72.78
L7	N 38°39'49" W	203.78
L8	N 40°19'55" W	215.60
L9	N 49°49'05" E	40.33
L10	S 44°09'17" E	26.69
L11	N 30°27'36" E	67.72
L12	N 37°30'09" W	27.41
L13	N 49°44'12" E	173.07
L14	N 73°08'35" E	93.48
L15	S 39°54'04" E	35.97
L16	N 73°07'34" E	15.04

## EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
E1	N 40°15'19" W	79.82
E2	N 31°50'22" W	54.72
E3	S 11°52'27" E	70.08
E4	S 49°49'28" W	10.67
E5	N 40°15'19" W	25.00
E6	S 40°54'38" W	24.00
E7	N 40°15'19" W	64.75
E8	N 40°15'55" W	33.23
E9	S 87°54'00" W	41.39
E10	N 87°54'30" W	69.20
E11	S 27°36'22" W	17.84
E12	N 50°22'06" E	48.34
E13	N 17°23'24" W	41.68
E14	N 54°32'15" E	21.32
E15	N 40°15'19" W	45.79
E16	S 40°15'19" E	116.45
E17	N 49°44'41" E	20.01
E18	N 40°15'19" W	79.89
E19	N 49°44'41" E	19.02
E20	N 50°27'36" E	80.70
E21	N 73°07'34" E	27.66
E22	S 40°15'16" E	32.16
E23	S 49°50'18" W	15.00
E24	S 05°08'09" W	51.30
E25	S 16°52'26" E	207.76
E26	N 32°27'45" W	219.78
E27	N 73°08'35" E	73.81
E28	S 16°52'26" E	56.21
E29	N 40°09'42" W	24.13
E30	S 32°27'09" W	6.50
E31	S 17°04'42" W	15.26
E32	N 49°44'41" E	22.94
E33	N 49°44'41" E	11.37
E34	N 40°32'58" W	10.00
E35	N 49°44'41" E	13.61
E36	N 37°43'11" W	6.33
E37	S 40°32'58" W	10.00
E38	S 49°44'41" W	32.83

## CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1°01'16"	491.00	8.75	N 84°48'19" W	8.75
C2	5°14'33"	259.50	23.70	N 86°54'56" W	23.69
C3	1°11'14"	879.65	121.84	N 40°50'56" W	121.84

## EASEMENT CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
EC1	90°15'46"	26.00	40.96	S 85°23'48" E	36.85
EC2	89°09'59"	26.00	40.84	N 04°44'40" E	36.77
EC3	66°42'24"	26.00	30.27	N 16°28'56" E	28.59
EC4	15°00'01"	26.00	6.81	N 24°22'26" W	6.79
EC5	82°34'00"	26.00	38.11	N 36°04'17" W	33.89
EC6	15°00'01"	50.00	13.09	S 24°22'26" E	13.05
EC7	66°42'24"	50.00	58.22	S 16°28'51" W	54.99
EC8	38°07'04"	26.00	16.39	S 31°44'44" W	16.12
EC9	90°00'00"	26.00	40.84	N 85°15'19" W	36.77
EC10	90°17'19"	26.00	40.97	S 04°36'01" W	36.86
EC11	89°08'29"	26.00	40.85	S 85°06'53" E	36.49
EC12	90°53'17"	26.00	41.24	S 04°53'59" E	37.05
EC13	47°26'27"	30.00	24.84	S 64°11'16" E	24.14
EC14	108°57'56"	26.00	49.45	N 37°36'52" E	42.32
EC15	11°02'04"	26.00	32.23	N 52°23'28" W	30.21
EC16	47°26'27"	50.00	41.40	N 64°11'16" W	40.23
EC17	91°01'18"	26.00	41.30	N 84°10'28" W	37.10
EC18	88°48'48"	26.00	40.38	N 02°49'43" E	36.44
EC19	88°53'34"	26.00	40.34	N 84°59'28" W	36.41
EC20	87°36'50"	26.00	39.88	N 03°20'50" E	36.10
EC21	89°21'13"	26.00	40.58	N 84°58'11" W	36.38
EC22	90°35'17"	26.00	41.11	N 05°01'43" E	36.96
EC23	90°05'37"	26.00	40.88	N 04°47'30" E	36.80
EC24	11°31'19"	26.00	6.14	S 73°31'04" E	43.43
EC25	66°42'24"	26.00	30.27	S 16°28'56" W	28.59
EC26	89°54'23"	26.00	40.80	N 85°12'30" W	36.74
EC27	18°30'44"	1.97	5.60	S 64°23'03" W	3.89
EC28	18°35'20"	30.00	9.73	S 26°10'06" E	9.69

OWNER LOTS 1A, 4-11  
SWISHER @ 1-35 CORINTH, LP  
10210 N. Central Expressway  
Suite 300  
Dallas, Texas 75231  
972-385-4136

OWNER LOT 2A  
CAPITAL ONE, N.A.  
1680 Capital One Drive  
McLean, Virginia 22102  
817-334-7244

SURVEYOR  
RINGLEY & ASSOCIATES  
701 S. Tennessee Street  
McKinney, Texas  
972-542-1266  
lhr@ringley.com

## FINAL REPLAT

**SWISHER 35-E ADDITION**  
**LOTS X1, X2, 2A, 4 - 10, BLOCK A**  
**448,951 SF, 10.307 ACRES**

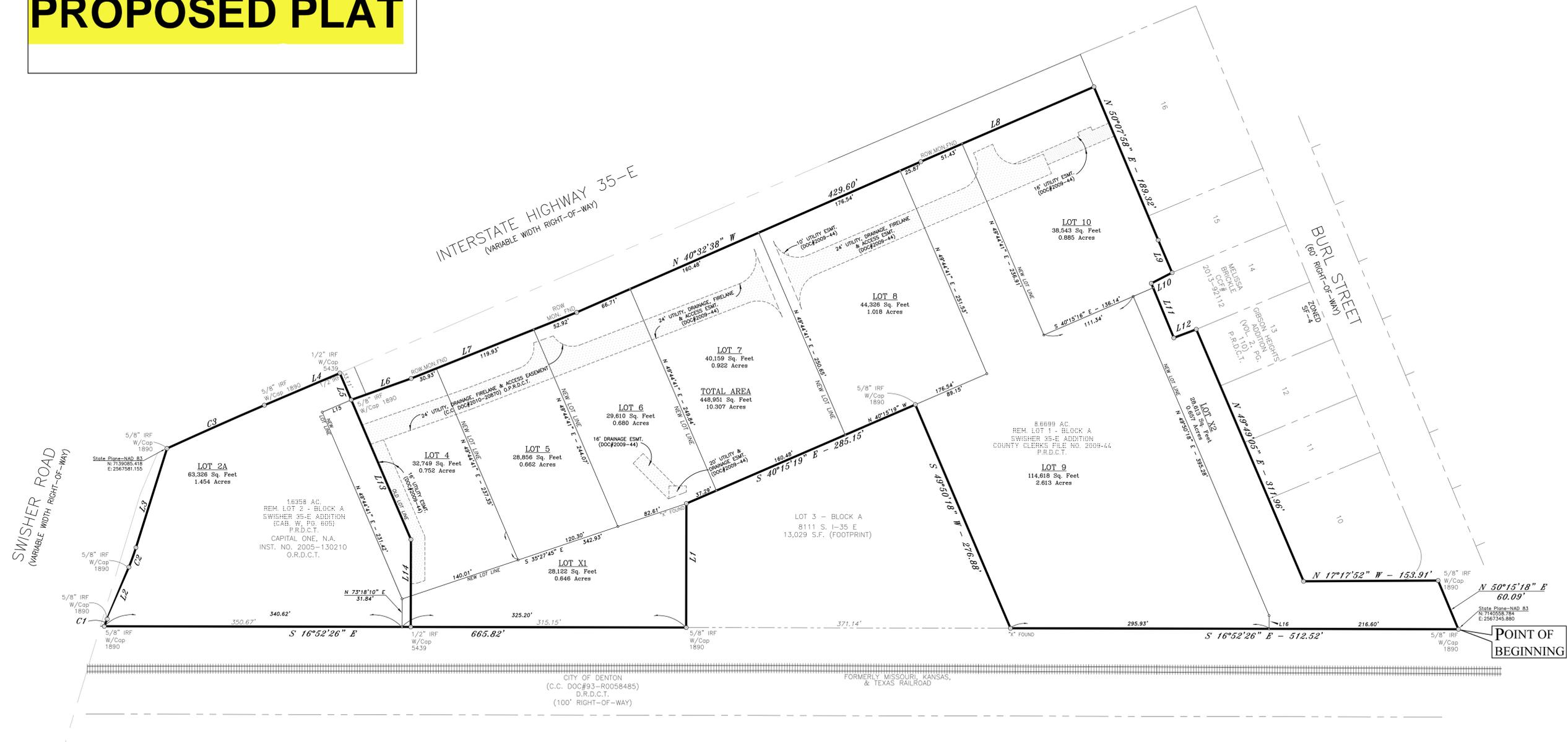
SITUATED IN THE  
H.H. SWISHER SURVEY, ABSTRACT No. 1220  
CITY OF CORINTH  
DENTON COUNTY, TEXAS

**RINGLEY & ASSOCIATES, INC.**  
701 S. Tennessee - McKinney, Texas 75069  
(972) 542-1266  
Texas Firm Registration No. 10061300

Date	Job	Title
06/15/16	16052	16052-RP.DWG
Scale	Drawn by	Checked by
1" = 60'	Mark Hank	L. R. Ringley

Sheet 1 of 3

# PROPOSED PLAT



## LEGEND

BOUNDARY LINE	---
NEW LOT BOUNDARY LINE	---
ADJOINER PROPERTY LINE	---
EASEMENT LINE	---

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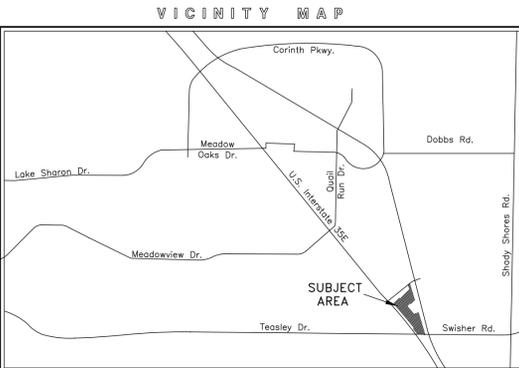
### LINE TABLE

LINE	BEARING	DISTANCE
L1	N 73°06'07" E	141.16'
L2	N 84°17'41" W	64.16'
L3	N 89°32'11" W	118.29'
L4	N 39°54'53" W	93.75'
L5	N 49°44'41" E	33.11'
L6	N 36°33'52" W	72.78'
L7	N 38°39'49" W	203.78'
L8	N 40°15'55" W	215.60'
L9	N 49°49'05" E	40.33'
L10	S 44°09'17" E	26.69'
L11	N 50°27'36" E	67.12'
L12	N 37°30'09" W	27.41'
L13	N 49°44'12" E	173.07'
L14	N 73°08'35" E	99.48'
L15	S 39°34'04" E	35.37'
L16	N 73°07'54" E	15.04'

### CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1°01'16"	491.00'	8.75'	N 84°48'19" W	8.75'
C2	5°14'33"	259.00'	23.70'	N 86°54'56" W	23.69'
C3	1°11'14"	8679.65'	121.84'	N 40°30'58" W	121.84'

## DETAIL EASEMENTS TO BE ABANDONED



**ENGINEER**  
 CROSS ENGINEERING CONSULTANTS, INC.  
 131 S. Tennessee Street  
 McKinney, Texas  
 972-562-4409  
 JHake@crossengineering.biz

**SURVEYOR**  
 RINGLEY & ASSOCIATES  
 701 S. Tennessee Street  
 McKinney, Texas  
 972-542-1266  
 lhr@ringley.com

**OWNER**  
 SWISHER @ I-35 CORINTH, LP  
 10210 N. Central Expressway  
 Suite 300  
 Dallas, Texas  
 972-385-4136

## FINAL REPLAT

**SWISHER 35-E ADDITION  
 LOTS X1, X2, 2A, 4 - 10, BLOCK A  
 448,951 SF, 10.307 ACRES**

**SITUATED IN THE  
 H.H. SWISHER SURVEY, ABSTRACT No. 1220  
 CITY OF CORINTH  
 DENTON COUNTY, TEXAS**

**RINGLEY & ASSOCIATES, INC.**  
 701 S. Tennessee - McKinney, Texas 75069  
 (972) 542-1266  
 Texas Firm Registration No. 10061300

Date	Job	Title
06/15/16	16052	16052-AP.DWG
Scale	Drawn by	Checked by
1" = 60'	Mark Hank	L. R. Ringley
		2 of 3

OWNER'S CERTIFICATE

# PROPOSED PLAT

STATE OF TEXAS        )  
COUNTY OF DENTON    )

WE, the undersigned, owners of the land shown on this plat within the area described by metes and bounds as follows:

BEING 10.307 acres of land situated in the City of Corinth, in the H.H. Swisher Survey, Abstract No. 1220 of Denton County, Texas and being a part of Lot 1, Block A of SWISHER 1-35 ADDITION, an addition to the City of Corinth, according to the Final Plat thereof, recorded in Document No. 2009-44, Plat Records of Denton County, Texas (P.R.D.C.T.) and also being a part of Lot 2, Block A of SWISHER 1-35 ADDITION, an addition to the City of Corinth, according to the Final Plat thereof, recorded in Cabinet W, Page 605, P.R.D.C.T. and being more particularly described by metes & bounds as follows:

BEGINNING at a 5/8 inch iron rod, topped with a plastic cap, stamped "RPLS 1890" (hereinafter referred to as "with cap"), found for the most northerly northeast corner of the above described Lot 1, Block A, at the intersection of the south right-of-way line of Burl Street (60' wide R.O.W.) and the west line of a 100' wide right-of-way deed to the City of Denton, recorded in Document No. 93-R0058485, Deed Records, Denton County, Texas (D.R.D.C.T.);

THENCE: South 16 deg. 52 min. 26 sec. East (Reference Bearing), along the common line of said Lot 1, Block A and said City of Denton Right-of-way, a distance of 512.52 feet to an "X" found in concrete for the northeast corner of Lot 3, Block A of the above described Swisher 1-35 Addition;

THENCE: South 49 deg. 50 min. 18 sec. West, along the common line of said Lots 1 and 3, Block A, a distance of 276.88 feet to a 5/8 inch iron rod, with cap, found for the northwest corner of said Lot 3, Block A and an inside ell corner of said Lot 1, Block A;

THENCE: South 40 deg. 15 min. 19 sec. East, continuing along the common line of said Lots 1 and 3, Block A, a distance of 285.15 feet to an "X" found in concrete for the southwest corner of said Lot 3, Block A and an inside ell corner of said Lot 1, Block A;

THENCE: North 73 deg. 06 min. 07 sec. East, continuing along the common line of said Lots 1 and 3, Block A, a distance of 141.16 feet to a 5/8 inch iron rod, with cap, found on the west line of the above described City of Denton Right-of-way, for the southeast corner of said Lot 3, Block A and same being the southerly northeast corner of said Lot 1, Block A;

THENCE: South 16 deg. 52 min. 26 sec. East, along the common line of said Lot 1, Block A and said City of Denton Right-of-way, at 295.15 feet, passing a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 5439", found for the southeast corner of said Lot 1, Block A and the northeast corner of the above described Lot 2, Block A and continuing on for a total distance of 665.82 feet to a 5/8 inch iron rod, with cap, found on the north Right-of-way line of Swisher Road (variable width R.O.W.) established in a deed to Denton County, recorded in Document No. 2006-33750, D.R.D.C.T. and said point being in a non-tangent curve to the right, having a radius of 491.00 feet, a central angle of 01 deg. 01 min. 16 sec. and a chord that bears North 84 deg. 48 min. 19 sec. West - 8.75 feet;

THENCE: Along said Swisher Road Right-of-way and with said curve to the right, an arc distance of 8.75 feet to a 5/8 inch iron rod, with cap, found for corner at the end of said curve;

THENCE: North 84 deg. 17 min. 41 sec. West, continuing along said Right-of-way line, a distance of 64.16 feet to a 5/8 inch iron rod, with cap, found for corner at the beginning of a curve to the left, having a radius of 259.00 feet, a central angle of 05 deg. 14 min. 33 sec. and a chord that bears North 86 deg. 54 min. 56 sec. West - 23.69 feet;

THENCE: Continuing along said Right-of-way and with said curve to the left, an arc distance of 23.70 feet to a 5/8 inch iron rod, with cap, found for corner at the end of said curve;

THENCE: North 89 deg. 32 min. 11 sec. West, continuing along said Right-of-way, a distance of 118.28 feet to a 5/8 inch iron rod, with cap, found for corner on the west line of said Lot 2, Block A, at the intersection of the north Right-of-way line of Swisher Road and the east Right-of-way line of Interstate Highway 35-E (variable width R.O.W.) and said point being in a non-tangent curve to the right, having a radius of 5,879.65 feet, a central angle of 01 deg. 11 min. 14 sec. and a chord that bears North 40 deg. 50 min. 56 sec. West - 121.84 feet;

THENCE: Along the common line of said Lot 2, Block A and said Interstate Highway 35-E and with said curve to the right, an arc distance of 121.84 feet to a 5/8 inch iron rod, with cap, found for corner at the end of said curve;

THENCE: North 39 deg. 54 min. 53 sec. West, continuing along the common line of said Lot 2, Block A and said highway, a distance of 93.75 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 5439", found for the northwest corner of Lot 2, Block A, the original southwest corner of Lot 1, Block A and same being the southwest corner of that certain called 0.0128 acre tract of land described as Parcel 69B in a deed to the State of Texas, recorded in Document No. 2015-104791, D.R.D.C.T.;

THENCE: North 49 deg. 44 min. 41 sec. East, along the common line of said Lot 2, Block A and said Parcel 69B, a distance of 33.11 feet to a 5/8 inch iron rod, with cap, found for the southeast corner of said Parcel 69B;

THENCE: North 36 deg. 33 min. 52 sec. West, along the current east Right-of-way line of Interstate Highway 35-E and the east line of said Parcel 69B, at 18.04 feet passing the northeast corner of said Parcel 69B and same being the southeast corner of that certain called 0.8157 acre tract of land described as Parcel 75 in a deed to the State of Texas, recorded in Document No. 2014-21097, D.R.C.C.T. and continuing along the current east Right-of-way line of Interstate Highway 35-E and the east line of said Parcel 75 for a total distance of 72.78 feet to a Texas Department of Transportation concrete monument with an aluminum disk (hereinafter referred to as "TxDOT Monument"), found for corner;

THENCE: Continuing along the current east Right-of-way line of Interstate Highway 35-E and the east line of said Parcel 75 as follows:

North 38 deg. 39 min. 49 sec. West, a distance of 203.78 feet to a TxDOT Monument found for corner;  
North 40 deg. 32 min. 38 sec. West, a distance of 429.60 feet to a TxDOT Monument found for corner;  
North 40 deg. 15 min. 55 sec. West, a distance of 215.60 feet to a 5/8 inch iron rod, topped with an aluminum TxDOT disk found on the north side of a screening wall, on the north line of said Lot 1, Block A, the south line of Gibson Heights Addition, an addition to the City of Corinth, according to the plat thereof, recorded in Volume 2, Page 110, P.R.D.C.T. and being the northeast corner of said Parcel 75;

THENCE: Departing from said highway, along the common line of said Lot 1, Block A and said Gibson Heights Addition as follows:

North 50 deg. 04 min. 39 sec. East, a distance of 229.65 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for corner;  
South 44 deg. 09 min. 17 sec. East, a distance of 26.69 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for corner;  
North 50 deg. 27 min. 36 sec. East, a distance of 67.12 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for corner;  
North 37 deg. 30 min. 09 sec. West, a distance of 27.41 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for corner;  
North 49 deg. 49 min. 05 sec. East, a distance of 311.96 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for the southeast corner of said Gibson Heights Addition and same being an inside ell corner for said Lot 1, Block A;

THENCE: North 17 deg. 17 min. 52 sec. West, continuing along the common line of said Lot 1, Block A and Gibson Heights Addition, a distance of 153.91 feet to a 5/8 inch iron rod, with cap, found for the most northerly northwest corner of said Lot 1, Block A, on the south right-of-way line of the above mentioned Burl Street;

THENCE: North 50 deg. 15 min. 18 sec. East, along the common line of said Lot 1, Block A and said Burl Street, a distance of 60.09 feet to the POINT OF BEGINNING and containing 448,951 square feet or 10.307 Acres of land.

and designated herein as the SWISHER 35-E ADDITION to the City of Corinth, Texas, and whose name is subscribed hereto, hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, parks, and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules, and regulations thereon shown for the purpose and consideration therein expressed.

Owner of Lots 1A, 4, 5, 6, 7, 8, 9, 10 & 11, Block A  
Swisher @ 1-35 Corinth, LP  
Swisher @ 1-35 Corinth, LLC, its General Partner

Owner of Lot 2A, Block A  
Capital One, N.A.

\_\_\_\_\_  
Julian Hawes, Jr.,  
Vice President of  
General Partnership

STATE OF TEXAS        )  
COUNTY OF DALLAS)

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, this day personally appeared **Julian Hawes, Jr.**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_

STATE OF VIRGINIA    )  
COUNTY OF FAIRFAX)

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, this day personally appeared **Kenneth Kido**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_

OWNER'S STATEMENT FOR FIRE LANE EASEMENT

The undersigned covenants and agrees that they shall construct upon the fire lane easements, as dedicated and shown hereon, a fire lane in accordance with the Fire Code and City standards and that they shall maintain the same in a state of good repair at all times in accordance with City Ordinance. The fire lane easement shall be kept free of obstructions in accordance with the City Ordinance. The maintenance of pavement in accordance to City Ordinance of the fire lane easements is the responsibility of the owner. The owner shall identify the fire lane in accordance with City Ordinance. The Chief of Police or his/her duly authorized representative is hereby authorized to cause such fire lane and utility easements to be maintained free and unobstructed at all times for fire department and emergency use

Owner (Printed Name): \_\_\_\_\_

Owner (Signature): \_\_\_\_\_

Date: \_\_\_\_\_

Owner (Printed Name): \_\_\_\_\_

Owner (Signature): \_\_\_\_\_

Date: \_\_\_\_\_

SURVEYOR'S CERTIFICATE

I, Lawrence H. Ringley, Registered Public Surveyor, hereby certify that I have prepared this plat from an actual on-the-ground survey of the land and the corner monuments shown thereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Corinth, Texas.

RELEASED 08/24/16 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

Lawrence H. Ringley  
State of Texas, No. 4701

STATE OF TEXAS        )  
COUNTY OF COLLIN    )

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, this day personally appeared **Lawrence H. Ringley**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_

CERTIFICATE OF FINAL PLAT APPROVAL (FOR FINAL PLATS WITH REQUIRED PUBLIC IMPROVEMENTS INSTALLED AFTER APPROVAL)

Approved

\_\_\_\_\_  
Chairman, Planning and Zoning Commission        Date  
City of Corinth, Texas

The undersigned, the City Secretary of the City of Corinth, Texas, hereby certifies that the foregoing Final Plat of the \_\_\_\_\_ Subdivision or Addition to the City of Corinth was submitted to the Planning and Zoning Commission on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and the Commission, by formal action, then and there accepted the Final Plat and hereby authorizes the developer to proceed with the construction of public works improvements and infrastructure as indicated on the accompanying construction plans, and said Commission further authorizes the Chairman of the Planning and Zoning Commission to note the acceptance thereof by signing his/her name as hereinabove subscribed.  
Witness by hand this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
City Secretary City of Corinth, Texas

Approved & Accepted

\_\_\_\_\_  
Director of Planning  
City of Corinth, Texas

\_\_\_\_\_  
Date

## FINAL REPLAT

### SWISHER 35-E ADDITION LOTS X1, X2, 2A, 4 - 10, BLOCK A 448,951 SF, 10.307 ACRES

#### SITUATED IN THE H.H. SWISHER SURVEY, ABSTRACT No. 1220 CITY OF CORINTH DENTON COUNTY, TEXAS

 <b>RINGLEY &amp; ASSOCIATES, INC.</b>			
<small>701 S. Tennessee - McKinney, Texas 75069 (972) 542-1266</small>			
Texas Firm Registration No. 10061300			
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N.T.S.	Mark Hank	L. H. Ringley	3 of 3