



PLANNING AND ZONING COMMISSION

CITY OF CORINTH, TEXAS

3300 CORINTH PARKWAY, CORINTH, TEXAS

SPECIAL SESSION MEETING

MONDAY, APRIL 16, 2018 – 7:00 P.M.



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

**NOTICE OF THE CITY OF CORINTH
PLANNING AND ZONING COMMISSION
SPECIAL SESSION
MONDAY, APRIL 16, 2018 AT 7:00 P.M.
CITY HALL – 3300 CORINTH PARKWAY**

CALL TO ORDER, INVOCATION

BUSINESS AGENDA

BUSINESS ITEMS

1. Consider and act on Minutes from the March 26, 2018 Planning and Zoning Commission Regular Session Meeting.
2. Consider and act on a petition for a Major Subdivision Waiver for relief from the driveway separation distance requirements of the Unified Development Code, Section 3.05.04, Access Management, to allow a separation distance of approximately 171' from the Post Oak intersection for a new driveway. The property is located on 3.017 acres legally described as Tract 1 being 3.189 acres situated in the L. Young Survey, County Abstract 1451 in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.
3. Consider and act on the Childrens Lighthouse Addition preliminary plat Lots 1 and 2 being 3.192 acres situated in the Levi Young Survey, County Abstract 1451 zoned Planned Development Neighborhood Shopping in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.
4. Consider and act on the Childrens Lighthouse Addition Lots 1 and 2 final plat being 3.192 acres situated in the Levi Young Survey, County Abstract 1451 zoned Planned Development Neighborhood Shopping in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

PUBLIC HEARING AND BUSINESS AGENDA

PUBLIC HEARING

TO HEAR PUBLIC OPINION REGARDING A REQUEST BY THE APPLICANT, ROBERT P. GARZA, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER NANCY REED, FOR A ZONING CHANGE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE NO. 13-05-02-08 AND PLANNED DEVELOPMENT ORDINANCE NO. 07-03-01-05 BY REVISING THE LAND USE REGULATIONS AND DEVELOPMENT STANDARDS ON PROPERTY LEGALLY DESCRIBED AS TRACT 1 BEING 3.189 ACRES SITUATED IN THE L. YOUNG SURVEY, COUNTY ABSTRACT 1451 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

BUSINESS ITEM

5. Consider and act on an ordinance amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code, Ordinance No. 13-05-02-08, as amended and amending Planned Development Ordinance No. No. 07-03-01-05 by revising the Land Use Regulations and Development Standards on property legally described as Tract 1 being 3.189 acres situated in the L. Young Survey, County Abstract 1451 in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

PUBLIC HEARING

TO HEAR PUBLIC OPINION REGARDING AMENDING THE CITY OF CORINTH COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE INCLUDING SECTIONS 2.07.03 AND 2.07.04 BY AMENDING USES PERMITTED, USES PROHIBITED, USES PERMITTED BY SPECIFIC USE PERMIT AND CONDITIONAL DEVELOPMENT STANDARDS RELATED TO RESIDENTIAL, NONRESIDENTIAL, AND SPECIAL ZONING DISTRICTS AND LAND USES.

BUSINESS ITEM

6. Consider and act on amendments to the City of Corinth Comprehensive Zoning Ordinance being a part of the Unified Development Code including Sections 2.07.03 and 2.07.04 by amending Uses Permitted, Uses Prohibited, Uses Permitted by Specific Use Permit and Conditional Development Standards related to Industrial, Commercial, Office, Retail, and Residential land use categories.

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 13th day of April, 2018, before 5:00 p.m. on the bulletin board at Corinth City Hall.



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

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

BRAILLE IS NOT AVAILABLE

BUSINESS AGENDA ITEM #1

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

On this the 26th day of March, 2018, the Planning and Zoning Commission of the City of Corinth, Texas, met in a Regular Session at Corinth City Hall, located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members, to wit:

Members Present

Brian Rush
Bruce Hanson
Breien Velde
Dwayne Zinn
Marc Powell
Wade May

Members Absent

Chuck Mills

CALL TO ORDER

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

INVOCATION

Marc Powell Delivered the invocation.

BUSINESS AGENDA

BUSINESS ITEMS

1. Consider and act on Minutes from the March 12, 2018 Planning and Zoning Commission Special Session Meeting.

Motion made by Dwayne Zinn to approve.

Motion Seconded by Marc Powell.

5-0 All in favor:

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

MOTION TO APPROVE CARRIES

2. Consider and act on an petition for a Major Subdivision Waiver for relief from the driveway separation distance requirements of the Unified Development Code, Section 3.05.04, Access Management, to allow a separation distance of 244', curb-to-curb, in lieu of 250' from the Post Oak intersection, and a separation distance of 77', curb to curb, in lieu of 250' from the nearest adjacent driveway. The property is located on 3.017 acres legally described as a portion of Lot 1, Block 1, State Farm Addition, in the City of Corinth, Denton County, Texas. This property is

located south of the Post Oak Drive intersection on the southbound frontage road of IH-35E and is commonly known as 1251 Post Oak Drive.

Mike Brownlee, City Engineer, presented application. The applicant is seeking a waiver to allow for the placement of a driveway less than the minimum separation distance specified in the ordinance. As of now there are no specific plans for the site but the placement of a driveway is needed to make the site viable for restaurant and retail development. The property owners at the site have been unable to coordinate access for their various projects up to this point. The grade of the adjacent Christian Brothers site make cross access extremely difficult because it slopes steeply downward from the site and may require a loss of parking to accommodate the access. Placing the driveway at this proposed location is, in Mike's view, not ideal but it would be serviceable and may allow for better utilization of the property. Construction of the driveway would also necessitate TxDOT approval. TxDOT plans for expansion of I-35E call for three lanes of frontage road and designate the area containing the proposed driveway to be free of driveways. It is possible to get TxDOT to allow this development but not guaranteed. Staff recommends approval.

Dwayne Zinn asked if the end of the control of access is at the Christian Brothers driveway.

Mike Brownlee confirmed that this is correct.

Breien Velde asked if the TxDOT plan would be included in a traffic study.

Mike Brownlee stated that it would and clarified that TxDOT will have ultimate approval of the project.

Clay Christy, Provident Realty, has stated that this property has been vacant for a long time and has been identified as potential for redevelopment. Potential national chains have expressed interest in the property but they need front access for it to be viable. There are 12 to 15 feet of fall between the Christian Brothers property and the proposed site. The purpose of this application is to progress toward

Wade May asked if the property is going to have a steep grade at the location of the proposed driveway. The concern is that a steep drive could create a stoppage of traffic on the turn. The major concern is that this is going to be an extremely busy intersection.

Clay Christy stated that there is some grade issue that will need to be resolved but this is less than the alternative. A lot of the grade could be leveled into the site. Exact numbers are not yet available but it can be accommodated.

Motion made by Dwayne Zinn to approve conditional on the results of a traffic study and TxDOT approval of the driveway.

Motion Seconded by Marc Powell.

5-0 All in favor:

Ayes: Brian Rush, Bruce Hanson, Breien Velde, Dwayne Zinn, Marc Powell,
Wade May

Nays: None

Not Voting: None

**MOTION TO RECOMMEND APPROVAL CONDITIONAL UPON THE RESULTS OF
A TRAFFIC STUDY AND TXDOT APPROVAL CARRIES**

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.

REGULAR SESSION ADJOURNED at 7:21 PM

MINUTES APPROVED THIS _____ DAY OF _____, 2018.

Brian Rush, Planning and Zoning Commission Chairman

Patrick Hubbard, Planning and Zoning Commission Secretary

BUSINESS AGENDA ITEM #2

BUSINESS ITEM #2

Planning and Zoning Commission Special Session Schedule

April 16, 2018

AGENDA ITEM

BUSINESS: Consider and act on a petition for a Major Subdivision Waiver for relief from the driveway separation distance requirements of the Unified Development Code, Section 3.05.04, Access Management, to allow a separation distance of approximately 171' from the Post Oak intersection for a new driveway. The property is located on 3.017 acres legally described as Tract 1 being 3.189 acres situated in the L. Young Survey, County Abstract 1451 in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

APPROVAL PROCESS

The Planning and Zoning Commission recommendation will be presented to City Council for final consideration.

NOTIFICATION TO THE PUBLIC

Major Subdivision Waivers are presented to the Planning and Zoning Commission in a public forum and notification is by posting of the agenda for the public meeting.

AGENDA ITEM DESCRIPTION

The subject property zoned Neighborhood Shopping as one of the non-residential elements of the Planned Development ordinance created in 1987 for the Oakmont Master Planned Addition. In 2007, this zoning district, Neighborhood Shopping specifically for this site was amended to add "Specialty Coffee Shop with Drive-Thru" providing site plan documents for a retail center. The proposed retail project did not develop.

The Major Subdivision Waiver for the Children's Lighthouse Addition is required since the proposed new driveway (connected to Post Oak) is at variance with the city's Access Management Standards. The proposed waiver to the access management standards would allow a second driveway connected to Post Oak. There are two proposed driveway connected to Post Oak, and one proposed driveway connected to Robinson Road to serve the two lots with cross access between the lots. The driveway closest to the Post Oak/Robinson intersection is the topic of the waiver.

The development is a two phase project. Phase 1 includes the day care center. There was concern that without the proposed second driveway connected to Post Oak, that southbound Post Oak traffic would be forced to either go the busy northern Post Oak Driveway (with median cut) or go all the way to the most southern driveway (located in the undeveloped Phase 2) and subsequently make a u-turn at Vintage Drive to make their way back to Post Oak. The second driveway (from Post Oak) will reduce the loading on the northern driveway, will help internal circulation and reduce u-turn conflicts in the public Right of Way.

The Major Subdivision Waiver will be presented to the Planning Commission on the 16th of April. The results of the meeting will be discussed during presentation of the item to council.

FINANCIAL SUMMARY

Source of Funding: No funding is required.

STAFF RECOMMENDATION

Consider approval of a petition for a Major Subdivision Waiver for relief from the driveway separation distance requirements of the Unified Development Code, Section 3.05.04, Access Management, to allow a separation distance of approximately 171’ from the Post Oak intersection for a new driveway. The property is located on 3.017 acres legally described as Tract 1 being 3.189 acres situated in the L. Young Survey, County Abstract 1451 in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

ATTACHMENTS / SUPPORTING DOCUMENTS

- Location Map
- Waiver Application
- MSW Statement of Intent
- MSW Hardship

Submitted By: Barbara Cubbage, Interim Director of Planning and Development
Department: Planning and Development

Finance Review: Yes NA

Legal Review: Yes NA

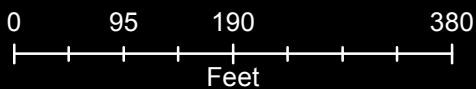
Director Review and Approval:



CITY OF CORINTH

CHILDRENS LIGHTHOUSE ADDITION

Re-Zoning Planned Development Amendment





CITY OF CORINTH

3300 Corinth Parkway • Corinth, Texas 76208 • (940) 498-3260 • (940) 498-3266 fax • www.cityofcorinth.com

BOX 1 of 3

In accordance with the provisions of the Subdivision Waiver regulations within the Unified Development Code, appeal is made to the Planning and Zoning Commission and City Council to grant the following waiver request:

Allow the first driveway approach north on Post Oak from the Post Oak and Robinson intersection to be 171'-3" in lieu of 200'.

BOX 2 of 3

In order to grant a major waiver, the Planning and Zoning Commission and City Council must determine that ALL of the following conditions exist. Financial hardship to the applicant alone is not a sufficient reason to approve a waiver request. State how your request meets these conditions.

- a. That there are special circumstances or conditions affecting the land that when provisions of the ordinance are applied would deprive the applicant of reasonable use of the land.

Egress requirements from this property based on the TIA require Post Oak Dr. to have a minimum of two egress driveways along Post Oak Drive in order to maintain safety for the future daycare development. This would discourage drivers from driving back through the daycare site to go south on Post Oak Drive. In addition it would also provide much needed route for people to travel south on Post Oak Drive rather than having to construct a driveway going all the way to Robinson Road which not only would be cost prohibitive but may very well encourage or cause many drivers to be making U turns at Robinson Road and Vintage Dr.

- b. That the waiver is necessary for the preservation and enjoyment of a substantial property right.

The ability to develop this property into a Daycare which is allowed by right as well as subdivide and develop neighborhood retail services that would serve the surrounding neighborhood well.



BOX 3 of 3

c. That granting the waiver will not be detrimental to the public health, safety, or welfare, or injurious to the other property in the area.

The granting of this waiver will only promote a healthier solution to access routes, provide better circulation within the site and help protect and prevent potential injuries to other properties in the area.

d. That the waiver when granted is in harmony with the general purpose and intent of the ordinance or its amendments.

The granting of this waiver is in harmony with the general purpose and intent of the ordinance or its amendments.

Certification of Submitted Information

I hereby certify that the above stated information is included with the accompanying submission materials. Further, I have included any required conditions of an approved rezoning, planned development (PD) zoning, special use permit, variance, or special exception or development agreement.

Applicant's Signature

04-06-18

Date

STATEMENT OF INTENT
Childrens Lighthouse – Subdivision Waiver
Robinson Road and Post Oak Drive

TITLE

Childrens Lighthouse – Planned Development

OWNER

Kiddie Cove LLC
5109 Marina Drive
Denton, Texas 76205
Vibhuti Patel
940-368-1896
chilue@gmail.com

STATEMENT OF INTENT

For the property located at the NW corner of Robinson Road and Post Oak Drive, a Planned Development is proposed allowing for commercial uses. The property is 3.192 acres. The property owner intends to subdivide the property into two lots. The north lot will be Lot 1 at 1.776 acres. The south lot will be Lot 2 at 1.489 acres. On the north lot, a children’s daycare facility is proposed to be built. The south lot will be available to potential neighborhood retail development. The intent is to develop the north lot for the childcare facility and leave the south lot development for the future. As an overall masterplan and development on both lots the TIA requires 3 ingress/egress access approaches to control traffic in and out of the development. In the first phase we propose constructing the 2 drive approaches off Post Oak Drive. A street median cut is proposed on Post Oak Drive to allow for a left turn access to the main entry drive approach on the north lot. One left and right turn access drive off of Post Oak Drive and a second right only access drive off of Post Oak Drive shall be provided. A potential future right only access drive location is indicated on Robinson Road, to be constructed at a later date if desired by the owner of Lot 1.

Thank you,

Robert P. Garza, AIA, TSA, R.A., R.I.D. - Principal
RPGA Design Group, Inc. - Architects

DESCRIPTION OF HARDSHIP
Childrens Lighthouse – Subdivision Waiver
Robinson Road and Post Oak Drive

TITLE

Childrens Lighthouse – Planned Development

OWNER

Kiddie Cove LLC
5109 Marina Drive
Denton, Texas 76205
Vibhuti Patel
940-368-1896
chilue@gmail.com

DESCRIPTION OF HARDSHIP

For the property located at the NW corner of Robinson Road and Post Oak Drive, the current hardships are as follows:

- a. For the overall masterplan of the development the TIA requires us to have 3 access drive approaches to satisfy traffic in a safe manner.
- b. Neither street frontage widths allow us to meet the minimum distance requirements to incorporate 2 of the require access approaches.
- c. Being that the street frontage width along Post Oak is substantially longer than Robinson Road, it makes more sense to place 2 of these access approaches but we can only achieve 171’-3” from the intersection as opposed to the 200’ currently required.
- d. If we only developed the Childcare project on Lot 1, 2 access approaches would be required and the second would be placed on the SW side of the property along Robinson, drivers would be encouraged to drive back through the daycare site to go south on Post Oak Drive or would exit right on Robinson Road and then make a U turn on Vintage Drive.

Allowing this second access approach on Post Oak Drive provides much needed route for people to travel south on Post Oak Drive rather than having to construct a driveway going all the way to Robinson Road which not only would be cost prohibitive but may very well encourage or cause many drivers to be making U turns at Robinson Road and Vintage Dr. which would not only be disruptive to the development but the surrounding neighborhood as a whole.

Thank you,

Robert P. Garza, AIA, TSA, R.A., R.I.D. - Principal
RPGA Design Group, Inc. - Architects

BUSINESS AGENDA ITEM #3

BUSINESS ITEM #3

Planning and Zoning Commission Special Session

April 16, 2018

AGENDA ITEM

BUSINESS: Consider and act on the Childrens Lighthouse Addition preliminary plat Lots 1 and 2 being 3.192 acres situated in the Levi Young Survey, County Abstract 1451 zoned Planned Development Neighborhood Shopping in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

APPROVAL PROCESS

The Planning and Zoning Commission will consider and act on this item. If the plat and the associated civil construction plans meet the requirements of the City of Corinth, Denton County and the State of Texas, the plat should be approved. The Planning and Zoning Commission takes final action on plats.

NOTIFICATION TO PUBLIC

Plats are presented to the Planning and Zoning Commission in a public forum and notification is by posting of the agenda for the public meeting.

AGENDA ITEM DESCRIPTION

The subject property zoned Neighborhood Shopping as one of the non-residential elements of the Planned Development ordinance created in 1986 for the Oakmont Subdivision. The Childrens Lighthouse preliminary plat proposed consists of two lots with a combined total of approximately 3.192 acres.

The Children's Lighthouse Day Care will be constructed on Lot 1. Retail is proposed for Lot 2.

FINANCIAL SUMMARY

Source of Funding: No funding is required.

STAFF RECOMMENDATION

Staff recommends approval of the preliminary plat subject to City Council's approval of the Major Subdivision Waiver (MSW) *and* the applicant addressing the engineering comments within 10 business days of the approval of the MSW.

ATTACHMENTS / SUPPORTING DOCUMENTS

Location Map
Preliminary Plat

Submitted By: Barbara Cabbage, Interim Director

Department: Planning and Development

Finance Review: Yes NA

Legal Review: Yes NA

Drafter: RDG
Revision:
Revision:
Revision:

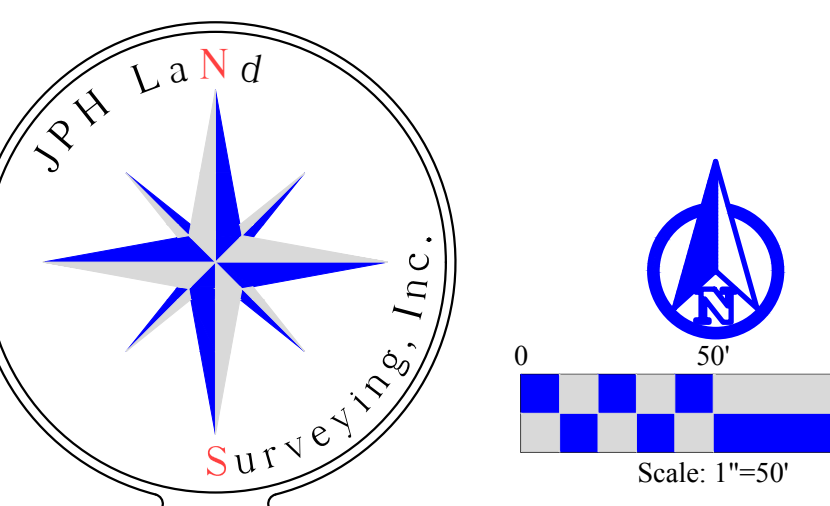
- LEGEND OF SYMBOLS
air conditioner
borehole
cable tv
electric meter
fence or handrail
fire dept. connection
fire hydrant
guard rail
grease trap
bollard
grate inlet
gas meter
gas line
utility pole anchor
irrigation valve
landscape or tree line
landscape electric box
landscape light
light pole
mailbox
monitoring well
overhead utility lines
pool equipment
road sign
roof drain
silt fence
spot elevation
sanitary sewer manhole
sanitary sewer pipe
storm water manhole
storm water pipe
telephone manhole
tank fill lid
telephone riser
traffic signal pole
unknown manhole
utility clean out
utility cabinet
utility vault
utility markings (line color = color of markings)
utility pole
utility pole with riser
utility sign
water shutoff
water valve
water manhole
water meter
well
water line
one-foot contour lines
tree trunk (not canopy)
calliper inches at breast height
ornamental tree

FLOOD ZONE CLASSIFICATION
This property lies within (Non-Shaded) ZONE(S) X of the Flood Insurance Rate Map for Denton County, Texas and Incorporated Areas, map no. 48121C0390G, dated 2011/04/18, via scaled map location and graphic plotting and/or the National Flood Hazard Layer (NFHL) Web Map Service (WMS) at http://hazards.fema.gov.

MONUMENTS / DATUMS / BEARING BASIS
Monuments are found if not marked MNS or CRS.
CRS 1/2" rebar stamped "JPH Land Surveying" set
MNS Mag nail & washer stamped "JPH Land Surveying" set
TBM Site benchmark (see vicinity map for general location)
Vertex or common point (not a monument)
Coordinate values, if shown, are US SyFt/TxCS/83,NCZ Elevations, if shown, are NAVD88
Bearings are based on grid north (TxCS/83,NCZ)
TYPE I TxDOT Right of Way tapered concrete monument.
TYPE II TxDOT Right of Way bronze cap in concrete.
TYPE III TxDOT Right of Way aluminum cap.

LEGEND OF ABBREVIATIONS
US SyFt United States Survey Feet
TxCS/83,NCZ Texas Coordinate System of 1983, North Central Zone
NAVD88 North American Vertical Datum of 1988
P.R.D.C.T. Plat Records of Denton County, Texas
O.P.R.D.C.T. Official Public Records of Denton County, Texas
D.R.D.C.T. Deed Records of Denton County, Texas
VOL/Pg/DOC# Volume/Page/Document Number
POB/POC Point of Beginning/Point of Commencing
(XXX.XX) Record Call

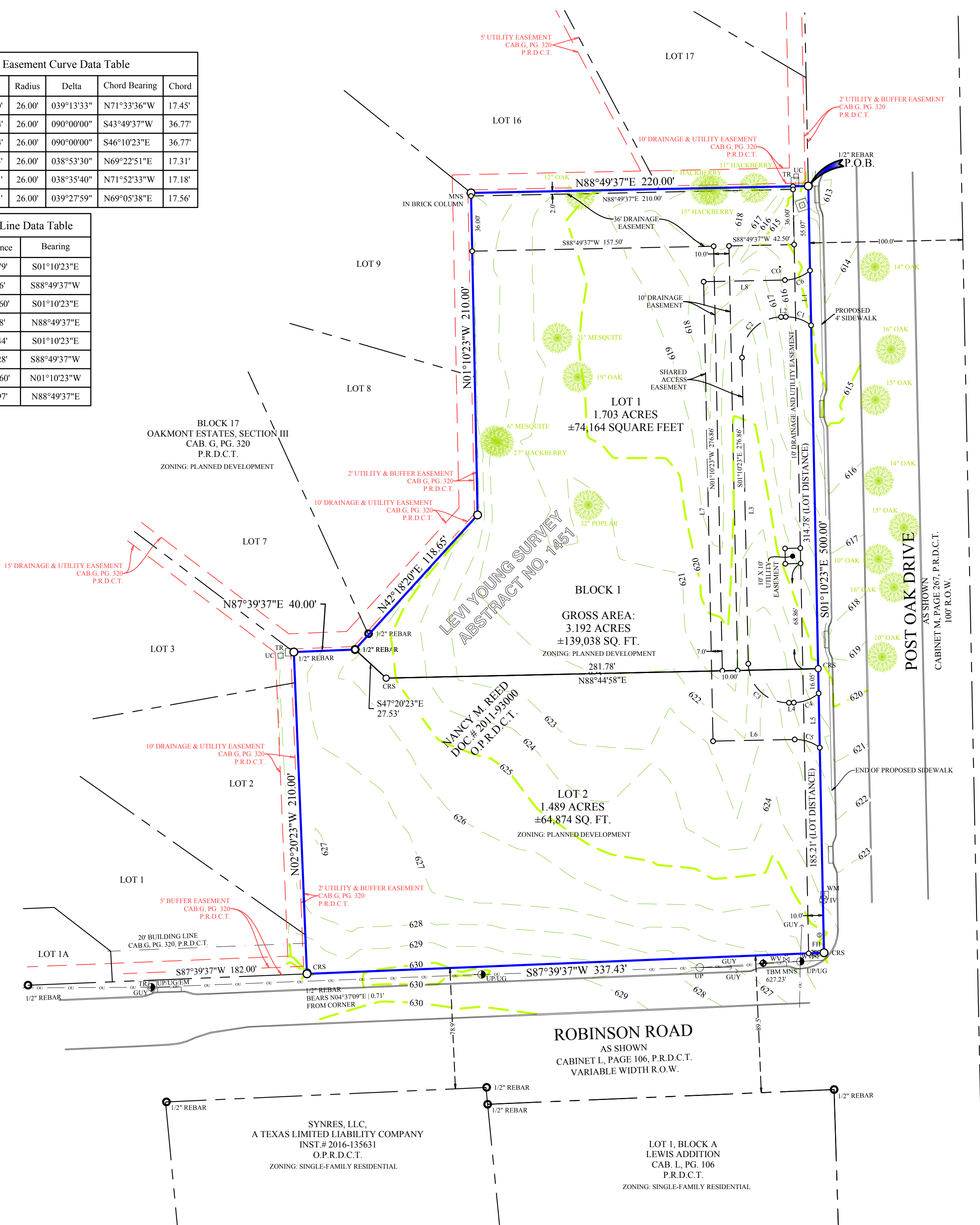
SURVEYOR'S NOTES:
1. The site benchmark is a mag nail with a washer stamped "JPH LAND SURVEYING" set at northwest corner of a concrete inlet located approximately 97 feet northwesterly from the intersection of Robinson Road and Post Oak Drive. Benchmark Elevation = 627.23' (NAVD88). See vicinity map for general location.
2. Easements shown within the bounds of this plat without recording information are created and dedicated by this plat.
3. This survey was performed without the benefit of a commitment for title insurance. Therefore, there may be easements or documents pertaining to the subject tract that are not shown or referenced hereon.
4. No structures currently exist on the site.
5. This property lies within flood hazard area Zone X (un-shaded) per FEMA Flood Insurance Rate Map #48121C0390G, dated April 18, 2011.



JPH Land Surveying, Inc.
2017.000.037 NWC Of Robinson Rd & Post Oak Dr., Corinth, Denton Co., TX - Prelim Plat.dwg
© 2018 JPH Land Surveying, Inc. - All Rights Reserved
807 Bluebonnet Drive, Suite C Keller, Texas 76248
Telephone (817) 431-4971 www.jphlandsurveying.com
TBPLS Firm #10019500 #10194073 #10193867
DFW | Austin | Abilene

Easement Curve Data Table
Table with 5 columns: Curve #, Arc, Radius, Delta, Chord Bearing, Chord. Contains curves C1 through C6.

Easement Line Data Table
Table with 3 columns: Line #, Distance, Bearing. Contains lines L1 through L8.



PLANNING AND ZONING COMMISSION APPROVAL:

Approved _____ Date _____
Chairman, Planning and Zoning Commission
City of Corinth, Texas

The undersigned, the City Secretary of the City of Corinth, Texas, hereby certifies that the foregoing Preliminary Plat of the Childrens Lighthouse Addition to the City of Corinth was submitted to the Planning and Zoning Commission on the ___ day of ___, 2018, and the Commission, by formal action, then and there accepted the Preliminary 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 herein above described.

Witness by hand this ___ day of ___, 2018.
City Secretary
City of Corinth, Texas

SURVEYOR'S CERTIFICATION:

STATE OF TEXAS §
COUNTY OF DENTON §

I, the undersigned, a Registered Professional 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.

PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.
Robert W. Bryan ~RELEASED FOR REVIEW TO THE CITY OF CORINTH ON JANUARY 03, 2018.
Registered Professional Land Surveyor No. 5508
Email: robertb@jphls.com
Date: TBD

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned Notary Public in and for said county and state, on this day personally appeared Robert W. Bryan, known to me to be the person whose name is subscribed to the foregoing instrument and who acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this ___ day of ___, 2018.
Notary Public, State of Texas

OWNERS ACKNOWLEDGEMENT AND DEDICATION:

STATE OF TEXAS §
COUNTY OF DENTON §

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

FIELD NOTES to that certain tract being situated in the L. Young Survey, Abstract Number 1451, City of Corinth, Denton County, Texas and being all of that certain tract of land as described in the deed to Nancy M. Reed recorded in Document Number 2011-93000 of the Official Public Records of Denton County, Texas, the subject tract being more particularly described as follows:

BEGINNING at a 1/2-inch rebar found for the common northeast corner of said Reed tract and the southeast corner of Lot 17, Block 17, Oakmont Estates, Section III, an addition in the Town of Corinth as recorded in Cabinet G, Page 320, Plat Records of Denton County, Texas, said iron rod being in the west right-of-way line of Post Oak Drive (a 100-foot right-of-way);

THENCE SOUTH 01 degrees 10 minutes 23 seconds EAST (deed call NORTH 02 degrees 05 minutes 02 seconds WEST), with the common east line of said Reed tract and said west right-of-way line, a distance of 500.00 feet (deed call 499.91 feet) to a 1/2-inch capped rebar stamped "JPH Land Surveying" set for the southeast corner of said Reed tract and being at the intersection of said West right-of-way line of Post Oak Drive with the north right-of-way line of Robinson Road (a variable width right-of-way);

THENCE SOUTH 87 degrees 39 minutes 37 seconds WEST (deed call NORTH 88 degrees 59 minutes 00 seconds WEST), with the common south line of said Reed tract and said north right-of-way line, a distance of 337.43 feet (deed call 337.54 feet) to a 1/2-inch capped rebar stamped "JPH Land Surveying" set for the common southwest corner of said Reed tract and the southeast corner of Lot 1 in the aforementioned Block 17, from which a 1/2-inch rebar found bears NORTH 04 degrees 37 minutes 09 seconds EAST, a distance of 0.71 of a foot and a 1/2-inch rebar found for the southwest corner of Lot 1A in said Block 17 bears SOUTH 87 degrees 39 minutes 37 seconds WEST, a distance of 182.00 feet;

THENCE departing said north right-of-way line and along the common west line of said Reed tract and the east line of said Block 17 the following bearings and distances:

- 1. NORTH 02 degrees 20 minutes 23 seconds WEST (deed call NORTH 00 degrees 55 minutes 26 seconds EAST), a distance of 210.00 feet (deed call 209.27 feet) to a 1/2-inch iron rod found;
2. NORTH 87 degrees 39 minutes 37 seconds EAST (deed call SOUTH 89 degrees 10 minutes 20 seconds EAST), a distance of 40.00 feet (deed call 39.97 feet) to a 1/2-inch iron rod found;

LIENHOLDER'S RATIFICATION OF PLAT DEDICATION:

STATE OF TEXAS §
COUNTY OF DENTON §

Whereas, _____, acting by and through the undersigned, its duly authorized agent, is the lienholder of the property described hereon, does hereby ratify all dedications and provisions of this plat as shown.

Witness my hand this, the ___ day of ___, 2018
By: _____
Print Name | Title

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned Notary Public in and for said _____ County, Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that they are authorized to execute the foregoing instrument for the purposes and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this ___ day of ___, 2018.
Notary Public, State of Texas
Print Name

- 3. NORTH 42 degrees 18 minutes 20 seconds EAST (deed call NORTH 45 degrees 34 minutes 23 seconds EAST), a distance of 118.65 feet (deed call 118.80 feet) to a point for corner in a brick column;
4. NORTH 01 degrees 10 minutes 23 seconds WEST (deed call NORTH 02 degrees 05 minutes 02 seconds EAST), a distance of 210.00 feet (deed call 209.90 feet) to a Mag nail with a metal washer stamped "JPH Land Surveying" set in a brick column for the northwest corner of said Reed tract and an inner ell corner of said Block 17;
THENCE NORTH 88 degrees 49 minutes 37 seconds EAST (deed call SOUTH 87 degrees 55 minutes 00 seconds EAST), along the common north line of said Reed tract and a south line of said Block 17, a distance of 220.00 feet (deed call 220.00 feet) to the POINT OF BEGINNING and CONTAINING 139,038 square feet or 3.192 acres of land area, more or less.

and designated herein as the Childrens Lighthouse Addition to the City of Corinth, Texas, and whose name is subscribed hereto, hereby dedicate to the public use forever by free 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 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.

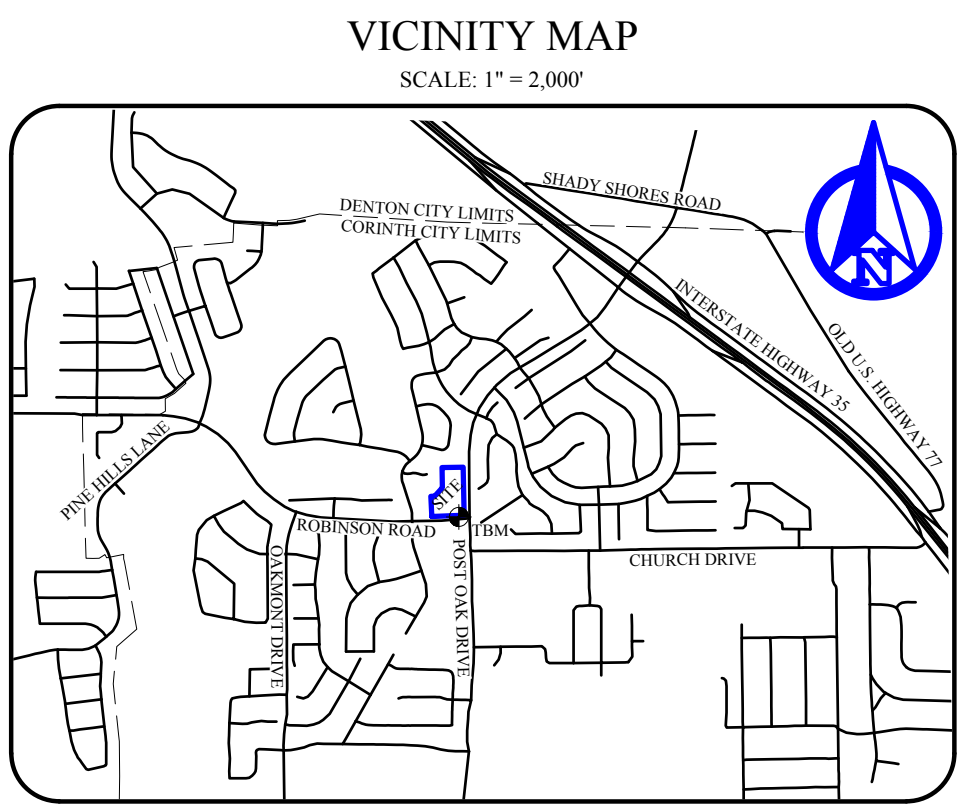
Witness my hand this, the ___ day of ___, 2018
By: Nancy M. Reed

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority in and for _____ County, Texas, on this day personally appeared Nancy M. Reed, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this ___ day of ___, 2018.

Notary Public, State of Texas
Notary Name (Printed)
My Commission Expires: _____



PRELIMINARY PLAT
CHILDRENS LIGHTHOUSE ADDITION
3.192 ACRES
SITUATED IN THE LEVI YOUNG SURVEY
ABSTRACT NO. 1451
CITY OF CORINTH
DENTON COUNTY, TEXAS
LOT 1 AND 2, BLOCK 1
GROSS ACREAGE: 3.192 ACRES
PREPARATION DATE: FEBRUARY 5, 2018
REVISION DATE: NONE

BUSINESS AGENDA ITEM #4

BUSINESS ITEM #4

Planning and Zoning Commission Special Session

April 16, 2018

AGENDA ITEM

BUSINESS: Consider and act on the Childrens Lighthouse Addition Lots 1 and 2 final plat being 3.192 acres situated in the Levi Young Survey, County Abstract 1451 zoned Planned Development Neighborhood Shopping in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

APPROVAL PROCESS

The Planning and Zoning Commission will consider and act on this item. If the plat and the associated civil construction plans meet the requirements of the City of Corinth, Denton County and the State of Texas, the plat should be approved. The Planning and Zoning Commission takes final action on plats.

NOTIFICATION TO PUBLIC

Plats are presented to the Planning and Zoning Commission in a public forum and notification is by posting of the agenda for the public meeting.

AGENDA ITEM DESCRIPTION

The subject property zoned Neighborhood Shopping as one of the non-residential elements of the Planned Development ordinance created in 1986 for the Oakmont Subdivision. The Childrens Lighthouse final plat proposed consists of two lots with a combined total of approximately 3.192 acres.

The Children's Lighthouse Day Care will be constructed on Lot 1 (1.703 acres). Retail is proposed for Lot 2 (1.489 acres).

FINANCIAL SUMMARY

Source of Funding: No funding is required.

STAFF RECOMMENDATION

Staff recommends approval of the Childrens Lighthouse Addition final plat subject to City Council's approval of the Major Subdivision Waiver (MSW) *and* the applicant addressing the engineering comments within 10 business days of City Council's approval of the MSW.

ATTACHMENTS / SUPPORTING DOCUMENTS

Final Plat

Submitted By: Barbara Cabbage, Interim Director

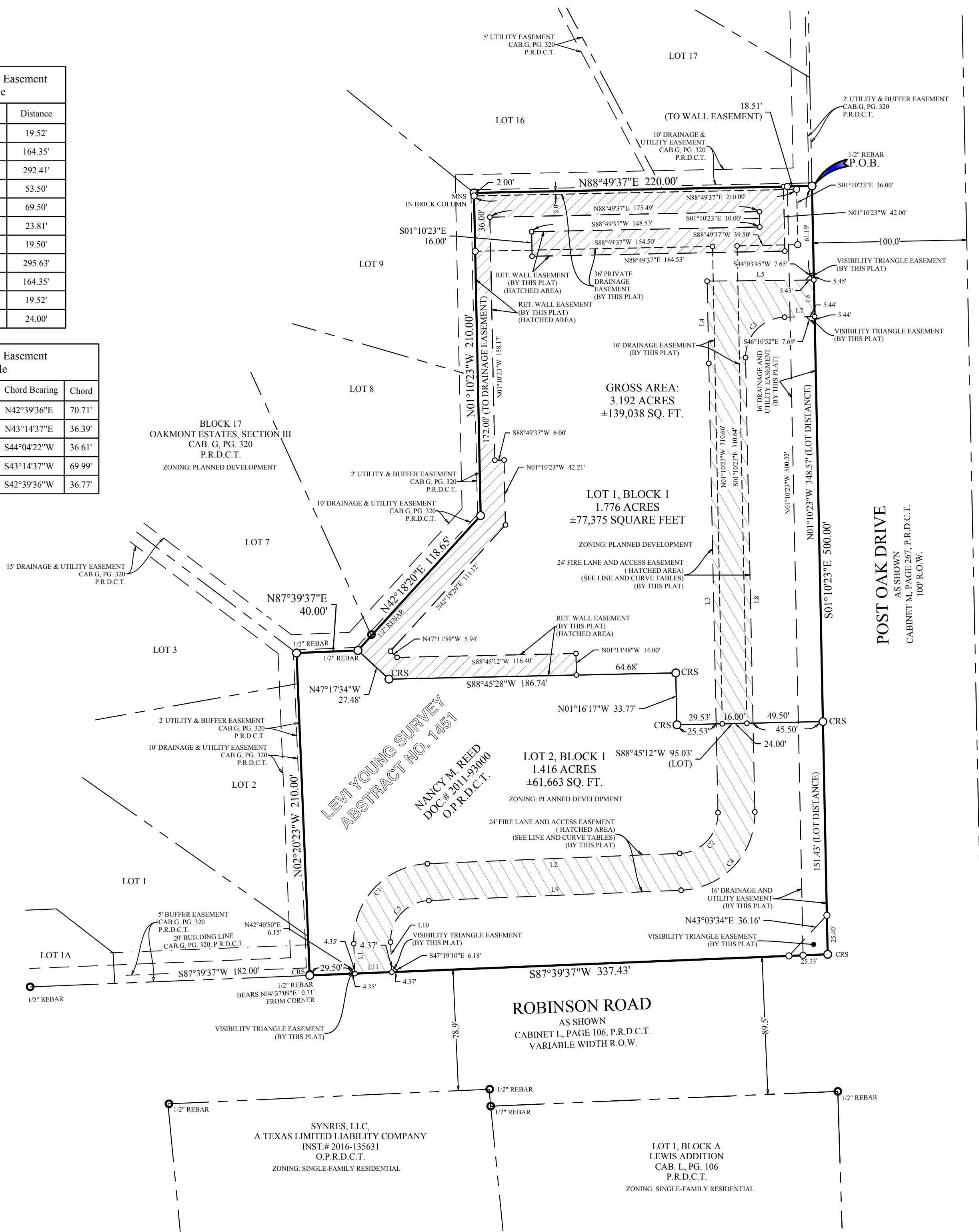
Department: Planning and Development

Finance Review: Yes NA X

Legal Review: Yes NA X

Line #	Bearing	Distance
L1	N02°20'23"W	19.52'
L2	N87°39'36"E	164.35'
L3	N01°10'23"W	292.41'
L4	N01°10'11"W	53.50'
L5	N89°23'37"E	69.50'
L6	S01°10'23"E	23.81'
L7	S88°49'37"W	19.50'
L8	S01°10'23"E	295.63'
L9	S87°39'36"W	164.35'
L10	S02°20'23"E	19.52'
L11	S87°39'37"W	24.00'

Curve #	Arc	Radius	Delta	Chord Bearing	Chord
C1	78.54'	50.00'	090°00'00"	N42°39'36"E	70.71'
C2	40.31'	26.00'	088°49'59"	N43°14'37"E	36.39'
C3	40.62'	26.00'	089°30'20"	S44°04'22"W	36.61'
C4	77.52'	50.00'	088°49'59"	S43°14'37"W	69.99'
C5	40.84'	26.00'	090°00'00"	S42°39'36"W	36.77'



OWNERS ACKNOWLEDGEMENT AND DEDICATION:

STATE OF TEXAS §
 COUNTY OF DENTON §

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

FIELD NOTES to that certain tract being situated in the L. Young Survey, Abstract Number 1451, City of Corinth, Denton County, Texas and being all of that certain tract of land as described in the deed to Nancy M. Reed recorded in Document Number 2011-93000 of the Official Public Records of Denton County, Texas, the subject tract being more particularly described as follows:

BEGINNING at a 1/2-inch rebar found for the common northeast corner of said Reed tract and the southeast corner of Lot 17, Block 17, Oakmont Estates, Section III, an addition in the Town of Corinth as recorded in Cabinet G, Page 320, Plat Records of Denton County, Texas, said iron rod being in the west right-of-way line of Post Oak Drive (a 100-foot right-of-way);

THENCE SOUTH 01 degrees 10 minutes 23 seconds EAST (deed call SOUTH 02 degrees 05 minutes 02 seconds WEST), with the common east line of said Reed tract and said west right-of-way line, a distance of 500.00 feet (deed call 499.91 feet) to a 1/2-inch capped rebar stamped "JPH Land Surveying" set for the southeast corner of said Reed tract and being at the intersection of said West right-of-way line of Post Oak Drive with the north right-of-way line of Robinson Road (a variable width right-of-way);

THENCE SOUTH 87 degrees 39 minutes 37 seconds WEST (deed call NORTH 88 degrees 59 minutes 00 seconds WEST), with the common south line of said Reed tract and said north right-of-way line, a distance of 337.43 feet (deed call 337.54 feet) to a 1/2 inch capped rebar stamped "JPH Land Surveying" set for the common southwest corner of said Reed tract and the southeast corner of Lot 1 in the aforementioned Block 17, from which a 1/2-inch rebar found bears NORTH 04 degrees 37 minutes 09 seconds EAST, a distance of 0.71 of a foot and a 1/2-inch rebar found for the southwest corner of Lot 1A in said Block 17 bears SOUTH 87 degrees 39 minutes 37 seconds WEST, a distance of 182.00 feet;

THENCE departing said north right-of-way line and along the common west line of said Reed tract and the east line of said Block 17 the following bearings and distances:

- NORTH 02 degrees 20 minutes 23 seconds WEST (deed call NORTH 00 degrees 55 minutes 26 seconds EAST), a distance of 210.00 feet (deed call 209.27 feet) to a 1/2-inch iron rod found;
- NORTH 87 degrees 39 minutes 37 seconds EAST (deed call SOUTH 89 degrees 10 minutes 20 seconds EAST), a distance of 40.00 feet (deed call 39.97 feet) to a 1/2-inch iron rod found;
- NORTH 42 degrees 18 minutes 20 seconds EAST (deed call NORTH 45 degrees 34 minutes 23 seconds EAST), a distance of 118.65 feet (deed call 118.80 feet) to a point for corner in a brick column;
- NORTH 01 degrees 10 minutes 23 seconds WEST (deed call NORTH 02 degrees 05 minutes 00 seconds EAST), a distance of 210.00 feet (deed call 209.90 feet) to a Mag nail with a metal washer stamped "JPH Land Surveying" set in a brick column for the northwest corner of said Reed tract and an inner ell corner of said Block 17;

THENCE NORTH 88 degrees 49 minutes 37 seconds EAST (deed call SOUTH 87 degrees 55 minutes 00 seconds EAST), along the common north line of said Reed tract and a south line of said Block 17, a distance of 220.00 feet (deed call 220.00 feet) to the **POINT OF BEGINNING AND CONTAINING** 139,038 square feet or 3.192 acres of land area, more or less.

and designated herein as the **Childrens Lighthouse 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 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.

Witness my hand this, the ___ day of _____, 2018

By: _____
 Nancy M. Reed

STATE OF TEXAS §
 COUNTY OF _____ §

BEFORE ME, the undersigned authority in and for County, Texas, on this day personally appeared **Nancy M. Reed**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this ___ day of _____, 2018.

Notary Public, State of Texas

Notary Name (Printed)

My Commission Expires: _____

OWNER'S STATEMENT FOR FIRE LANE EASEMENT

The undersigned covenants and agrees that she 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 she 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 with 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

 Nancy M. Reed

 Date

LIENHOLDER'S RATIFICATION OF PLAT DEDICATION:

STATE OF TEXAS §
 COUNTY OF DENTON §

Whereas, _____, acting by and through the undersigned, its duly authorized agent, is the lienholder of the property described hereon, does hereby ratify all dedications and provisions of this plat as shown.

Witness my hand this, the ___ day of _____, 2018

By: _____

Print Name | Title

STATE OF TEXAS §
 COUNTY OF _____ §

BEFORE ME, the undersigned Notary Public in and for said _____ County, Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that they are authorized to execute the foregoing instrument for the purposes and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this ___ day of _____, 2018.

Notary Public, State of Texas

Print Name

PLANNING AND ZONING COMMISSION APPROVAL:

Approved

 Chairman, Planning and Zoning Commission
 City of Corinth, Texas

 Date

The undersigned, the City Secretary of the City of Corinth, Texas, hereby certifies that the foregoing Preliminary Plat of the Childrens Lighthouse Addition to the City of Corinth was submitted to the Planning and Zoning Commission on the ___ day of _____, 2018, and the Commission, by formal action, then and there accepted the Preliminary 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 herein above described.

Witness by hand this ___ day of _____, 2018.

 City Secretary
 City of Corinth, Texas

SURVEYOR'S CERTIFICATION:

STATE OF TEXAS §
 COUNTY OF DENTON §

I, the undersigned, a Registered Professional 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.

PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

~RELEASED FOR REVIEW TO THE CITY OF CORINTH ON JANUARY 05, 2018.

~RELEASED FOR REVIEW TO THE CITY OF CORINTH ON MARCH 15, 2018.

 Robert W. Bryan
 Registered Professional
 Land Surveyor No. 5508
 Email: robertb@jphls.com
 Date: TBD

STATE OF TEXAS §
 COUNTY OF _____ §

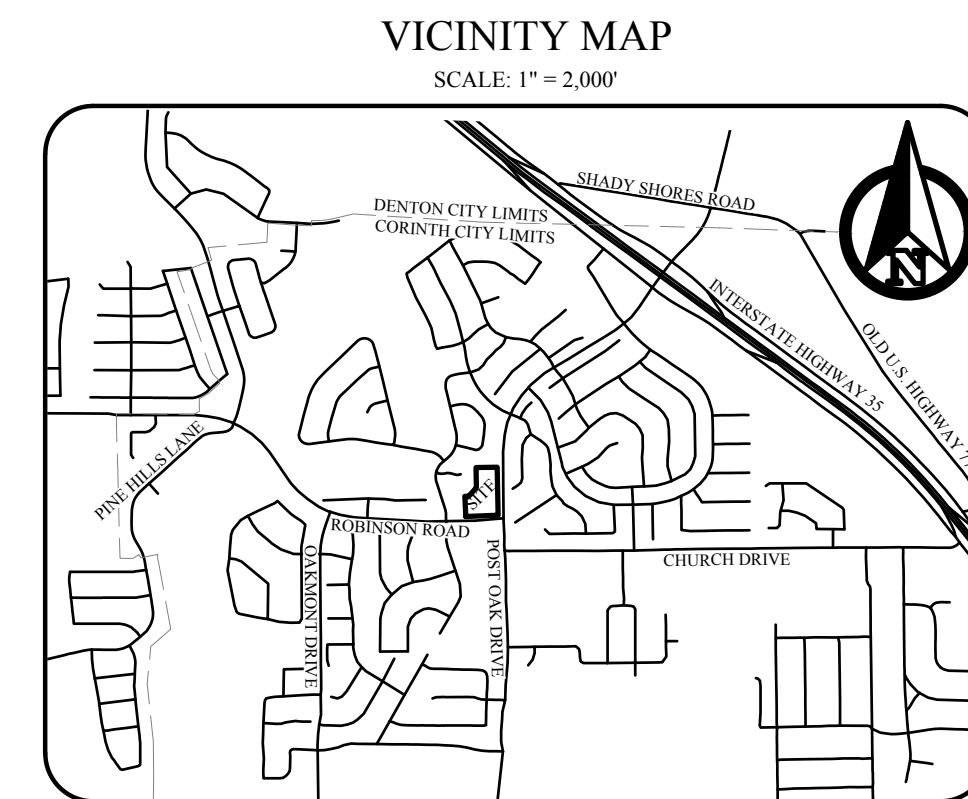
BEFORE ME, the undersigned Notary Public in and for said county and state, on this day personally appeared **Robert W. Bryan**, known to me to be the person whose name is subscribed to the foregoing instrument and who acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this ___ day of _____, 2018.

 Notary Public, State of Texas

SURVEYOR'S NOTES:

- Easements shown within the bounds of this plat without recording information are created and dedicated by this plat.
- This survey was performed without the benefit of a commitment for title insurance. Therefore, there may be easements or documents pertaining to the subject tract that are not shown or referenced hereon.



FINAL PLAT
CHILDRENS LIGHTHOUSE
ADDITION
3.192 ACRES
 SITUATED IN THE
LEVI YOUNG SURVEY
ABSTRACT NO. 1451
 CITY OF CORINTH
 DENTON COUNTY, TEXAS
 LOT 1 AND 2, BLOCK 1
 GROSS ACREAGE: 3.192 ACRES
 PREPARATION DATE: FEBRUARY 05, 2018
 REVISION DATE: NONE

JPH Land Surveying, Inc.
 2017.200.037 NWC Of Robinson Rd & Post Oak Dr., Corinth, Denton Co., TX - Final Plat.dwg
 © 2018 JPH Land Surveying, Inc. - All Rights Reserved
 807 Bluebonnet Drive, Suite C Keller, Texas 76248
 Telephone (817) 431-4971 www.jphlandsurveying.com
 TBPLS Firm #10019500 #10194073 #10193867
 DFW | Austin | Abilene

OWNER:
 Nancy Marie Reed
 2201 E. Hickory Hill Road
 Argyle, Texas 76226

ENGINEER:
 Robert P. Garza
 RPGA Design Group, Inc.
 101 S. Jennings Avenue, Suite 100
 Fort Worth, Texas 76104
 Telephone: (817) 332-9477
 Email: robgarza@rpgaarchitects.com

SURVEYOR:
 Robert W. Bryan
 JPH Land Surveying, Inc.
 807 Bluebonnet Drive, Suite C
 Keller, Texas 76248
 Telephone: (817) 431-4971
 Email: robertb@jphls.com

MONUMENTS / DATUMS / BEARING BASIS
 Monuments are found if not marked MNS or CRS.
 CRS ○ 1/2" rebar stamped "JPH Land Surveying" set
 MNS ○ Mag nail & washer stamped "JPH Land Surveying" set
 TBM ○ Site benchmark (see vicinity map for general location)
 ○ Vertex or common point (not a monument)
 Coordinate values, if shown, are US.SyFt./TxCs./83,NCZ
 Elevations, if shown, are NAVD'88
 Bearings are based on grid north (TxCs./83,NCZ)
 TYPE I ○ TxDOT Right of Way tapered concrete monument.
 TYPE II ○ TxDOT Right of Way bronze cap in concrete.
 TYPE III ○ TxDOT Right of Way aluminum cap.

LEGEND OF ABBREVIATIONS
 US.SyFt. United States Survey Feet
 TxCs./83,NCZ Texas Coordinate System of 1983, North Central Zone
 NAVD'88 North American Vertical Datum of 1988
 P.R.D.C.T. Plat Records of Denton County, Texas
 O.P.R.D.C.T. Official Public Records of Denton County, Texas
 D.R.D.C.T. Deed Records of Denton County, Texas
 VOL/PAGE/DOC# Volume/Page/Document Number
 POB/POC Point of Beginning/Point of Commencing
 (XXX.XX) Record Call
 RET Retaining

FLOOD ZONE CLASSIFICATION
 This property lies within (Non-Shaded) ZONE(S) X of the Flood Insurance Rate Map for Denton County, Texas and Incorporated Areas, map no. 48121C0390G, dated 2011/04/18, via scaled map location and graphic plotting and/or the National Flood Hazard Layer (NFHL) Web Map Service (WMS) at http://hazards.fema.gov.

Drafter: PL
 Revision:
 Revision:
 Revision:

**PUBLIC HEARING/BUSINESS
ITEM #5**

PUBLIC HEARING / BUSINESS ITEM #5

Planning and Zoning Commission Special Session Schedule

April 16, 2018

AGENDA ITEM

PUBLIC HEARING: TO HEAR PUBLIC OPINION REGARDING A REQUEST BY THE APPLICANT, ROBERT P. GARZA, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER NANCY REED, FOR A ZONING CHANGE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE NO. 13-05-02-08 AND PLANNED DEVELOPMENT ORDINANCE NO. 07-03-01-05 BY REVISING THE LAND USE REGULATIONS AND DEVELOPMENT STANDARDS ON PROPERTY LEGALLY DESCRIBED AS TRACT 1 BEING 3.189 ACRES SITUATED IN THE L. YOUNG SURVEY, COUNTY ABSTRACT 1451 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

BUSINESS: Consider and act on an ordinance amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code, Ordinance No. 13-05-02-08, as amended and amending Planned Development Ordinance No. No. 07-03-01-05 by revising the Land Use Regulations and Development Standards on property legally described as Tract 1 being 3.189 acres situated in the L. Young Survey, County Abstract 1451 in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

APPROVAL PROCESS

The Planning and Zoning Commission recommendation will be presented to City Council for final consideration.

NOTIFICATION TO THE PUBLIC

Notification prior to the Planning and Zoning Commission meeting by sign placement, written notice and newspaper (prior to City Council) is required for the zoning change process. Prior to the Planning and Zoning Commission meeting, 31 public hearing letters were sent to individuals whose properties fall within 200' of the subject properties. Copies of these letters have been

AGENDA ITEM DESCRIPTION

The subject property zoned Neighborhood Shopping as one of the non-residential elements of the Planned Development ordinance created in 1987 for the Oakmont Master Planned Addition. In 2007, this zoning district, Neighborhood Shopping specifically for this site was amended to add "Specialty Coffee Shop with Drive-Thru" providing site plan documents for a retail center. The proposed retail project did not develop.

At this time, the applicant, Robert Garza, authorized representative for the property owner, is requesting a zoning change to amend the 2007 zoning ordinance associated with the site. Mr. Garza's client is proposing a two-lot non-residential subdivision where the Children's Lighthouse Day Care would be constructed on the north end of the property being lot 1 and the southern portion of the tract of land will be developed at a later date and a separate project. Both the day care center and the retail are allowed uses in the

Neighborhood Shopping district. Vibhuti Patel has had the property under contract since October 2017 and will be developing the site for the Children’s Lighthouse Day Care Center.

The amendment to the existing ordinance is necessary as the site plan associated with the 2007 ordinance amendment is no longer valid. The applicant has submitted a PD Concept Map for Childrens Lighthouse Addition providing conceptual placement of the day care on Lot 1 and a conceptual layout of a retail building on Lot 2. There are aspects of the UDC not found in the current Neighborhood Shopping requirements from the 2007 ordinance amendment which was created prior to the UDC but has now been incorporated into the ordinance provided, in particular the Residential Adjacency Standards associated with residential property within 400’ of a non-residential development. The applicant and developer have worked closely with City Staff to propose these standards into this project.

Associated with this zoning amendment is a companion item being a petition from the applicant for a Major Subdivision Waiver requesting relief from the driveway separation distance requirements of the Unified Development Code, Section 3.05.04, Access Management, to allow a separation distance of approximately 171’ from the Post Oak intersection for a new driveway. The Unified Development Code requires 200’ separation. The second driveway will reduce the loading on the northern driveway, will help internal circulation and reduce u-turn conflicts in the public Right of Way. The applicant has provided additional documents associated with this companion item. The zoning change and the MSW will be acted on separately.

FINANCIAL SUMMARY

Source of Funding: No funding is required.

STAFF RECOMMENDATION

Staff recommends approval of the zoning change amending the Planned Development ordinance however, Staff does not support including the elimination of vehicle stacking for the child care use called out in Exhibit C, Dimensional Regulations, No. 1. If the applicant would like to proceed with this item it would be more appropriate to process it with a Major Subdivision Waiver or alternative options such as a deceleration land approved by the City Engineer. In addition, Staff has added a “Condition” to the ordinance that speed humps would be required on the driveway within the day care area of Lot 1 requiring a pre-approved product and placement through the Fire Department.

ATTACHMENTS / SUPPORTING DOCUMENTS

Location Map
Zoning Map
Land Use Map
Line of Sight
Dimensional Site Plan
Landscape Plans (L-1 thru L-4)
Architectural Elevations – 2 sheets
Site Lighting Plan
Proposed Amending Ordinance

Submitted By: Barbara Cabbage, Interim Director of Planning and Development
Department: Planning and Development

Finance Review: Yes NA

Legal Review: Yes NA

Director Review and Approval:



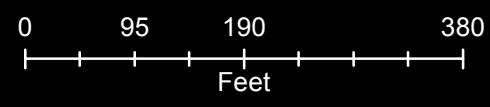
CITY OF CORINTH

CHILDRENS LIGHTHOUSE ADDITION

Re-Zoning Planned Development Amendment

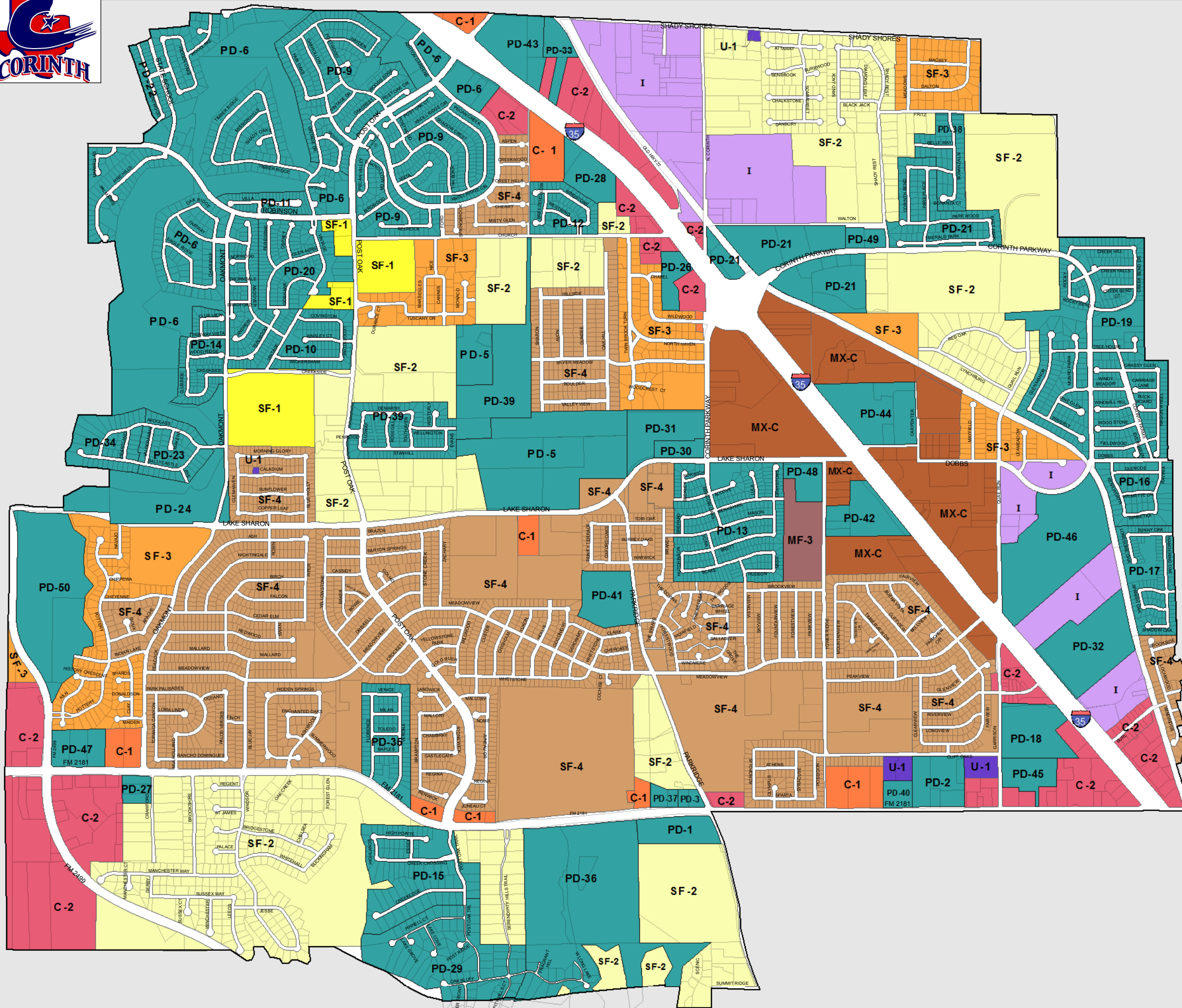


Legend





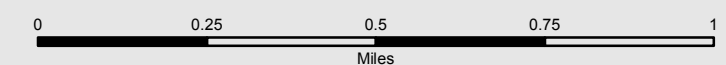
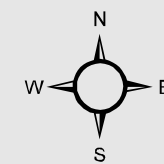
City of Corinth Zoning Map



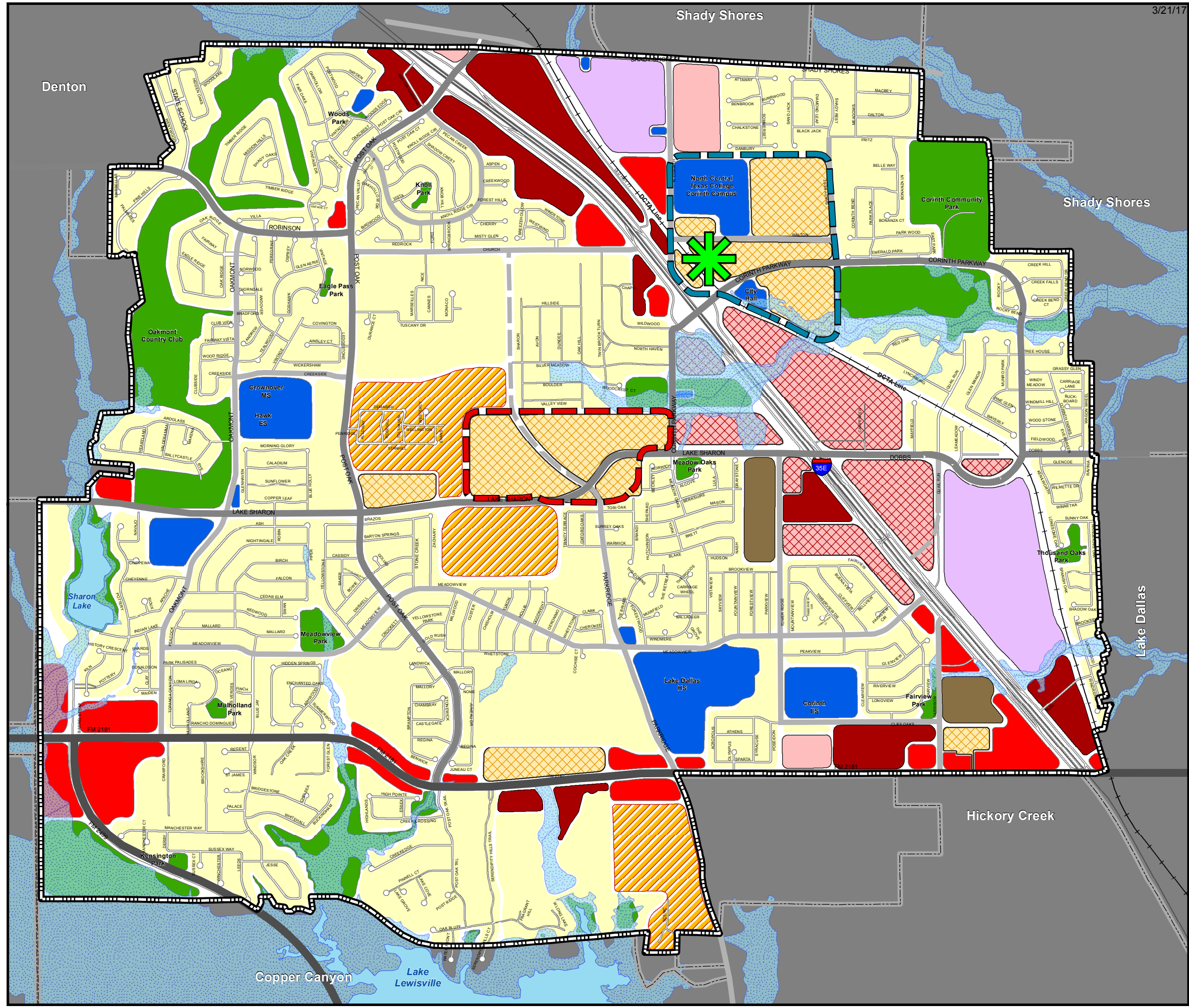
Legend

Zoning Districts

- 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



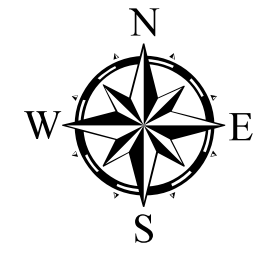
Future Land Use Plan

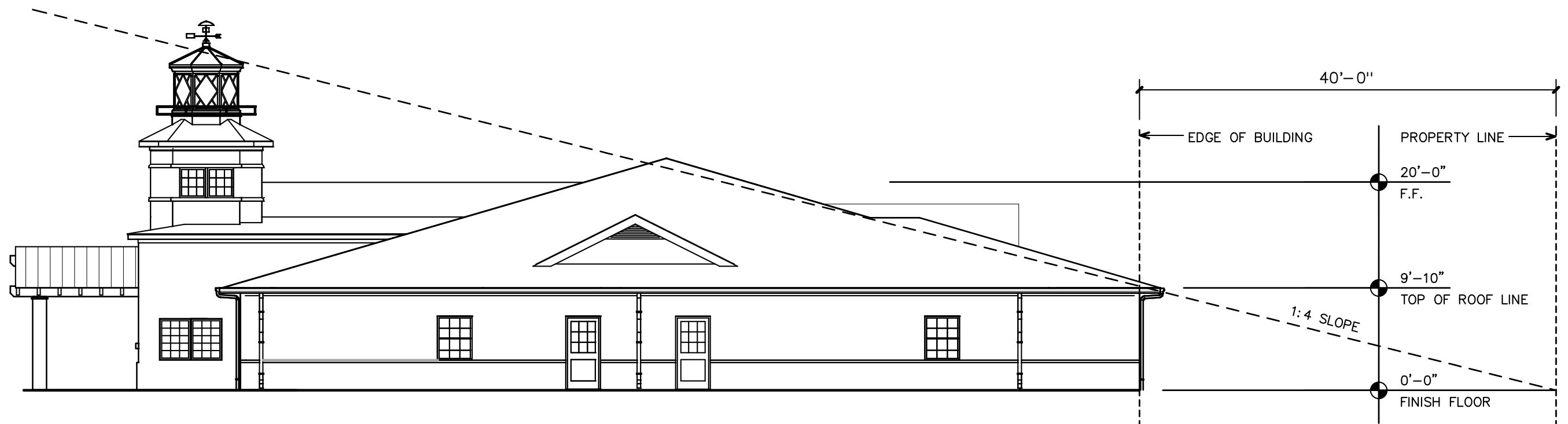


- Future Land Use**
- Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Mixed Residential
 - Mixed Use with Residential
 - Parks and Open Space
 - Public/Semi-Public
 - Mixed Use Non-Residential
 - Office/Business Park
 - Retail
 - Commercial
 - Industrial
 - Multi-Modal 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.



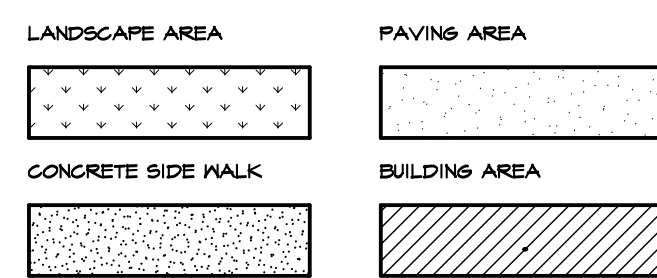


BUILDING SETBACK FROM RESIDENTIAL PROPERTY LINE

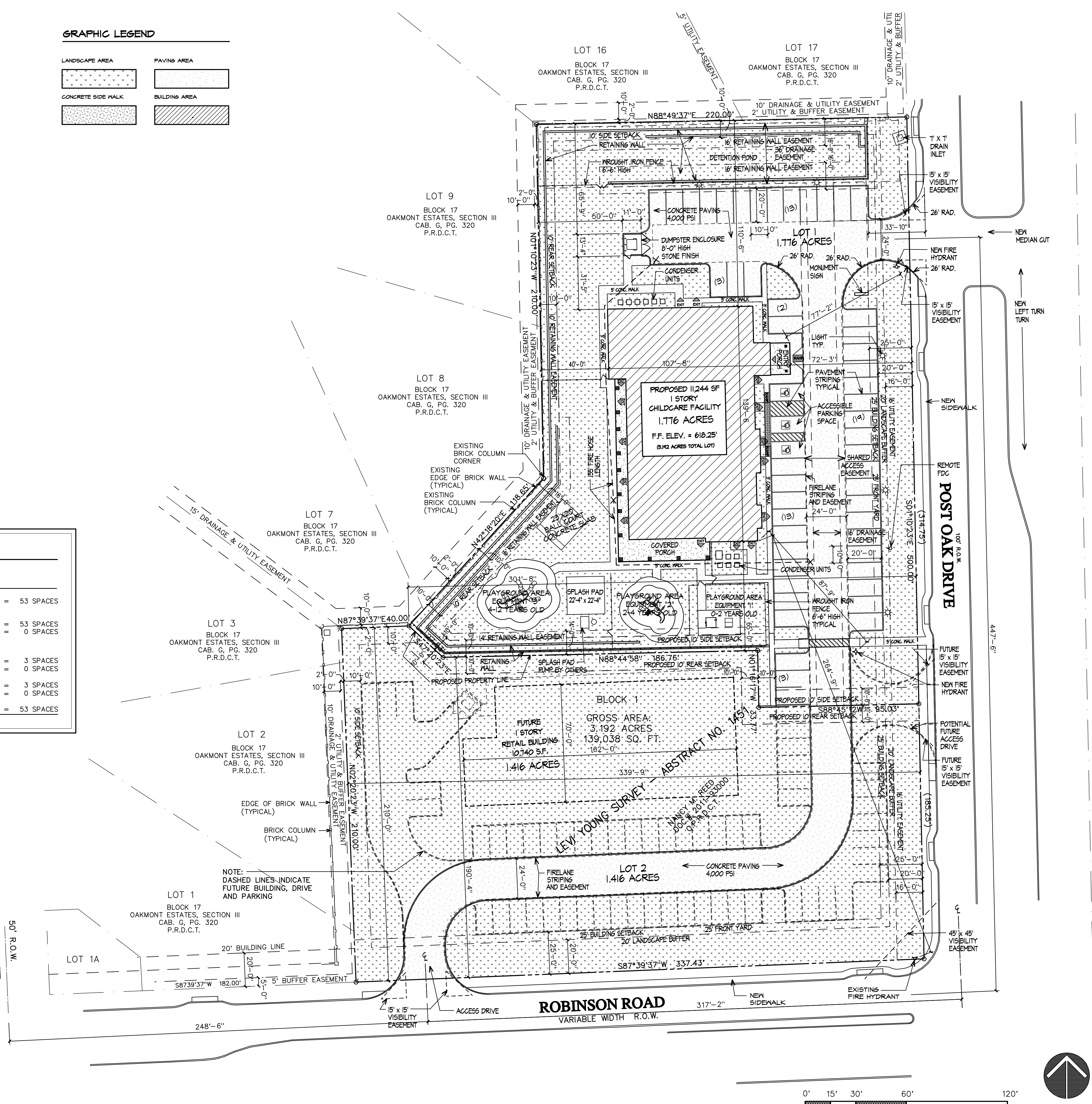
SCALE: 3/32"=1'-0"

SITE DATA SUMMARY CHART (PROPOSED INFORMATION IS FOR LOT 1 ONLY)		
SITE DATA SUMMARY	EXISTING	PROPOSED
EXISTING ZONING	NEIGHBORHOOD SHOPPING ORDINANCE # 07-03-01-05	NEIGHBORHOOD SHOPPING PD
LAND USE DESIGNATION	RETAIL	RETAIL
PROPOSED USE		DAYCARE
GROSS ACREAGE	3.192	3.192
NET ACREAGE	3.192	1.776
NUMBER OF PROPOSED LOTS	1	2
PERCENTAGE OF SITE COVERAGE	50% MAX.	17%
FLOOR TO AREA RATIO		0.17
AREA OF OPEN SPACE	-	37,989
PERCENTAGE OF OPEN SPACE	5% MIN.	49%
PERCENTAGE OF LANDSCAPE	-	43%
AREA OF IMPERVIOUS COVERAGE	-	39,374
PERCENTAGE OF IMPERVIOUS COVERAGE	-	51%
PROPOSED BUILDING AREA (S.F. FOOT PRINT)	-	12,798
NUMBER OF SINGLE-STORY BUILDINGS	0	1
NUMBER OF TWO-STORY BUILDINGS	0	0
MAXIMUM BUILDING HEIGHT	36'-0"	22'-7"
PROPOSED FLOOR AREA	-	11,244
PROPOSED FLOOR AREA BY USE	-	11,244
REQUIRED PARKING	0	53
PROVIDED PARKING	0	50
STANDARD	0	3
HANDICAP	0	3
TOTAL	0	53
INVENTORY PARKING	0	0
REQUIRED LOADING SPACES	0	0
PROVIDED LOADING SPACES	0	0
AREA OF OUTSIDE STORAGE	-	0
PERCENTAGE OF OUTSIDE STORAGE	-	0
START OF CONSTRUCTION MONTH/YEAR	-	MARCH 2018
END OF CONSTRUCTION MONTH/YEAR	-	NOVEMBER 2018

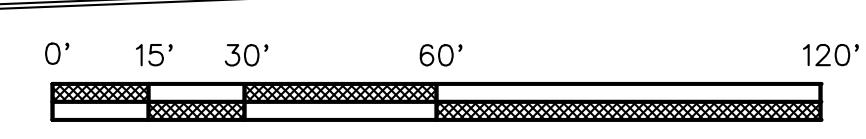
GRAPHIC LEGEND



PARKING ANALYSIS	
PARKING REQUIRED BASED ON BUILDING FLOOR AREA PER USE	
DAYCARE FACILITY	PARKING COUNT
PUPILS	TOTAL REQUIRED = 53 SPACES
1 SPACE PER 8 PUPILS	PROPOSED NEW OFF STREET PARKING ON STREET PARKING = 53 SPACES / 0 SPACES
PUPILS = 215	215/8 = 29 PARKING SPACES REQUIRED
PUPIL REQUIRED PARKING = 29 SPACES	HANDICAPPED PARKING REQUIRED OFF STREET ON STREET = 3 SPACES / 0 SPACES
EMPLOYEES	PROVIDED OFF STREET ON STREET = 3 SPACES / 0 SPACES
1 SPACE PER EMPLOYEE	EMPLOYEES = 26
EMPLOYEES = 26	EMPLOYEE REQUIRED PARKING = 24 SPACES
EMPLOYEE REQUIRED PARKING = 24 SPACES	TOTAL PROVIDED = 53 SPACES



01 DIMENSIONAL SITE PLAN
SCALE: 1"=30'-0"



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CHECKED BY: R.P.G.
DATE: 04.03.2018
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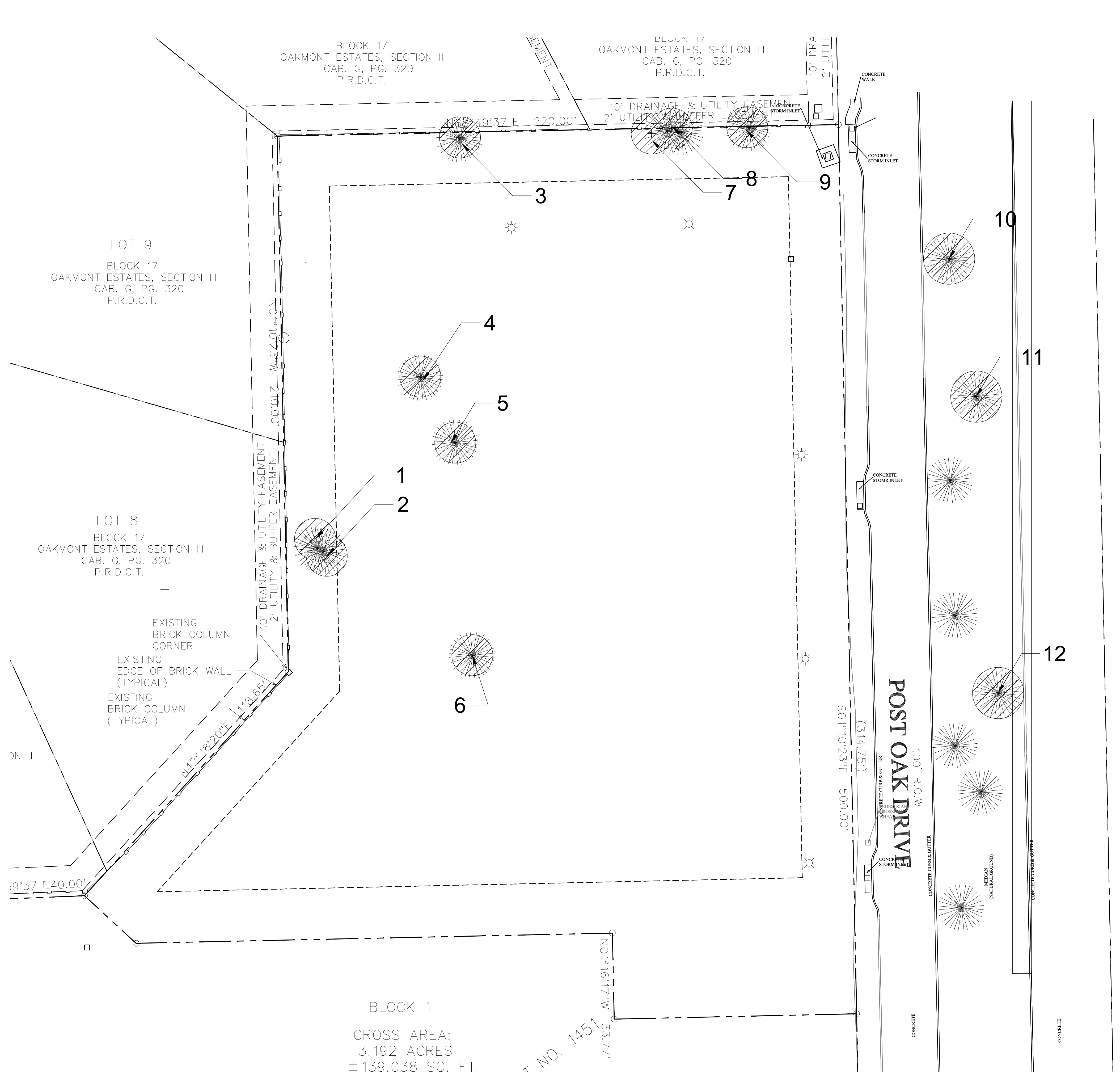
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SITE PLAN SUBMITTAL FOR
CHILDRENS LIGHTHOUSE
ROBINSON ROAD & POST OAK DRIVE
LEVI YOUNG SURVEY, ABSTRACT NO. 1451
3.192 ACRES

CITY CASE NO.
SHEET NO.
DIMENSIONAL SITE PLAN

101 S. Jennings Ave., Suite 100 Fort Worth, Texas 76104 817.352.9477 Fax: 817.352.9477



TREE PRESERVATION LEGEND



MITIGATION CHARTS

EXISTING TREE CHART

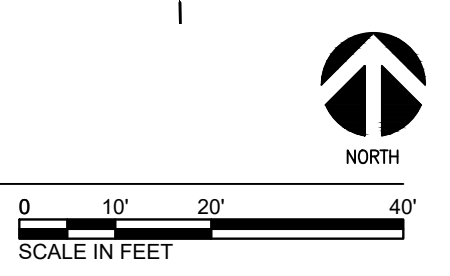
TREE POINT	COMMON NAME	TREE CALIPER	TREES REMOVED CALIPER REQUIRED REPLACEMENT	TREE RMOVED CALIPER NOT PROTECTED
EXISTING SITE TREES				
1	MESQUITE	6	0	6
2	HACKBERRY	27	0	27
3	OAK	12	0	0
4	MESQUITE	21	0	21
5	OAK	19	19	0
6	POPLAR	32	0	32
7	HACKBERRY	7	0	0
8	HACKBERRY	15	0	0
9	HACKBERRY	11	0	0
EXISTING MEIDAN TREES				
10	OAK	14	14	0
11	OAK	16	16	0
12	OAK	15	15	0
TOTAL TREE CALIPER			64	86

REPLACEMENT TREES

COMMON NAME	QTY	CALIPER	TOTAL CALIPER
REPLACEMENT TREES SITE			
CHINESE PISTACHE	6	4	24
TEXAS RED BUD	6	4	24
EXISTING MEIDAN TREES			
SCHUMARD RED OAK	4	4	16
TOTALS	16		64

NOTE THESE REPLACEMENT TREES ARE ALSO LISTED IN THE PLANT LIST

SP - LAND
1 1"=20'-0"



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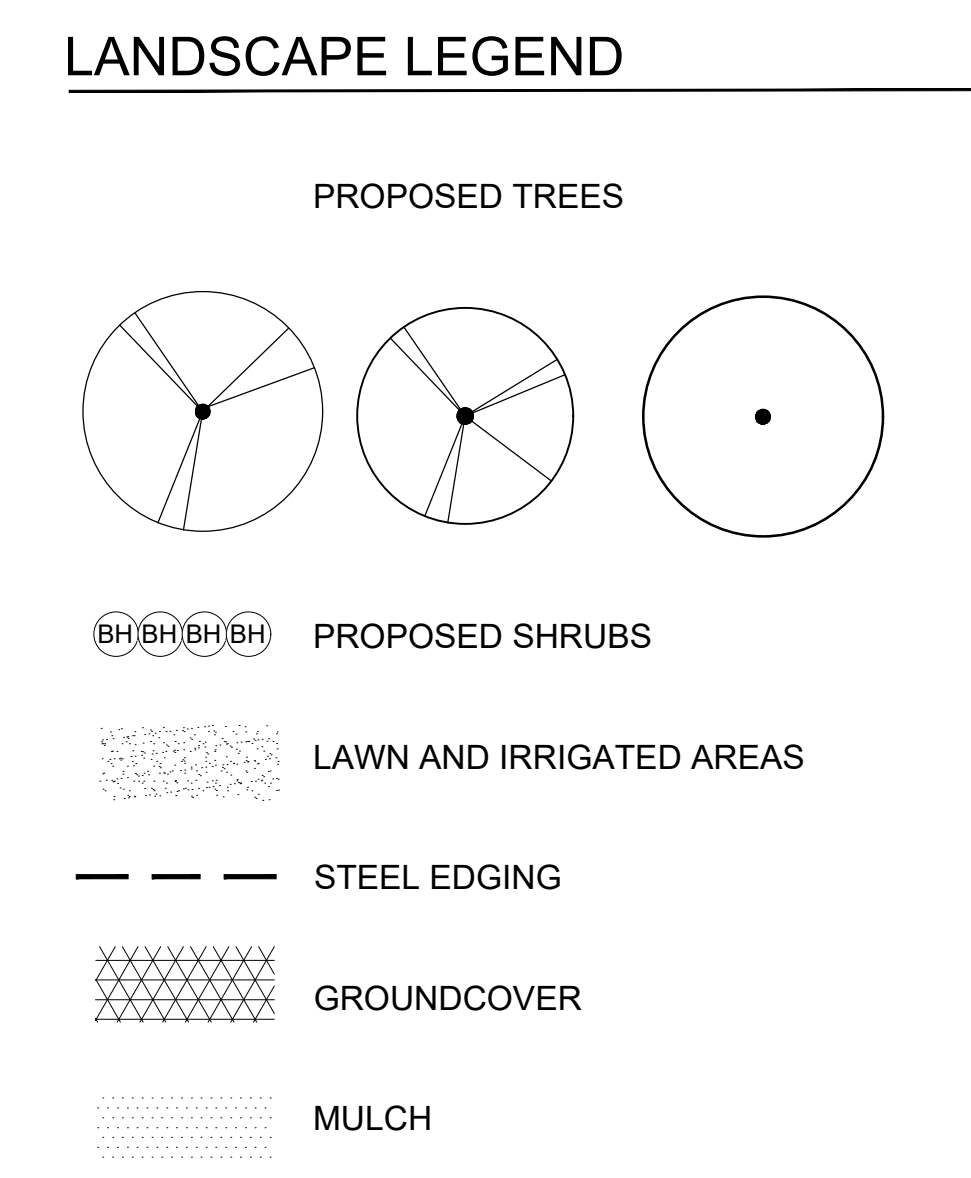
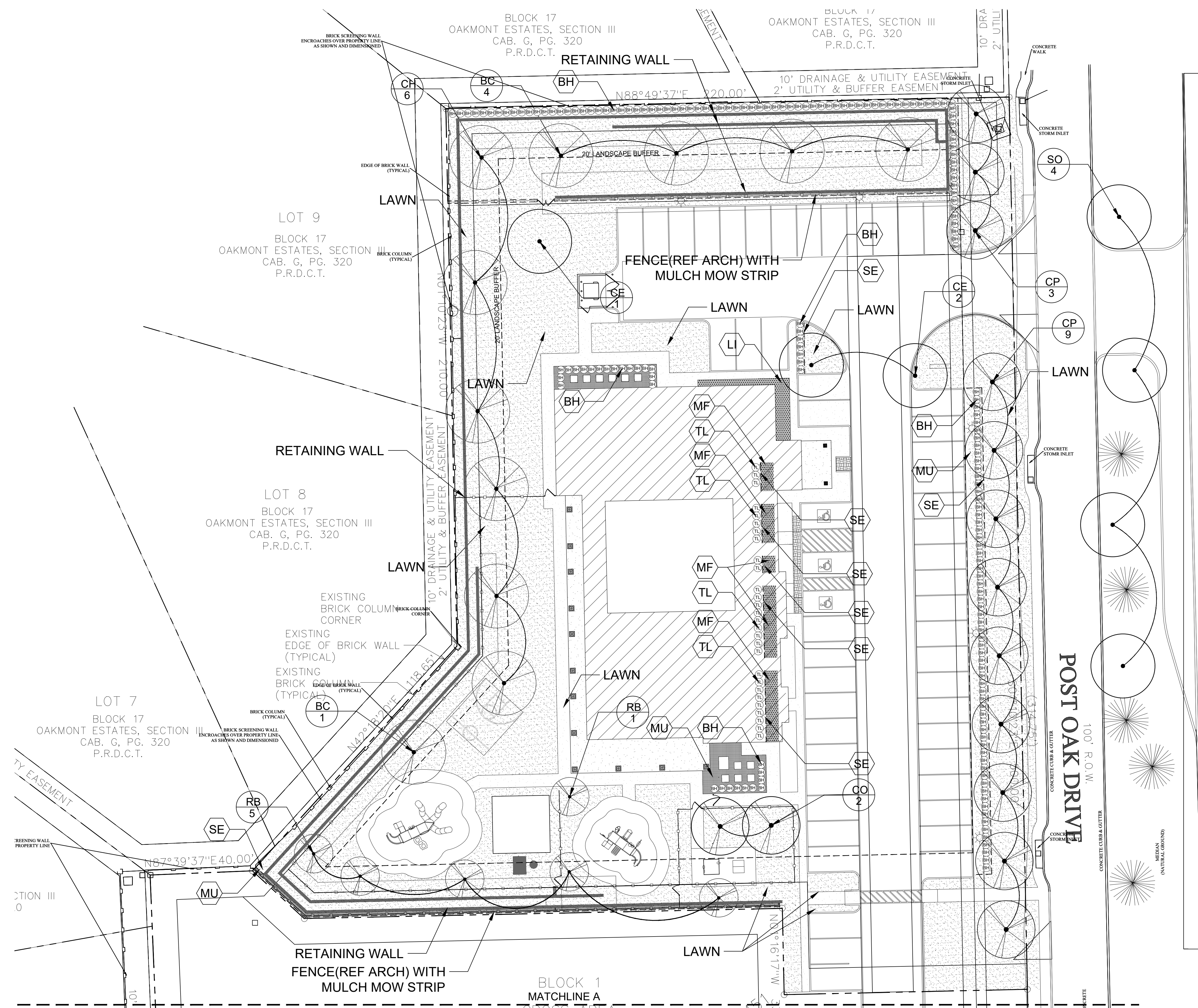
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SOUTHLAKE OFFICE
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Southlake, TX 76092 (817) 379-9853

SHEET DESCRIPTION:
SP-LAND

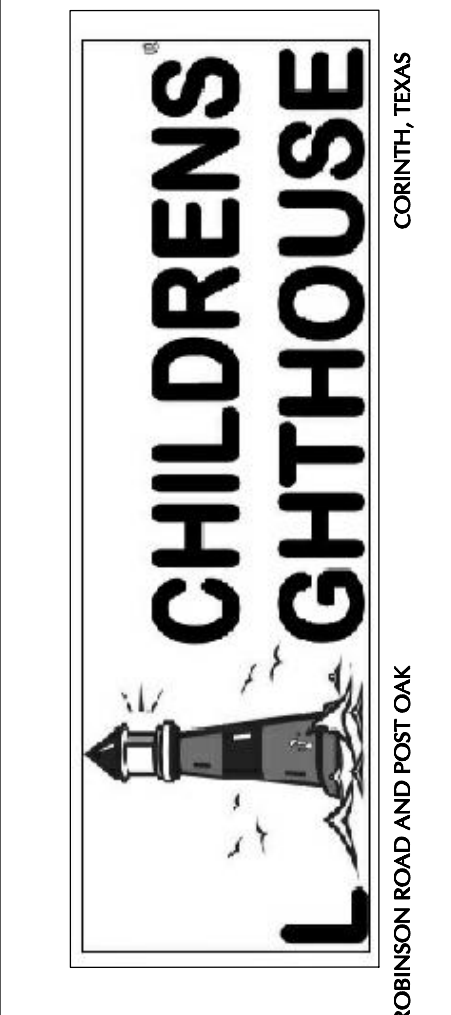
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L-1



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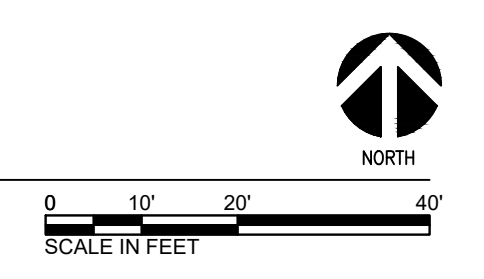


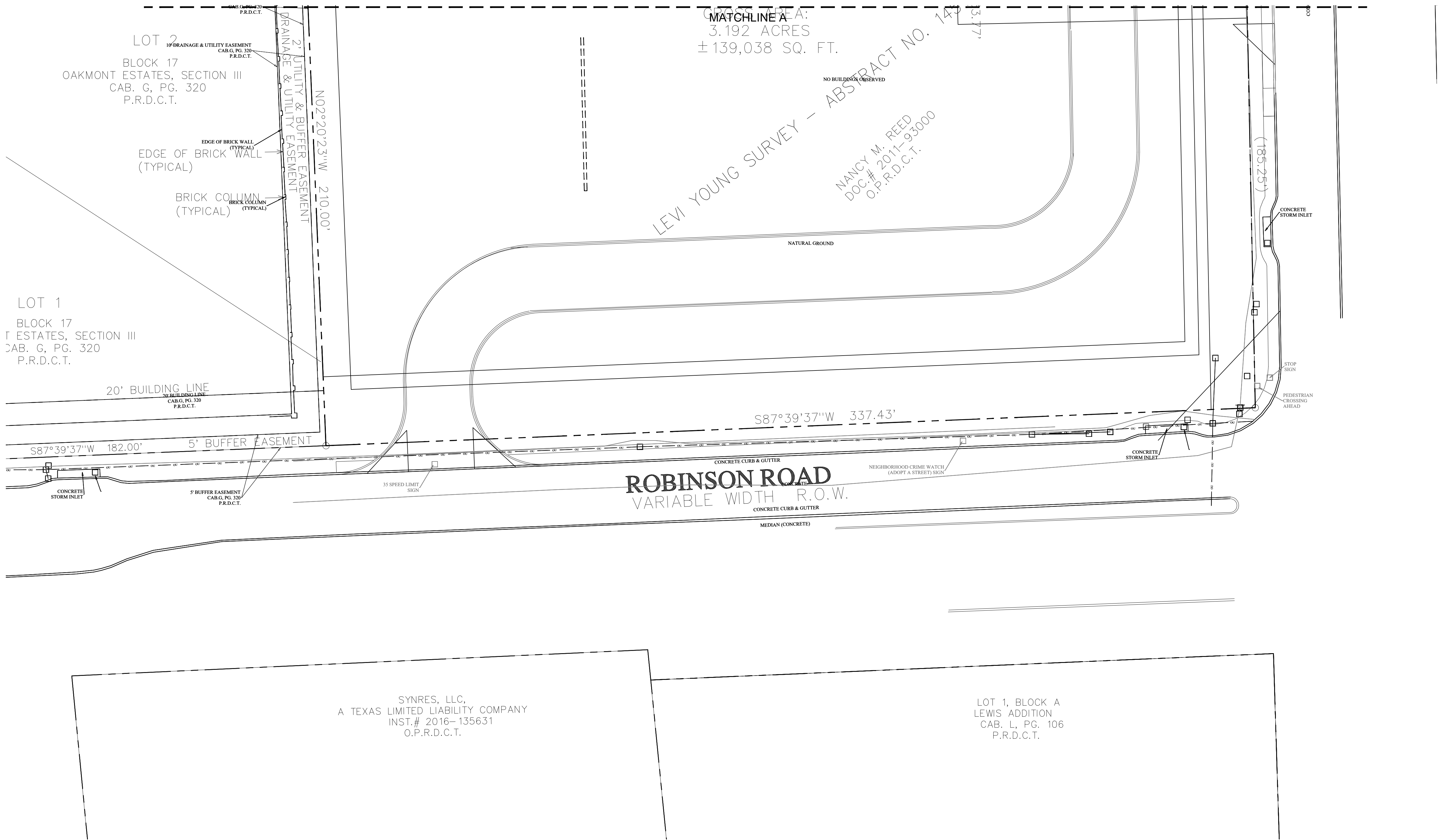
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SHEET DESCRIPTION:
 SP-LAND

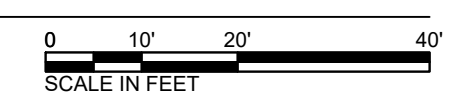
SHEET NO.
 L-2

1 SP-LAND
 1"=20'-0"





1 SP-LAND
1"=20'-0"



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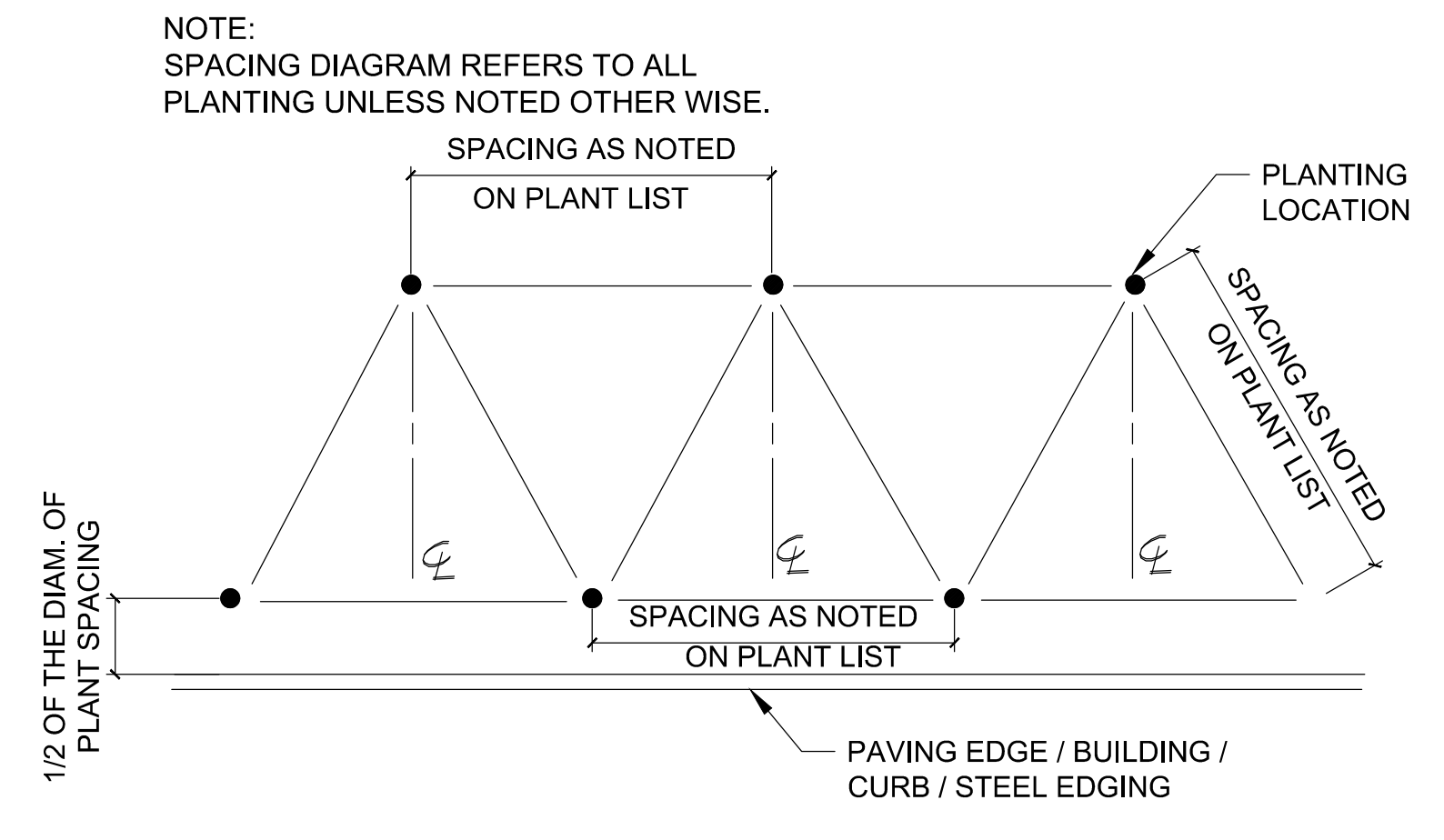
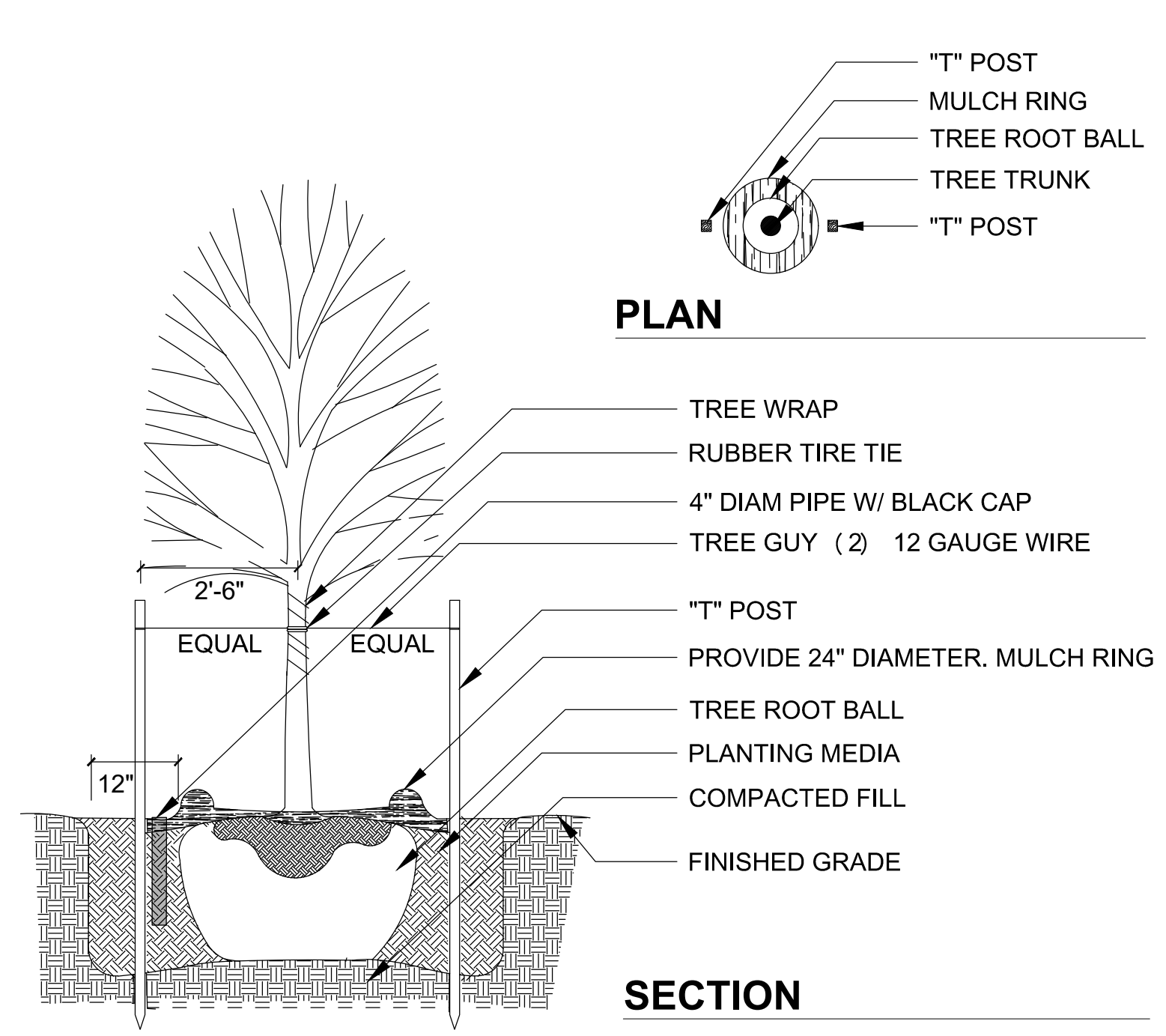
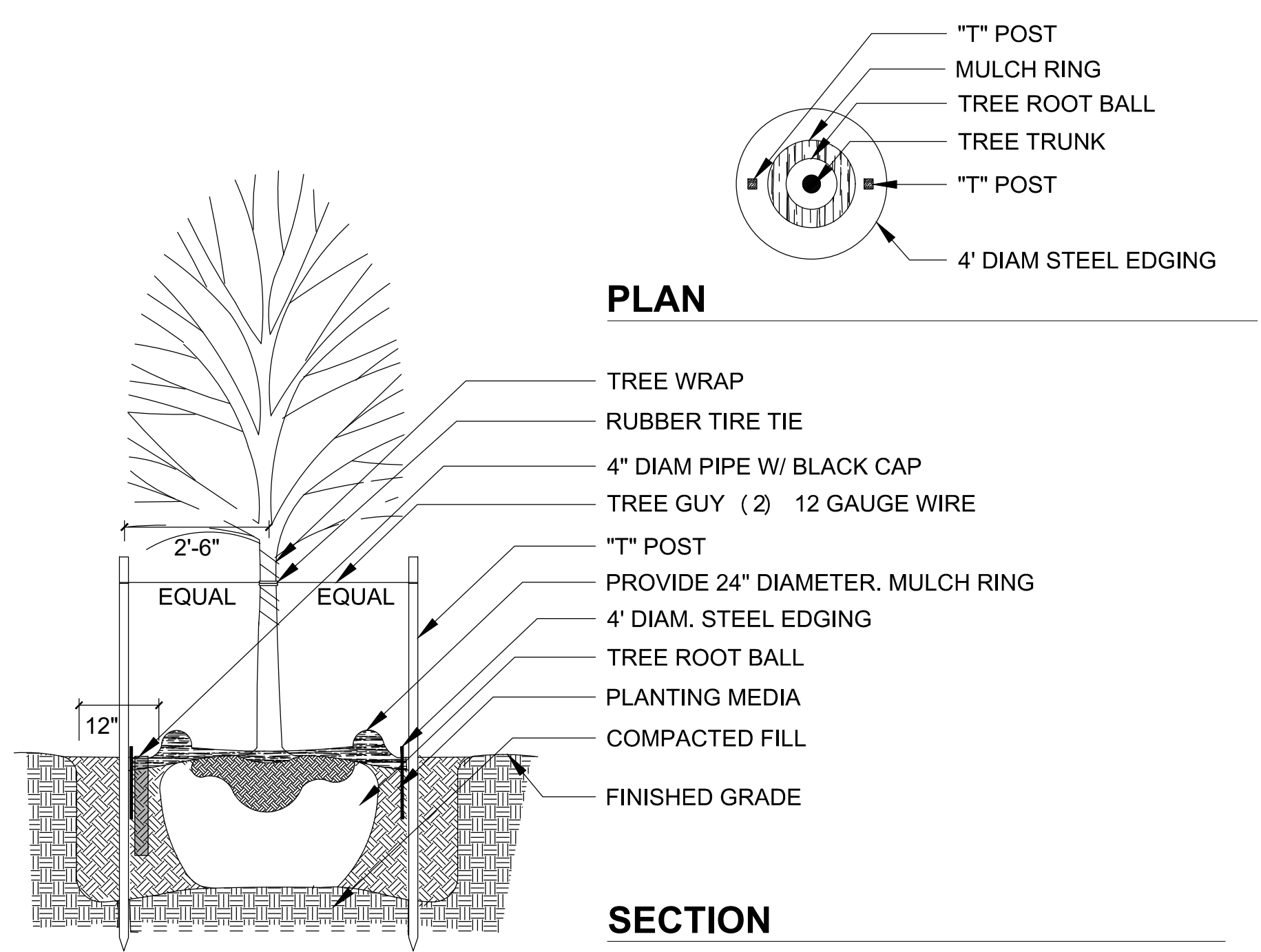
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SHEET DESCRIPTION:
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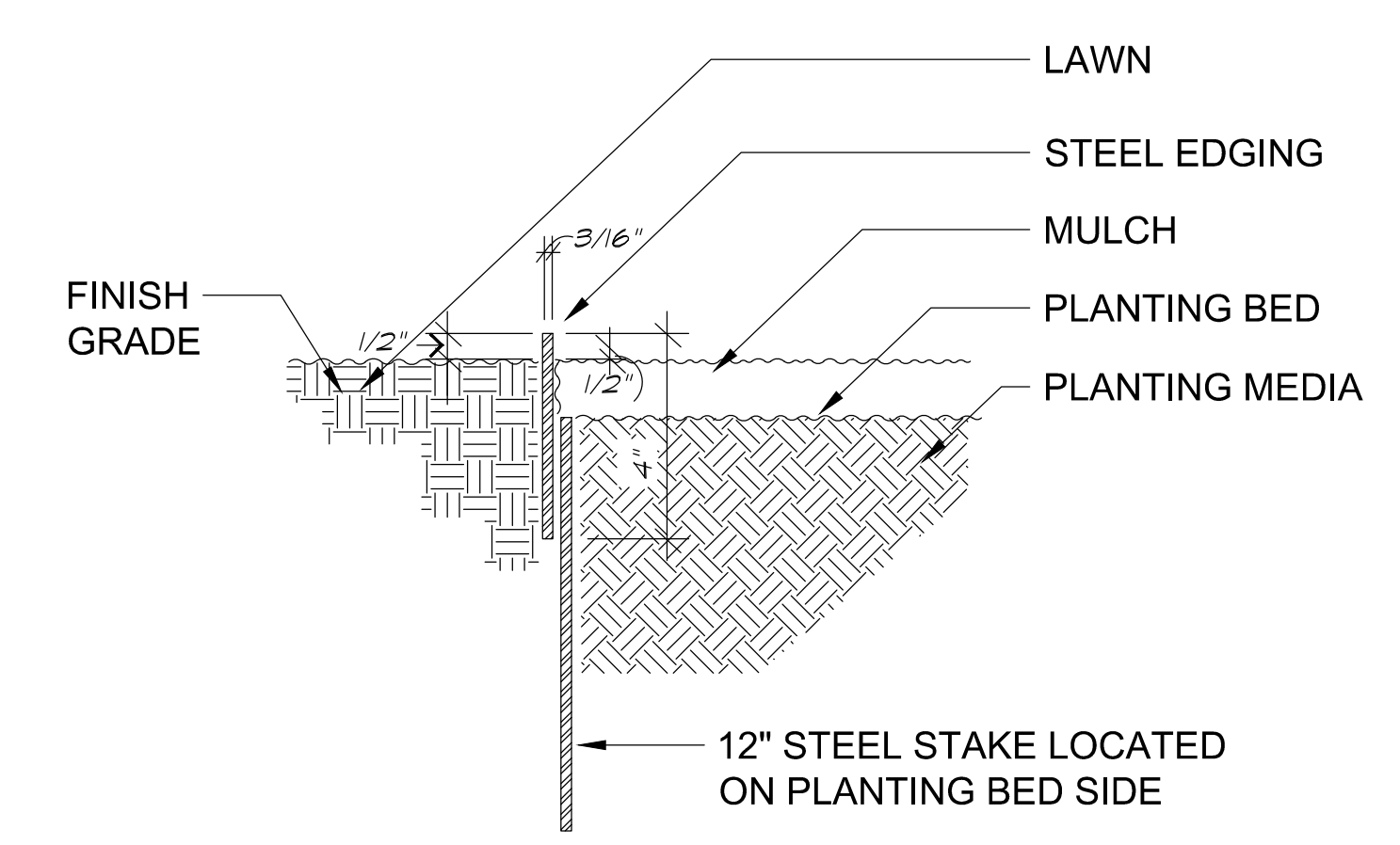
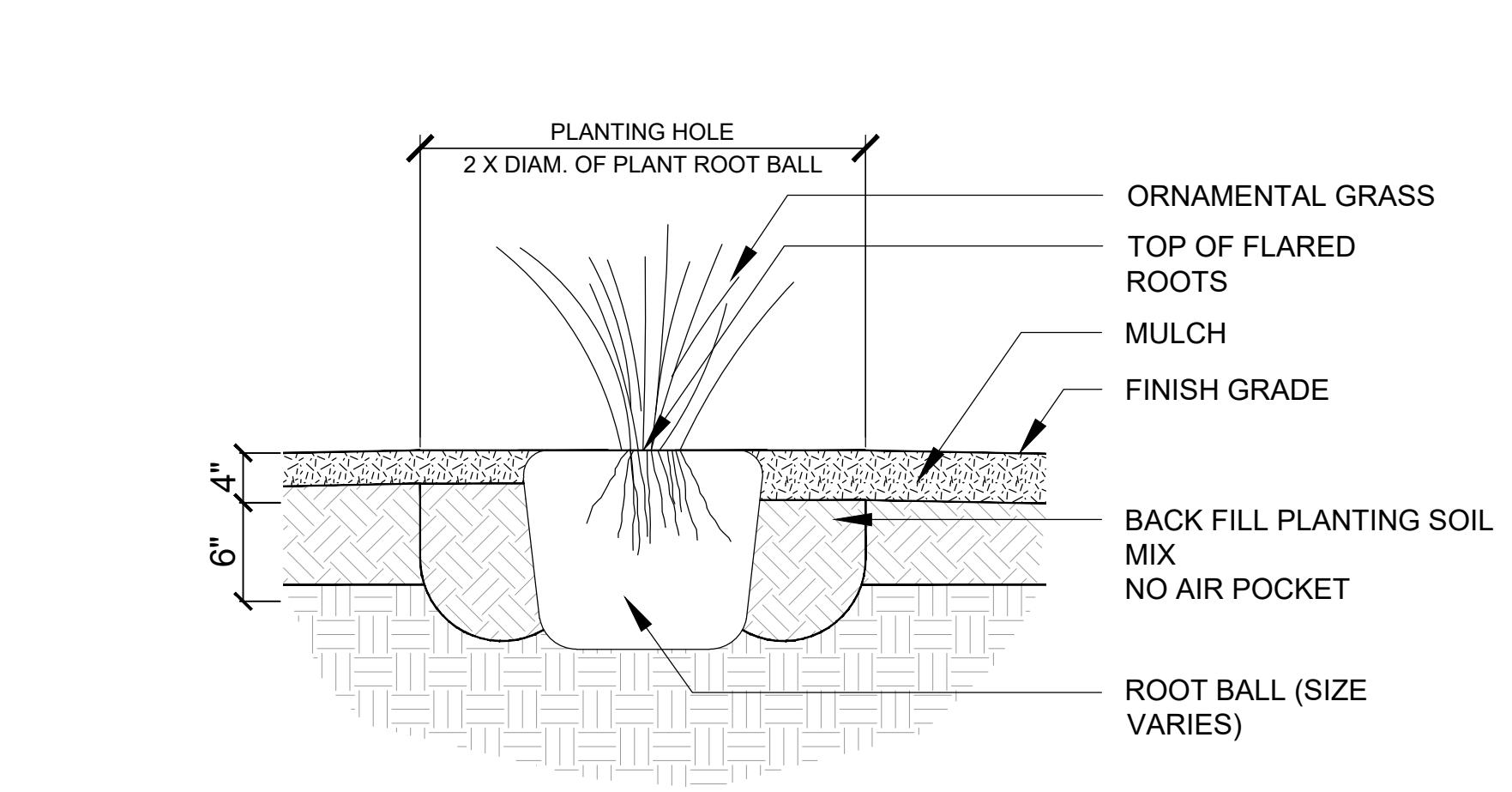
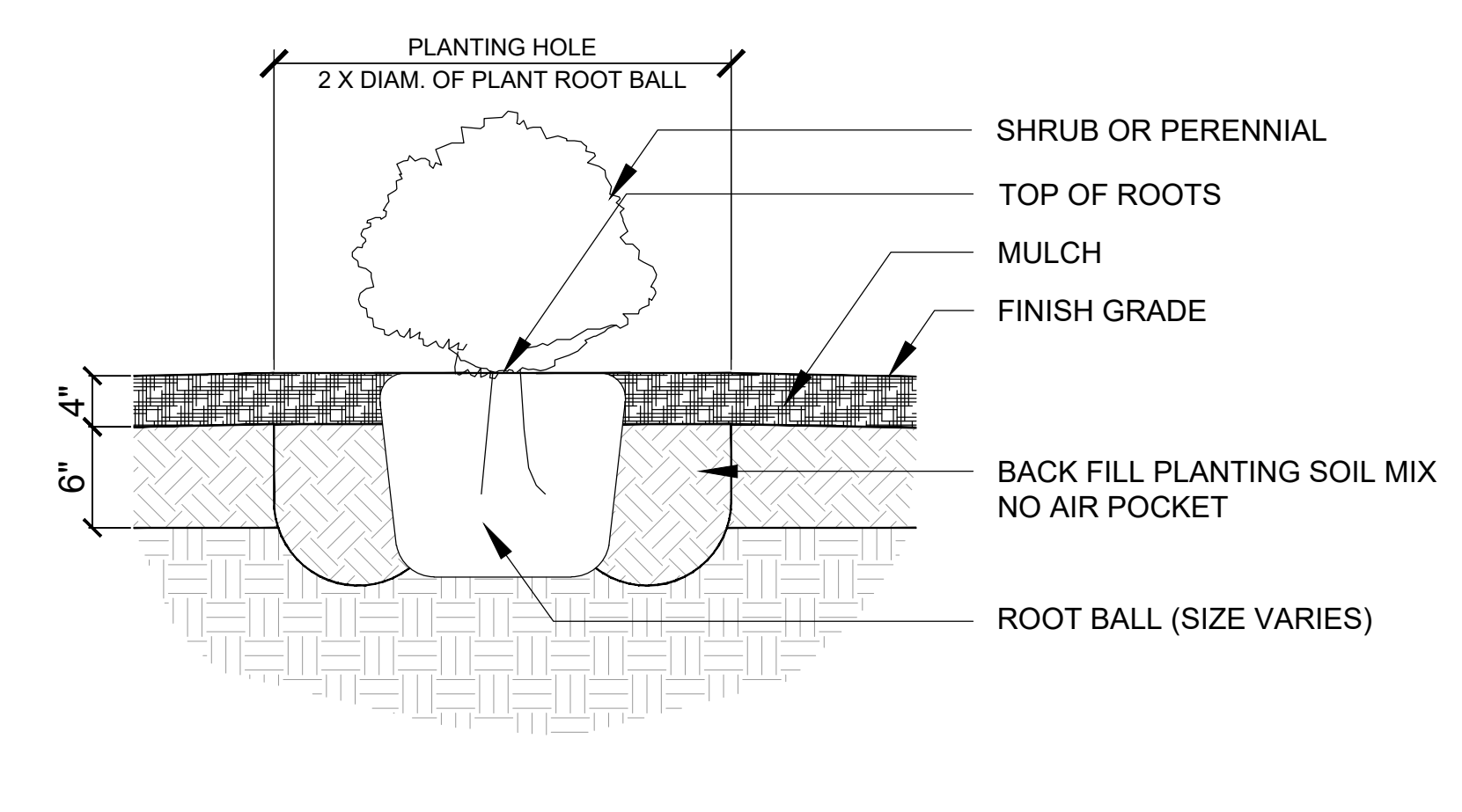
SHEET NO.
L-3



1 TREE PLANTING IN LAWN WITH 4' DIAMETER STEEL EDGING
NOT TO SCALE

2 TREE PLANTING IN MULCH
NOT TO SCALE

3 TRIANGULAR SPACING
NOT TO SCALE



4 SHRUB PLANTING DETAIL
NOT TO SCALE

5 GRASS PLANTING DETAIL
NOT TO SCALE

6 STEEL EDGING DETAIL
NOT TO SCALE

SYM	COMMON NAME	BOTANICAL NAME	QTY	SIZE	HEIGHT	SPREAD	ROOT BALL	REMARKS
LARGE CANOPY TREES								
BC	BALD CYPRESS	TAXODIUM DISTICHUM	5	3" CAL	10' - 12'	8' - 10'	CONTAINER	SINGLE TRUNK, FULL AND MATCHED
CE	CEDAR ELM	ULMUS CRASSIFOLIA	6	3" CAL	10' - 12'	8' - 10'	CONTAINER	SINGLE TRUNK, FULL AND MATCHED
CH	CHINESE ELM	ULMUS PARVIFOLIA	6	4" CAL	12' - 14'	10' - 12'	CONTAINER	SINGLE TRUNK, FULL AND MATCHED - REPLACEMENT TREE
CO	CHINKAPIN OAK	QUERCUS MUEHLENBERGII	2	3" CAL	10' - 12'	8' - 10'	CONTAINER	SINGLE TRUNK, FULL AND MATCHED
CP	CHINESE PISTACHE	PISTACHE CHINENSIS	12	3" CAL	10' - 12'	8' - 10'	CONTAINER	SINGLE TRUNK, FULL AND MATCHED
SO	SCHUMARD RED OAK	QUERCUS SCHUMARDI	4	4" CAL	12' - 14'	10' - 12'	CONTAINER	SINGLE TRUNK, FULL AND MATCHED - REPLACEMENT TREE
SMALL TREES (ORNAMENTAL)								
RB	TEXAS RED BUD	CERCIS CANADENSIS 'TEXENSIS'	6	4" CAL	10' - 12'	8' - 10'	5 GAL.	SINGLE TRUNK, FULL AND MATCHED - REPLACEMENT TREE
SHRUBS								
BH	DWARF BURFORD HOLLY	ILEX CORNUTA 'DWARF BURFORD'	63	NA	24"	24"	5 GAL.	FULL AND MATCHED PLACED AS SHOWN OON PLAN
BH1	DWARF BURFORD HOLLY	ILEX CORNUTA 'DWARF BURFORD'	110	NA	48"	24"	15 GAL.	FULL AND MATCHED PLACED AS SHOWN OON PLAN
TL	TWIST OF LIME ABELIA	ABELIA X GRANDIFLORA 'HOPLEY'S'	28	NA	24"	24"	5 GAL.	FULL AND MATCHED PLACED AS SHOWN ON PLAN
ORNAMENTAL GRASSES								
MF	MEXICAN FEATHER GRASS	NASSELLA TENUISSIMA	470	NA	12"	12"	1 GAL.	FULL & MATCHED SPACED AS SHOWN
GROUND COVER								
LI	BIG BLUE LIRIOPE	LIRIOPE MUSCARI 'BIG BLUE'			12"	12"	1 GAL	18" ON CENTER 0.5 PLANT PER SF
LAWN								
LAWN	419 TIFTWAY BERMUDA GRASS	CYNODON DACTYTON '419'						SOLID SOD STAGGARED TIGHT PLACEMENT
MISCELLANEOUS								
MU	SHREDDED HARDWOOD MULCH							4 INCH DEPTH PLACED OVER FILTER FABRIC
SE	STEEL EDGING							3/16" THICK X 6" ONLY 1/2" EXPOSED ABOVE SOIL LINE

NOTE: ALL PLANT MATERIAL MUST MEET THE HEIGHT SIZES SHOWN IN THIS PLANT LIST. SCREENING SHRUBS ARE A CITY REQUIRED HEIGH

GENERAL LANDSCAPE NOTES

- CONTRACTOR SHALL ADHERE TO CITY CONSTRUCTION REQUIREMENTS INCLUDING BUT NOT LIMITED TO ANY PERMITS, INSPECTIONS, AND METHODS OF MATERIAL INSTALLATION.
- CONTRACTOR SHALL ADHERE TO ALL AGENCY REQUIREMENTS MEANS AND METHODS OF CONSTRUCTION.
- CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES ABOVE AND BELOW GRADE, AS WELL AS FINDING OUT EACH COMPANY'S RESTRICTIONS ON WORKING WITHIN THEIR EASEMENTS AND UTILITY LINES PRIOR TO COMMENCING CONSTRUCTION.
- CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING IMPROVEMENTS AND TO NOT DISTURB THOSE THAT ARE OUTSIDE OF THE SCOPE OF WORK. ANY STRUCTURES THAT ARE TO REMAIN WITHIN THE SCOPE OF WORK AREA SHALL NOT BE DAMAGED. PHOTOGRAPHS AND NOTES SHOULD BE MADE FOR ANY EXISTING DAMAGED CONDITIONS PRIOR TO COMMENCING CONSTRUCTION AND DISTRIBUTED TO OWNERS REPRESENTATIVE.
- A LANDSCAPE IRRIGATION PLAN SHALL BE PREPARED PRIOR TO LANDSCAPE CONSTRUCTION AND WILL BE DESIGNED BY A TEXAS LICENSED IRRIGATION DESIGNER. ALL PLANTING AREAS SHALL BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM WITH A FREEZE AND RAIN SENSOR. THE SYSTEM SHALL BE DESIGNED TO MEET THE CITY AND THE STATE OF TEXAS IRRIGATION REQUIREMENTS. THE IRRIGATION INSTALLER SHALL BE A STATE OF TEXAS LICENSED IRRIGATION DESIGNER.
- CONTRACTOR SHALL NOTIFY OWNERS REPRESENTATIVE IF THERE ARE ANY WATER RESTRICTIONS AND WHAT IF ANY IMPACT THIS MAY HAVE ON THE INSTALLATION OF PLANT MATERIAL.
- QUANTITIES SHOWN IN PLANT LIST FOR PLANT MATERIAL AREA PROVIDED AS A COURTESY FOR THE CONTRACTOR. CONTRACTOR SHALL VERIFY PRIOR TO BIDDING THAT THE QUANTITY WILL COVER THE SPECIFIED AREAS AT THE SPACING STATED IN THE PLANT LIST UNDER THE REMARKS COLUMN. IF THERE IS A DIFFERENCE, THE CONTRACTOR SHALL MAKE NOTE ON THEIR BID AND SHOW THE ADDED OR REDUCED COST.
- CONTRACTOR SHALL ESTABLISH SOURCES FOR ALL PLANT MATERIAL ON PLANT LIST WHEN BIDDING PROJECT. NO PLANTS SUBSTITUTIONS.
- CONTRACTOR SHALL BECOME FAMILIAR WITH THE DRAWINGS FOR THIS PROJECT PRIOR TO INSTALLATION.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADVISE THE OWNERS REPRESENTATIVE OF ANY CONDITION FOUND ON-SITE WHICH PROHIBITS INSTALLATION AS SHOWN ON THESE PLANS.
- ALL NEW PLANTING BEDS SHALL HAVE A MINIMUM SIX (6") INCHES OF BED PREPARATION.
- LAWN AREA SHALL HAVE FERTILE AND CLEAN TOP SOIL TILLED 4" DEEP.
- GRADING IN PLANTING BEDS SHALL BE SMOOTH AND PROVIDE POSITIVE DRAINAGE.
- CONTRACTOR SHALL STAKE OUT LOCATION OF ALL TREES, AND SHRUBS FOR APPROVAL BY OWNERS REPRESENTATIVE PRIOR TO PLANTING.
- MULCHING OF SHRUB AND ANY GROUND COVER AREAS SHALL HAVE 3 INCHES OF SHREDDED HARDWOOD MULCH.
- LANDSCAPED AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS, AND OTHER SUCH MATERIAL OR PLANTS NOT A PART OF THE LANDSCAPING.
- THE PROPERTY OWNER, TENANT AND ANY AGENT THEREOF SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING MATERIALS IN GOOD CONDITION AT ALL TIMES SO AS TO PRESENT A HEALTHY, NEAT AND ORDERLY APPEARANCE. ANY LANDSCAPING MATERIAL THAT DIES SHALL BE REPLACED WITH HEALTHY MATERIAL WITHIN A REASONABLE TIME. ALL LANDSCAPED AREAS SHALL BE CONTINUOUSLY MAINTAINED FREE OF WEEDS, DEBRIS AND LITTER. WEEDS AND NATURAL UNCULTIVATED GRASS SHALL NOT BE CONSIDERED LANDSCAPING.
- AN IRRIGATION SYSTEM WILL BE DESIGNED, INSTALLED, AND FUNCTIONAL PRIOR TO THE APPROVAL OF THE CERTIFICATE OF OCCUPANCY

DRAWN BY: S.B.
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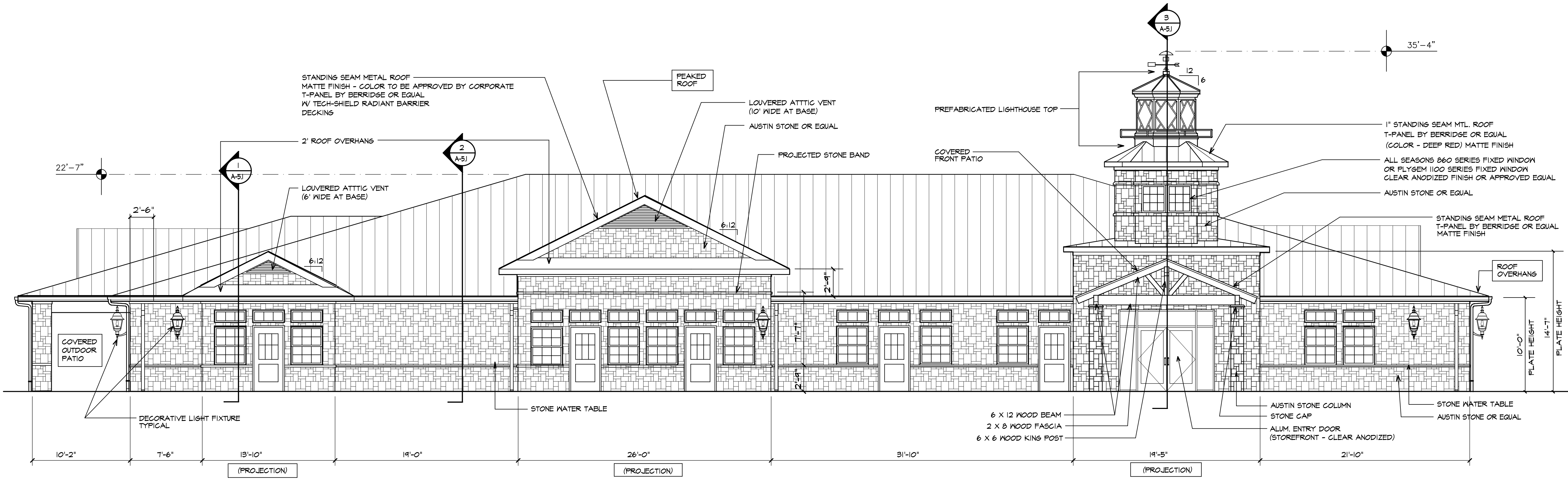
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SHEET NO.
L-4

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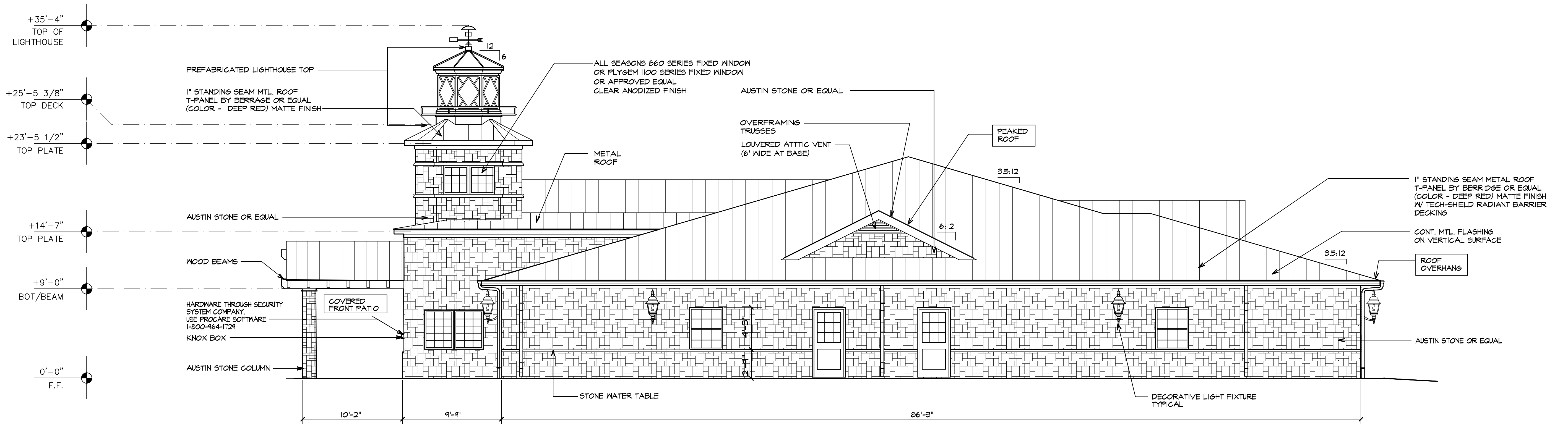
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CHILDRENS LIGHTHOUSE
 CORINTH, TEXAS
 POST OAK DRIVE



EAST ELEVATION

SCALE: 3/16"=1'-0" **1**



NORTH ELEVATION

SCALE: 3/16"=1'-0" **2**

BUILDING MATERIAL TABLE BY %				
ELEVATION	STONE VENEER	WINDOW/DOOR	WOOD BEAMS	WOOD EAVE/TRIM
NORTH	74%	12%	1%	8%
EAST	63%	25%	2%	10%
SOUTH	73%	14%	5%	8%
WEST	81%	12%	0%	7%
TOTAL BUILDING %:	74%	16%	2%	8%

NOTE:
 REQUIRED ARCHITECTURAL DESIGN ELEMENTS
 PER UDC NON-RESIDENTIAL DEVELOPMENT
 IDENTIFIED WITH RECTANGLE AROUND NOTED ELEMENT

SHEET DESCRIPTION
 SHEET NO.
ARCHITECTURAL ELEVATIONS

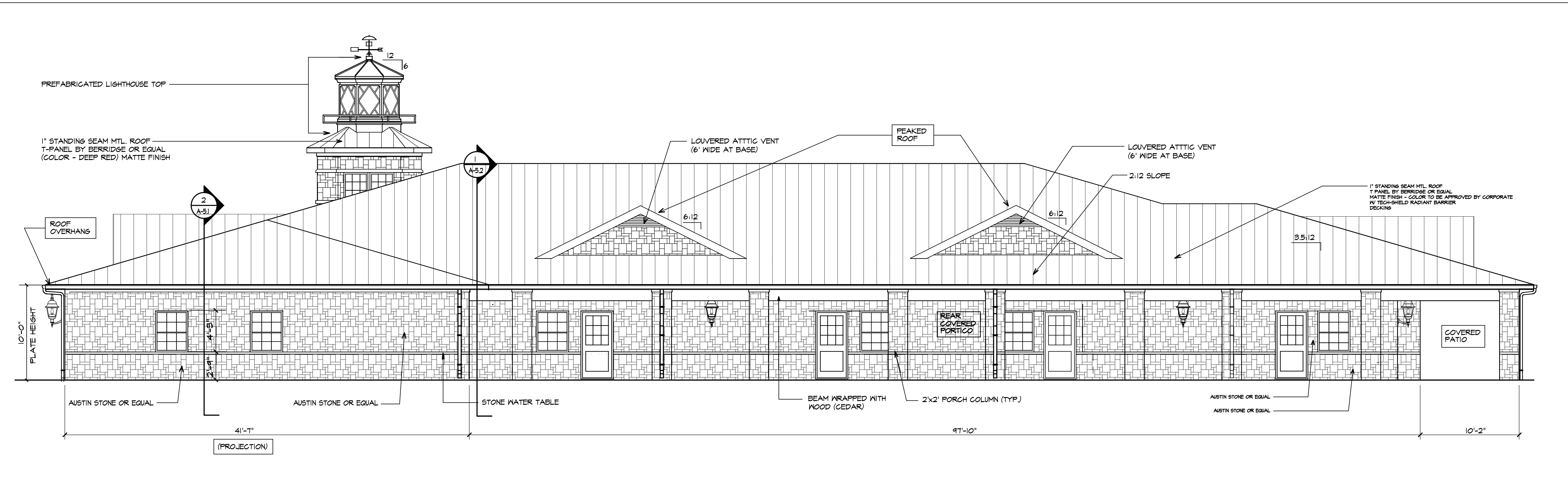
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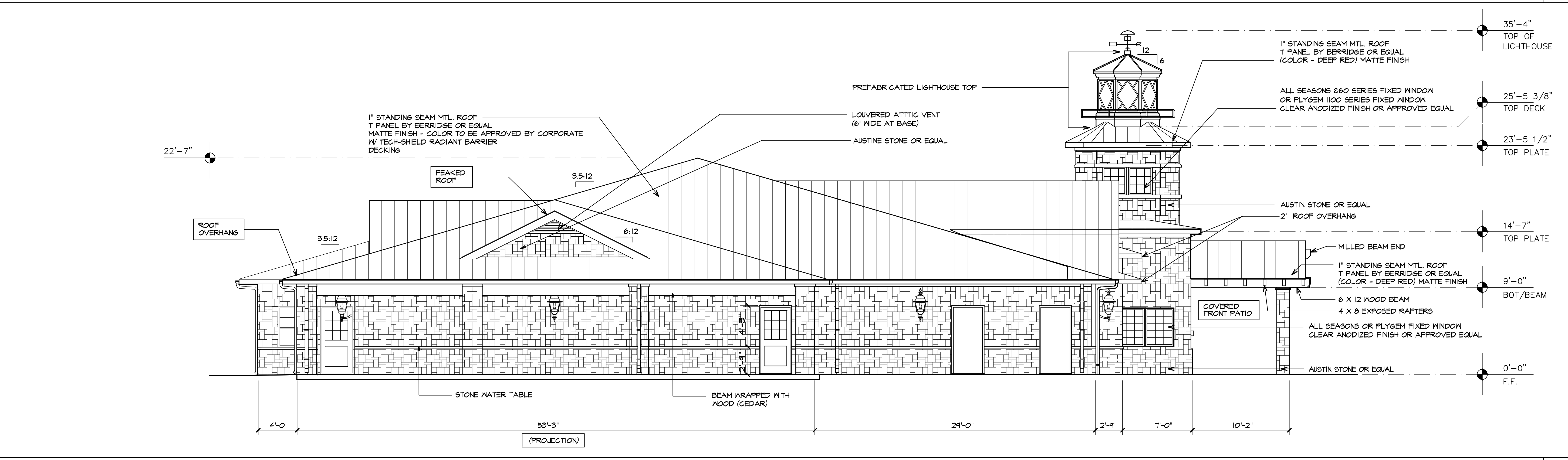
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 817.353.4477 Fax: 817.353.4477 Memo: 076-445-0405

CHILDRENS LIGHTHOUSE
 POST OAK DRIVE
 CORINTH, TEXAS



WEST ELEVATION

SCALE: 3/16"=1'-0" 1



SOUTH ELEVATION

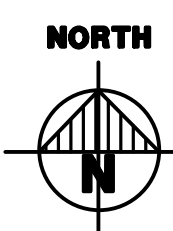
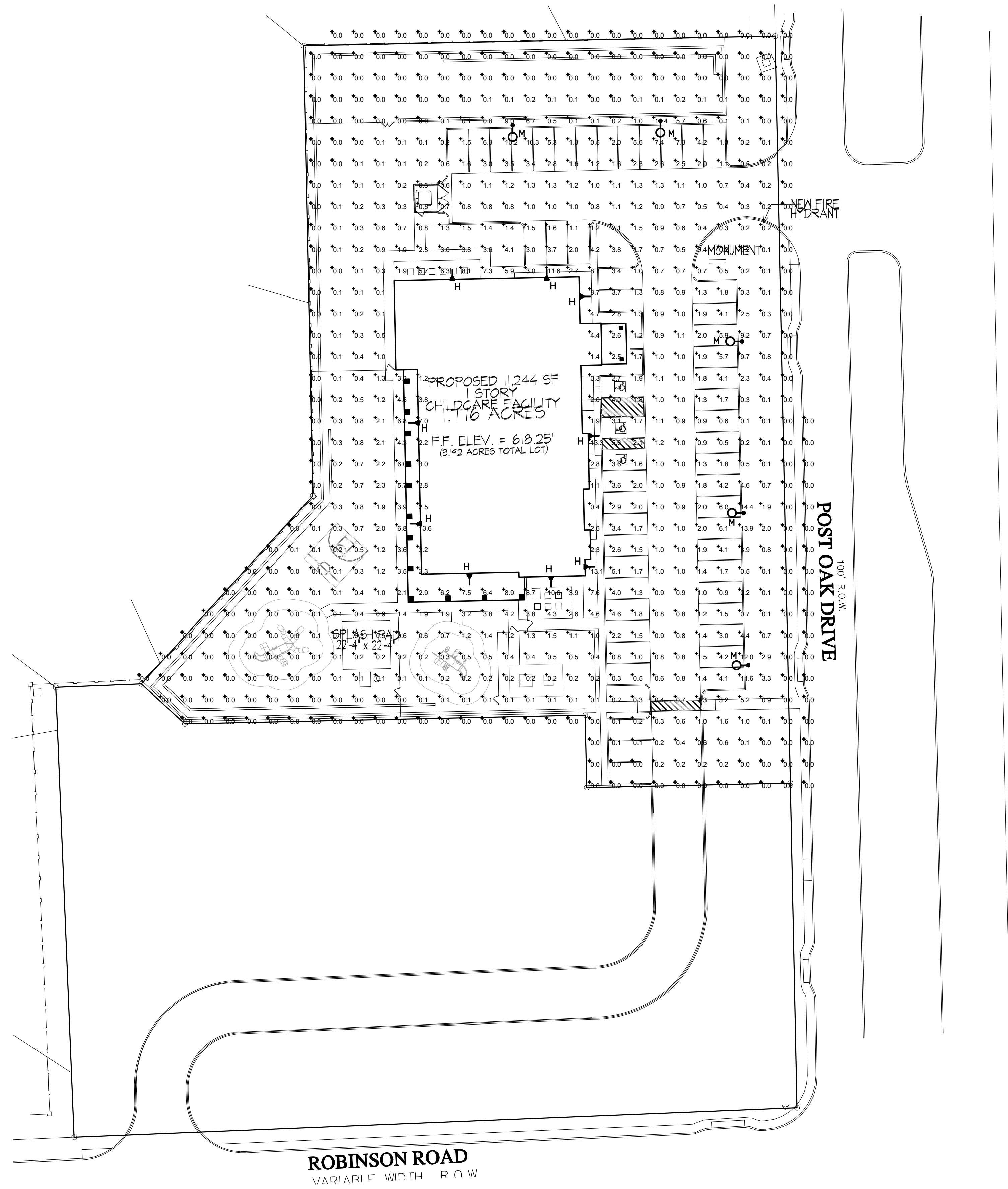
SCALE: 3/16"=1'-0" 2

BUILDING MATERIAL TABLE BY %				
ELEVATION	STONE VENEER	WINDOW/DOOR	WOOD BEAMS	WOOD EAVE/TRIM
NORTH	79%	12%	1%	8%
EAST	63%	25%	2%	10%
SOUTH	73%	14%	5%	8%
WEST	81%	12%	0%	7%
TOTAL BUILDING %:	74%	16%	2%	8%

NOTE:
 REQUIRED ARCHITECTURAL DESIGN ELEMENTS
 FOR JDC NON-RESIDENTIAL DEVELOPMENT
 IDENTIFIED WITH RECTANGLE AROUND NOTED ELEMENT

SHEET DESCRIPTION
 SHEET NO.
ARCHITECTURAL ELEVATIONS

Luminaire Schedule									
Symbol	Label	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Lumens Per Lamp	Wattage	Mounting Height
	H	Amerlux Exterior	DPS-DSM-T3-4L-CLB-PCL	WALL MTD. CAST ALUMINUM LANTERN	Lumileds LHC1-4080-1204	1	6526.387	82.1	Mounted High As Possible on Wall
	M	Antique Street Lamps	EML25 ST 49LED 350MA 4K GCF MVOLT R4 ANDB	EUROTIQUE ARCHITECTURAL LUMINAIRE WITH SRS REFLECTOR, CLEAR FLAT GLASS LENS, LED DRIVERS.	72.7 WATT LED INCLUDED	1	6421	72.7	Mounted on 18" Pole with 2'-6" Base



SITE LIGHTING PLAN - PHOTOMETRICS SCALE: 1" = 30'-0" 1

DRAWN BY: WDE
 CHECKED BY: WDE
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SITE PLAN SUBMITTAL FOR
 CHILDRENS LIGHTHOUSE
 ROBINSON ROAD & POST OAK DRIVE
 LEVI YOUNG SURVEY, ABSTRACT NO. 1451
 CITY OF CORINTH DENTON COUNTY TEXAS



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY:
 MYLES G. WELLS, PE
 TX. NO. 43102
 ON MARCH 15, 2018

Wells Doak
 Engineers, Inc.
 Texas Registration F-10743
 2800 S. HULEN SUITE 212 FORT WORTH, TEXAS 76109
 (817) 920-9545
 WDE #171670

CITY CASE NO.
SITE LIGHTING PLAN
PHOTOMETRICS
 SHEET NO.
SP-PHOTO

DRAFT ORDINANCE

ORDINANCE NO. 18-04-19-

Childrens Lighthouse Planned Development

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE, ORDINANCE NO. 13-05-02-08, AS AMENDED AND AMENDING PLANNED DEVELOPMENT ORDINANCE NO. 87-12-17-24, AS AMENDED AND ORDINANCE NO. 07-03-01-05 NEIGHBORHOOD SHOPPING DISTRICT ON 3.19 ACRES; PROVIDING FOR A PD DESIGN STATEMENT AND A PD DESIGN MAP; PROVIDING A LEGAL PROPERTY DESCRIPTION; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas has adopted Ordinance No. 13-05-02-08, which adopts a Unified Development Code, which includes the Comprehensive Zoning Ordinance and which, in accordance with the City's Comprehensive Plan, establishes zoning districts and adopts a Zoning Map; and

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

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

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

WHEREAS, the City Council further considered among other things the character of the districts; their peculiar suitability for particular uses, aesthetic quality of the architectural design, the design consistency throughout the site, the preservation of site integrity, the consistency of landscape design, the environmental quality impact of the bio-swale and detention facilities, the efforts to contribute to the overall

community design objectives including adjacent properties, and provide a positive example for future projects, and

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

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

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

SECTION I - LEGAL PROPERTY DESCRIPTION; AMENDMENT

That in accordance with the Unified Development Code, which includes the Comprehensive Zoning Ordinance of the City of Corinth, Texas, the zoning on 3.19 acres of land described in "Exhibit A" attached hereto is amended in accordance with this ordinance.

SECTION II – PLANNED DEVELOPMENT MASTER PLAN

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

SECTION III – LAND USE REGULATIONS

- A. The Zoning and Land Use Regulations set forth in “Exhibit C” attached hereto and made a part hereof for all purposes shall be adhered to in their entirety for the purposes of this Planned Development Neighborhood Shopping District. In the event of conflict between the provisions of “Exhibit C” Use and Area Regulations and provisions of any other exhibit, the provisions of “Exhibit C” Use and Area Regulations control.
- B. If, after two years from the date of City Council approval of the Planned Development Master Plan, no substantial development progress has been made within the PD, then the Planned Development Master Plan shall expire. If the Planned Development Master Plan expires, a new Planned Development Master Plan must be submitted and approved according to the procedures within the Unified Development Code, Planned Development Application and Review. An extension of the two year expiration shall be granted if a development Application for the PD has been submitted and is undergoing the development review process or if the Director of Planning determines development progress is occurring.
- C. The Planned Development Master Plan shall control the use and development of the property, and all building permits and development requests shall be in accordance with

the plan until it is amended by the City Council. The property owner shall furnish a reproducible copy of the approved PD Concept Design Map for signature by the Mayor and acknowledgement by the City Secretary. The Planned Development Master Plan, including the signed map shall be made a part of the permanent file and maintained by the City Secretary.

SECTION IV - PENALTY FOR VIOLATIONS

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

SECTION V - SEVERABILITY CLAUSE

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

SECTION V - PROVIDING AN EFFECTIVE DATE

WHEREAS, the present Comprehensive Zoning Ordinance is in need of amending to permit said zoning on property described herein, the City of Corinth provides that this ordinance shall become effective upon approval and publication.

PASSED AND APPROVED THIS 19th DAY OF APRIL, 2018.

APPROVED:

Bill Heidemann, Mayor
City of Corinth, Texas

ATTEST:

Kimberly Pence, City Secretary
City of Corinth, Texas

APPROVED AS TO FORM:

Ordinance No. 18-14-19-__
Children's Lighthouse Planned Development Ordinance
Page 4

City Attorney

EXHIBIT "A"
METES AND BOUNDS LEGAL DESCRIPTION

FIELD NOTES to that certain tract being situated in the L. Young Survey, Abstract Number 1451, City of Corinth, Denton County, Texas and being all of that certain tract of land as described in the deed to Nancy M. Reed recorded in Document Number 2011-93000 of the Official Public Records of Denton County, Texas, the subject tract being more particularly described as follows:

BEGINNING at a 1/2-inch rebar found for the common northeast corner of said Reed tract and the southeast corner of Lot 17, Block 17, Oakmont Estates, Section III, an addition in the Town of Corinth as recorded in Cabinet G, Page 320, Plat Records of Denton County, Texas, said iron rod being in the west right-of-way line of Post Oak Drive (a 100-foot right-of-way);

THENCE SOUTH 01 degrees 10 minutes 23 seconds EAST (deed call SOUTH 02 degrees 05 minutes 02 seconds WEST), with the common east line of said Reed tract and said west right-of-way line, a distance of 500.00 feet (deed call 499.91 feet) to a 1/2-inch capped rebar stamped "JPH Land Surveying" set for the southeast corner of said Reed tract and being at the intersection of said West right-of-way line of Post Oak Drive with the north right-of-way line of Robinson Road (a variable width right-of-way);

THENCE SOUTH 87 degrees 39 minutes 37 seconds WEST (deed call NORTH 88 degrees 59 minutes 00 seconds WEST), with the common south line of said Reed tract and said north right-of-way line, a distance of 337.43 feet (deed call 337.54 feet) to a 1/2 inch capped rebar stamped "JPH Land Surveying" set for the common southwest corner of said Reed tract and the southeast corner of Lot 1 in the aforementioned Block 17, from which a 1/2-inch rebar found bears NORTH 04 degrees 37 minutes 09 seconds EAST, a distance of 0.71 of a foot and a 1/2-inch rebar found for the southwest corner of Lot 1A in said Block 17 bears SOUTH 87 degrees 39 minutes 37 seconds WEST, a distance of 182.00 feet;

THENCE departing said north right-of-way line and along the common west line of said Reed tract and the east line of said Block 17 the following bearings and distances:

1. NORTH 02 degrees 20 minutes 23 seconds WEST (deed call NORTH 00 degrees 55 minutes 26 seconds EAST), a distance of 210.00 feet (deed call 209.27 feet) to a 1/2-inch iron rod found;
2. NORTH 87 degrees 39 minutes 37 seconds EAST (deed call SOUTH 89 degrees 10 minutes 20 seconds EAST), a distance of 40.00 feet (deed call 39.97 feet) to a 1/2-inch iron rod found;
3. NORTH 42 degrees 18 minutes 20 seconds EAST (deed call NORTH 45 degrees 34 minutes 23 seconds EAST), a distance of 118.65 feet (deed call 118.80 feet) to a point for corner in a brick column;
4. NORTH 01 degrees 10 minutes 23 seconds WEST (deed call NORTH 02 degrees 05 minutes 00 seconds EAST), a distance of 210.00 feet (deed call 209.90 feet) to a Mag nail with a metal washer stamped "JPH Land Surveying" set in a brick column for the northwest corner of said Reed tract and an inner ell corner of said Block 17;

THENCE NORTH 88 degrees 49 minutes 37 seconds EAST (deed call SOUTH 87 degrees 55 minutes 00 seconds EAST), along the common north line of said Reed tract and a south line of said Block 17, a distance of 220.00 feet (deed call 220.00 feet) to the POINT OF BEGINNING and CONTAINING 139,038 square feet or 3.192 acres of land area, more or less.

EXHIBIT "B"
PD DESIGN STATEMENT

For the property located at the corner of Robinson Road and Post Oak Drive, a Planned Development is proposed allowing for commercial uses. The property is 3.192 acres. The property owner intends to subdivide the property into two lots. The north lot will be Lot 1 at 1.776 acres. The south lot will be Lot 2 at 1.489 acres. On the north lot, a children's daycare facility is proposed to be built. The south lot will be available to potential retail development. A street median cut is proposed on Post Oak Drive to allow for a left turn access to the main entry drive approach on the north lot. Two access drives off of Post Oak Drive shall be provided. A potential future access drive location is indicated off of Robinson Road, to be constructed at a later date by the owner of Lot 2.

The property is adjacent to two minor arterial streets – Post Oak Drive to the east and Robinson Road to the south. To the north and to the west of the site, residential lots exist.

The proposed zoning for the site shall be the same as the current zoning, which is a Planned Development, Ordinance #07-03-01-05 with Neighborhood Shopping District uses. This is in line with the City of Corinth's future land use for this property which is retail use. Neighborhood Shopping areas are primarily retail commercial areas supplying the surrounding residential areas with convenience goods and services which are normal everyday necessities and routine purchases. These commercial areas are intended to accommodate a unified grouping, in one (1) or more buildings, of retail shops and stores and personal services that provide for the regular needs and are for the convenience of the people residing in the adjacent residential neighborhoods.

Parking requirements for the two lots shall meet the current city ordinance requirements per building use.

Landscaping for the two lots shall meet the current city ordinance for commercial uses.

The following shall be regulations specific to the development:

1. Site building setbacks shall set a minimum 25' front yard setback, a minimum 10' side yard setback and a minimum 10' rear yard setback.
2. No vehicle stacking spaces shall be required for a child daycare use. (As a Childrens Lighthouse daycare facility, it is the operational standards of the facility that each student must be checked-in and checked-out by a parent or guardian. This check-in and check-out takes place inside the lobby of the building. The parent will have to park their vehicle and take the student inside the building. There will not be any instance that cars will be lined up to drop off or pick up their children. As part of the new Planned Development guidelines for this site, this ordinance requirement to provide internal stacking is requested to be waived).

All Utilities including water, sanitary sewer and storm sewers shall connect to the city utilities and be placed in the rights-of-way or dedicated easements.

A detention pond shall be provided at the north end of the property to control storm drainage runoff.

The development will sit on the corner of Post Oak Drive and Robinson. These two existing minor arterial streets shall provide access to the development. A new driveway is proposed to connect the two lots and have access off of Post Oak Drive at the northeast corner of Lot I and access off of Robinson Road at the southwest corner of Lot 2.

The roadway shall be concrete construction, with a width of 24' and curb radii of 26' meeting the City of Corinth fire lane requirements.

The types of structures to be allowed shall be as follows:

1. Lot 1 — a commercial building for a Childrens Lighthouse Daycare Facility. Square footage for the structure shall be 11,244 sf.
2. Lot 2 — any commercial use as identified under the Neighborhood Shopping District shall be allowed.

Lot 1 structures, landscaping and the driveway connecting Lot 1 and Lot 2 shall be constructed as Phase I of the development. Phase II shall include the construction of any future structure, parking and landscaping on Lot 2.

EXHIBIT "B" PD CONCEPT DESIGN MAP



EXHIBIT "C"

DEFINITION:

Neighborhood Shopping areas are primarily retail commercial areas supplying the surrounding residential areas with convenience goods and services which are normal everyday necessities and routine purchases. These commercial areas are intended to accommodate a unified grouping, in one (1) or more buildings, of retail shops and stores and personal services that provide for the regular needs and are for the convenience of the people residing in the adjacent residential neighborhoods.

A. Purpose

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

B. Base District

In this PD District, the Neighborhood Shopping District regulations of the Oakmont Country Club Master Planned Development Ordinance No. 87-12-17-24, as amended.

PERMITTED USES:

1. All uses as permitted in the Garden Office areas
 - o note: All uses that are permitted within the Neighborhood Shopping areas shall be governed by the requirements as set forth for that particular type of use which is proposed for development.
2. Bakery (retail)
3. Bank
4. Barber and beauty shops
5. Convenience store
6. Day care center
7. Drug store or pharmacy
8. Dry cleaning and laundry
9. Florist or garden shops (no outside storage or sales)
10. Grocery store
11. Hardware store
12. Household appliance sales
13. Personal services (ie. Dressmaker, shoe shops, tailor, etc.)
14. Pet grooming and supplies
15. Photo service
16. Retail shops
17. Specialty coffee shop
18. Studio – music, dance or drama

19. Veterinarian (no outside runs)
20. Uses similar to the above mentioned permitted uses, provided that these similar uses be allowed only if approved by the City of Corinth Planning and Zoning Commission and the City Council.
21. Temporary buildings and uses incidental to construction work on the premises, which shall be removed upon the completion or abandonment of construction work.

DIMENSIONAL REGULATIONS:

1. No vehicle stacking spaces shall be required for child day care use.
2. UDC 2.07.07 **Accessory Buildings and Uses** shall apply.
3. UDC 2.08.05 **Nonresidential Dimensional Regulations Chart** shall apply except as follows:
 - a. 25' Minimum Front Yard Setback
 - b. 10' Minimum Side Yard Setback
 - c. 10' Minimum Rear Yard Setback
 - d. 36' / 2.5 Stories Maximum Height
 - e. 1:1 Floor to Area Ratio
 - f. 5% Open Space
 - g. 50% Maximum Building Coverage
4. UDC 2.09.01 **Landscape Regulations** shall apply.
5. UDC 2.09.02 **Tree Preservation Regulations** shall apply.
6. UDC 2.09.03 **Vehicle Parking Regulations** shall apply.
7. **Building Façade Material Standards** for the main exteriors shall be constructed of glass, stone, brick, tiles, exterior wood (maximum 15%) or similar materials, or any combination thereof shall as established in the Neighborhood Shopping District.
8. UDC 2.09.05 **Residential Adjacency Standards** shall apply with the exception of the building façade materials as established in the Neighborhood Shopping District.
9. UDC 2.09.06 **Nonresidential Architectural Standards** shall apply.
10. UDC 2.09.07 **Lighting and Glare Regulations** shall apply
11. UDC 4.01 **Sign Regulations** shall apply.
12. UDC 4.02 **Fence and Screening Regulations** shall apply.

CONDITION:

1. Provide speed humps after pre-approval from the Fire Department for product type and placement.

**PUBLIC HEARING/BUSINESS
ITEM #6**

PUBLIC HEARING / BUSINESS ITEM #6

Planning and Zoning Commission Special Session

April 16, 2018

AGENDA ITEM

PUBLIC HEARING: TO HEAR PUBLIC OPINION REGARDING AMENDING THE CITY OF CORINTH COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE INCLUDING SECTIONS 2.07.03 AND 2.07.04 BY AMENDING USES PERMITTED, USES PROHIBITED, USES PERMITTED BY SPECIFIC USE PERMIT AND CONDITIONAL DEVELOPMENT STANDARDS RELATED TO RESIDENTIAL, NONRESIDENTIAL, AND SPECIAL ZONING DISTRICTS AND LAND USES.

BUSINESS: Consider and act on amendments to the City of Corinth Comprehensive Zoning Ordinance being a part of the Unified Development Code including Sections 2.07.03 and 2.07.04 by amending Uses Permitted, Uses Prohibited, Uses Permitted by Specific Use Permit and Conditional Development Standards related to Industrial, Commercial, Office, Retail, and Residential land use categories.

APPROVAL PROCESS

Approval for a Zoning Text Amendment requires the Planning and Zoning Commission recommendation presented to City Council for consideration and final approval.

NOTIFICATION TO PUBLIC

Notification prior to the Planning and Zoning Commission meeting and City Council meeting by newspaper is required for Zoning Text Amendments. Public hearings will be held during both the Planning and Zoning Commission meeting and the City Council meeting.

AGENDA ITEM DESCRIPTION

The Unified Development Code was adopted in May 2013. Text amendments following adoption and miscellaneous updates are necessary to eliminate unclear language, correct errors, and update content based on interpretations and practices of the department. Following its adoption, updates have been made. "Uses" have been added and "processes" have been changed as well. Updates can be initiated by changes in State, Federal and Local laws as well.

Staff, P&Z and City Council over the last five years have discussed updating the "Uses". With the changes in our City with regards to growth and infrastructure improvements including Interstate 35, FM 2181, FM 2499 and Lake Sharon Drive, it seems the perfect time to re-evaluate the Use Chart. Associated with the Use Chart is the Conditional Development Standards. Some "Uses" are not permitted outright but may be allowed if certain standards and conditions are met and the Planning and Zoning Commission and City Council grants approval. Conditional Development Standards assure neighbors, residential and non-residential alike, that uses of adjacent properties will be as compatible as possible with property uses established.

FINANCIAL SUMMARY

Source of Funding: No funding is required.

STAFF RECOMMENDATION

Using the zoning map and future land use map in conjunction with the Use Chart, Staff recommends that the Commissioners review and discuss “Uses” that might be added, eliminated, or “conditioned” which will be appropriate for Corinth with the current and anticipated changes and make its recommendation to City Council.

ATTACHMENTS / SUPPORTING DOCUMENTS

Zoning Map
Future Land Use Map
Use Chart
Conditional Development Standards

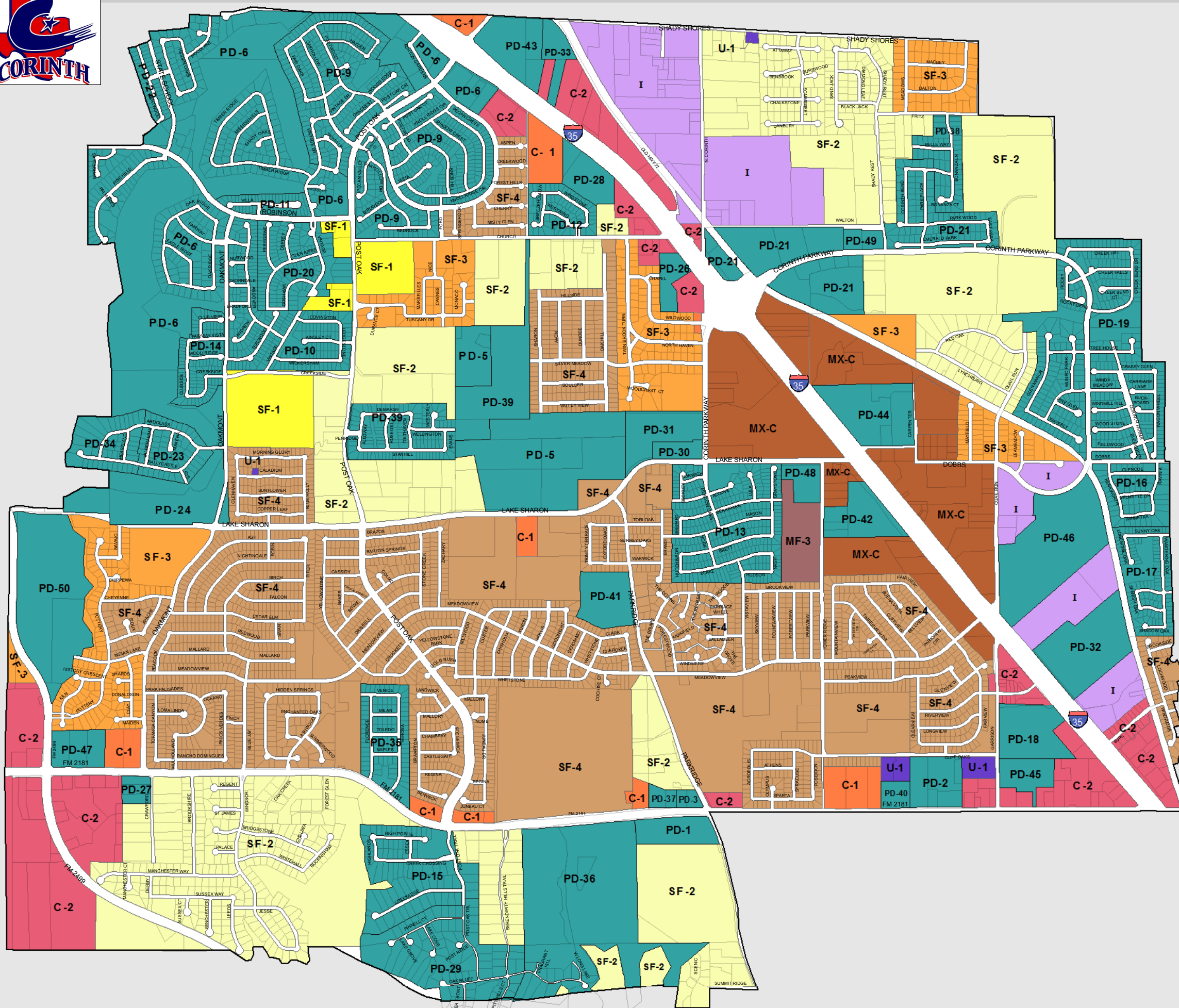
Submitted By: Barbara Cubbage, Interim Director
Department: Planning and Development

Finance Review: Yes _ NA X

Legal Review: Yes NA X












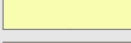





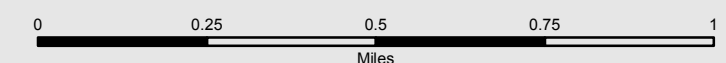
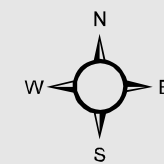
City of Corinth Zoning Map



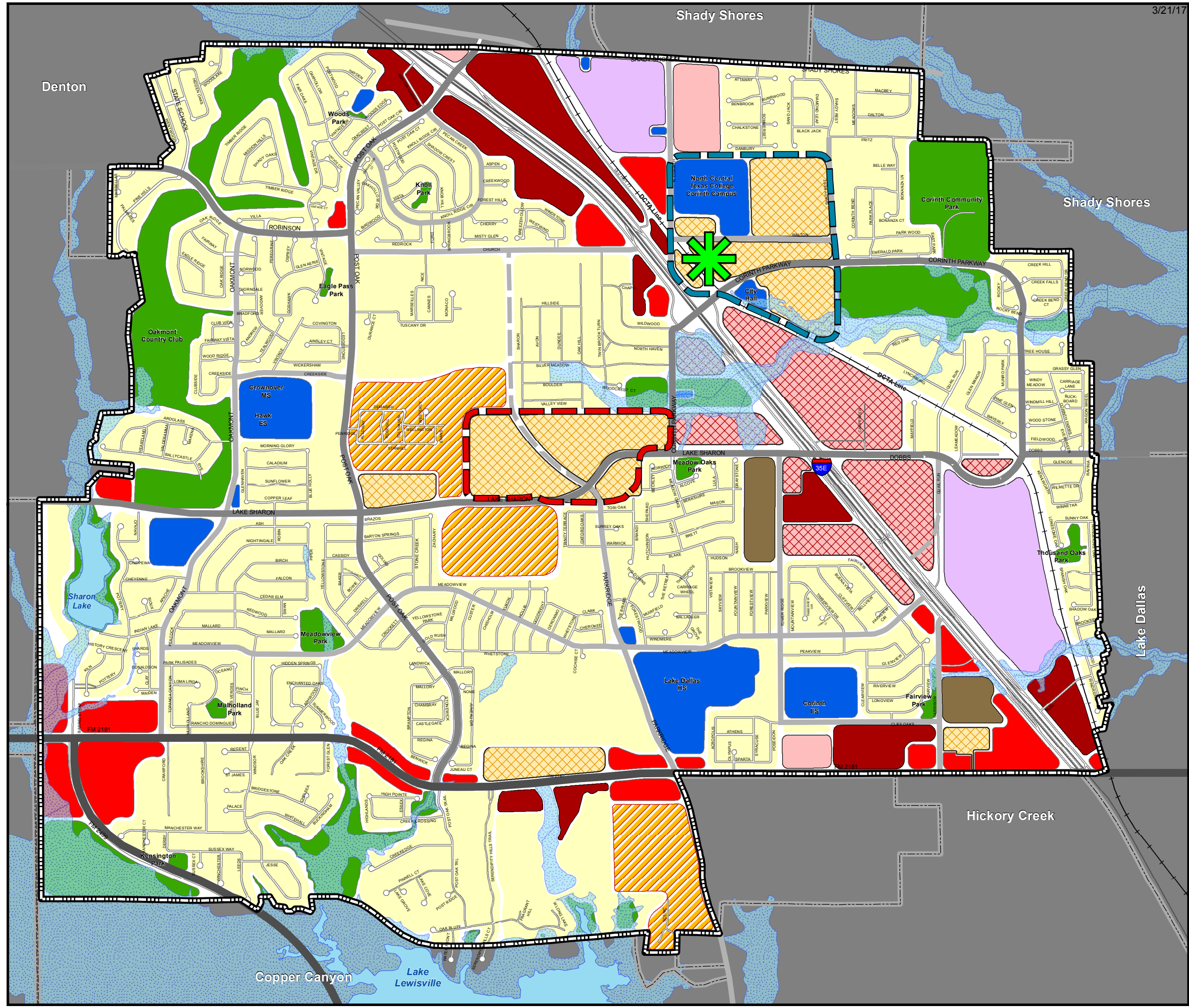
Legend

Zoning Districts

-  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



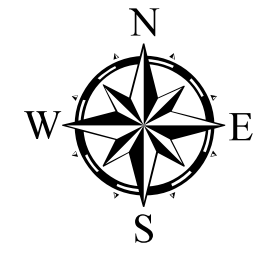
Future Land Use Plan



- 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.





Use Chart

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

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



Uses		Residential Zoning Districts								Nonresidential Zoning Districts					Special Zoning Districts			Vehicle Parking Regulations	
Legend for Use Chart		SF-1, Single Family Residential (detached)	SF-2, Single Family Residential (detached)	SF-3, Single Family Residential (detached)	SF-4, Single Family Residential (detached)	SF-A, Single Family Residential (attached)	MX-D, Mixed Density Residential	MF-1, Multi-Family Residential	MF-2, Multi-Family Residential	MF-3, Multi-Family Residential	C-1, Commercial	C-2, Commercial	C-3, Commercial	I, Industrial	U-1, Utility	MX-R, Mixed Use Residential	MX-C, Mixed Use Commercial		PD, Planned Development
P	Use is permitted in district indicated																		
	Use is prohibited in district indicated																		
S	Use is permitted in district upon approval of a 2.10.10. Specific Use Permit																		
#	Use is permitted (or permitted by SUP) if the use complies with conditional development standards or limitations in the corresponding numeric end note in 2.07.04. Conditional Development Standards .																		
§	Reference to 2.09.03. Vehicle Parking Regulations																		
	Automobile Service Garage (Minor)										P	P	P	P			P	20	E. 8
	Bank or Financial Institution										P	P	P	P		P	P	20	E.1
	Barber or Beauty Shop										P	P	P	P		P	P	20	E.21
	Book Store										P	P	P	P		P	P	20	E.21
	Bowling Alley										P	P	P	P		P	P	20	E.2
	Car Wash, Full Service										P	P	P			S	P		
	Car Wash, Self Service											P	P				S		
	Carpentry Shop													P				20	E.19
	Caterer or Wedding Service										P	P	P	P		P	P	20	E.19
	Ceramic and Pottery Manufacturer													P				20	E.19
	Child-Care: Foster Family Home (Independent)	P	P	P	P													20	C.1
	Child-Care: Foster Group Home (Independent)	P	P	P	P													20	C.1
	Child-Care: Licensed Child-Care Center										S	S	S	S		S	S	20	E.3
	Child-Care: Licensed Child-Care Home	P	P	P	P													20	E.
	Child-Care: Listed Family Home	P	P	P	P													20	C.1
	Child Care: Registered Child-Care Home	P	P	P	P													20	C.1
	Church or Other Place of Worship, including Parsonage/Rectory	P	P	P	P	P	P	P	P	P								20	E.4
	College or University	S	S	S	S	S	S	S	S	S	S	S	S		S			20	E.10
	Computer/Chip Manufacturer													P				20	E.15
	Country Club	P	P	P	P			P	P	P								20	E.19
	Dance, Music, or Drama Studio										P	P	P	P		P	P	20	E.21
	Donation or Recycling Collection Point	S	S	S	S	S	S	S	S	S	S	S	S		S	S		20	None
	Educational Services Office										P	P	P	P		P	P	20	E.16
	Electrical Power Substations													P				20	E.15/26
	Exterminating Company										P	P	P	P			P	20	E.21
	Farmer's Market										S	S	S	S				20	E.19
	Feed Store											P	P	P			P	20	E.19
	Fix-It Shop, Bicycle Repair, Blade Sharpening, Small Engine Repair											P	P	P		P	P	20	E.15



Uses		Residential Zoning Districts								Nonresidential Zoning Districts					Special Zoning Districts			Vehicle Parking Regulations	
		SF-1, Single Family Residential (detached)	SF-2, Single Family Residential (detached)	SF-3, Single Family Residential (detached)	SF-4, Single Family Residential (detached)	SF-A, Single Family Residential (attached)	MX-D, Mixed Density Residential	MF-1, Multi-Family Residential	MF-2, Multi-Family Residential	MF-3, Multi-Family Residential	C-1, Commercial	C-2, Commercial	C-3, Commercial	I, Industrial	U-1, Utility	MX-R, Mixed Use Residential	MX-C, Mixed Use Commercial		PD, Planned Development
Legend for Use Chart																			
P	Use is permitted in district indicated																		
	Use is prohibited in district indicated																		
S	Use is permitted in district upon approval of a 2.10.10. Specific Use Permit																		
#	Use is permitted (or permitted by SUP) if the use complies with conditional development standards or limitations in the corresponding numeric end note in 2.07.04. Conditional Development Standards .																		
§	Reference to 2.09.03. Vehicle Parking Regulations																		
Furniture Repair and Upholstering Shop											P	P	P	P		P	P	20	E.15
Gas Regulator Stations or Metering Stations															P			20	E.15/26
Gas or Oil Well and Production		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	E.15/26
Gasoline Filling or Service Station/Car Wash												S-7	P	P			S-7	20	E.8
Golf Course		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	E.9
Grocery Store											P	P	P	P			P	20	E.21
Gym or Health/Fitness Center											P	P	P	P		P	P	20	E.21
Heliport or Helistop												S-8	S-8	S-8	S-8		S-8	20	E.19
Home Based Business		P-9	P-9	P-9	P-9													20	C.1
Hospital, Acute Care												S	S	S		S	S	20	E.11
Hospital, Chronic Care												S	S	S		S	S	20	E.11
Hotel											S	P	P	P		S		20	E.12
Institution for the Care of Alcoholic, Psychiatric, or Narcotic Patients													P	P				20	E.13
Jewelry Manufacturing or Assembly														P				20	E.15
Kennel/Veterinary Office												S-10	S-10	S-10			S-10	20	E.16
Laundry, Commercial												P	P	P			P	20	E.19
Laundry, Dry Cleaning Drop-Off/Pick-Up											P	P	P	P		P	P	20	E.21
Laundry, Self-Service											P	P	P	P		P	P	20	E.21
Leather Product and Saddle Manufacturing														P				20	E.15
Library		P	P	P	P	P	P	P	P	P					P			20	E.14
Light Assembly and Manufacturing Processes														P				20	E.15
Manufactured Home Sales												S	S					20	E.16/26
Manufacturing or Industrial Operations														S				20	E.15
Medical Clinic											P	P	P	P		P	P	20	E.5
Motel, Motor Hotel, or Tourist Court											S	P	P	P			P	20	E.12
Movie Picture Theatre											S	P	P	P		P	P	20	E.25
Newspaper Printing												P	P	P			P	20	E.19
Office, Professional, Medical, or Business											P	P	P	P		P	P	20	E.16



Uses		Residential Zoning Districts									Nonresidential Zoning Districts					Special Zoning Districts			Vehicle Parking Regulations
		SF-1, Single Family Residential (detached)	SF-2, Single Family Residential (detached)	SF-3, Single Family Residential (detached)	SF-4, Single Family Residential (detached)	SF-A, Single Family Residential (attached)	MX-D, Mixed Density Residential	MF-1, Multi-Family Residential	MF-2, Multi-Family Residential	MF-3, Multi-Family Residential	C-1, Commercial	C-2, Commercial	C-3, Commercial	I, Industrial	U-1, Utility	MX-R, Mixed Use Residential	MX-C, Mixed Use Commercial	PD, Planned Development	
Legend for Use Chart																			
P	Use is permitted in district indicated																		
	Use is prohibited in district indicated																		
S	Use is permitted in district upon approval of a 2.10.10. Specific Use Permit																		
#	Use is permitted (or permitted by SUP) if the use complies with conditional development standards or limitations in the corresponding numeric end note in 2.07.04. Conditional Development Standards .																		
§	Reference to 2.09.03. Vehicle Parking Regulations																		
Outside Display											P-11	P-11	P-11	P-11		P-11	P-11	20	E.19/26
Outside Storage											S-12	S-12	S-12	S-12	S-12		P-12	20	E.19/26
Park, Playground, or Community Center, Public		P	P	P	P	P	P	P	P	P						P		20	E.17
Pet Shop (Retail Sales Only)											P	P	P	P		P	P	20	E.21
Photographer's or Artist's Studio/Film Processing											P	P	P	P		P	P	20	E.19
Photovoltaic Systems (Attached)		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	NONE
Photovoltaic Systems (Detached)		P-22	P-22	P-22	P-22	P-22	P-22	P-22	P-22	P-22	P-22	P-22	P-22	P-22	P-22	P-22	P-22	20	NONE
Plastic Products Manufacturing														P				20	E.15
Play Field or Stadium, Public		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	E.25/26
Plumbing/Electrical/Air Conditioning Store (Retail Sales Only)											P	P	P	P			P	20	E.19
Police or Fire Station		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20	E.19
Portable Building		S-13	S-13	S-13	S-13						S-13	S-13	S-13	S-13	S-13		S-13	20	E.19/26
Printing/Duplication Shop or Mailing Center											P	P	P	P		P	P	20	E.19
Private Club											S-18	S-18	S-18	S-18				20	E.20
Public Building											P	P	P	P		P	P	20	E.19
Public Parking Garage											P	P	P	P		P	P	20	E.19/26
Radio or TV Station														P				20	E.19/26
Research and Development Laboratories														P				20	E.15
Restaurant or Cafeteria, with or without Curb or Drive-In Service											S	P	P	P		P	P	20	E.20
Restaurant or Cafeteria, without Curb or Drive-In Service (Service to be entirely within the building)											P	P	P	P			P	20	E.20
Retail Stores and Shops											P	P	P	P		P	P	20	E.21
RV Park																	S	20	E.22
School, Career														S		P		20	E.10
School, Private		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	20	E.10/23
School, Public		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	20	E.10/23
Seamstress or Tailor Shop											P	P	P	P		P	P	20	E.19



Uses		Residential Zoning Districts									Nonresidential Zoning Districts					Special Zoning Districts			Vehicle Parking Regulations
Legend for Use Chart		SF-1, Single Family Residential (detached)	SF-2, Single Family Residential (detached)	SF-3, Single Family Residential (detached)	SF-4, Single Family Residential (detached)	SF-A, Single Family Residential (attached)	MX-D, Mixed Density Residential	MF-1, Multi-Family Residential	MF-2, Multi-Family Residential	MF-3, Multi-Family Residential	C-1, Commercial	C-2, Commercial	C-3, Commercial	I, Industrial	U-1, Utility	MX-R, Mixed Use Residential	MX-C, Mixed Use Commercial	PD, Planned Development	
P	Use is permitted in district indicated																		
	Use is prohibited in district indicated																		
S	Use is permitted in district upon approval of a 2.10.10. Specific Use Permit																		
#	Use is permitted (or permitted by SUP) if the use complies with conditional development standards or limitations in the corresponding numeric end note in 2.07.04. Conditional Development Standards .																		
§	Reference to 2.09.03. Vehicle Parking Regulations																		
	Sexually Oriented Business												P-14						E.21
	Shoe Repair Shop										P	P	P	P		P	P	20	E.19
	Storage Units, Mini													S				20	E.24
	Tattoo Studio											S	S	S		S		20	E.21
	Taxi Garage or Dispatch										P	P	P			P		20	E.19
	Telephone Exchange (No Offices or Storage Facilities)	P	P	P	P			P	P	P								20	E.19
	Temporary Building for New Construction	P-15	P-15	P-15	P-15	P-15	P-15	P-15	P-15	P-15	P-15	P-15	P-15	P-15	P-15	P-15	P-15	20	E.19/26
	Textile Manufacturing, with dust and odor control																	20	E.15
	Tower/Antenna: TV, Radio, Microwave, Telephone, or Cellular													S-16	S-16			20	E.19
	Utility Storage/Repair Buildings														P			20	E.19
	Water Storage														P			20	E.19
	Water Treatment Facility														P			20	E.19
	Warehouse															S		20	E.24
	Wedding Chapel, Reception Facility, Special Events Center										S	S	S	S		S		20	E.21
	Weight Loss Center										P	P	P	P		P	P	20	E.21
	Wholesale Center										P	P	P	P		P		20	E.21
	Woodworking and Planing Mill													P				20	E.15

determines that continued operation of the [Nonconforming Use](#) will have



2.07.04. Conditional Development Standards

A. The following conditional development standards shall apply:

1. [MX-D, Mixed Density Residential](#) Standards

Uses are allowed pursuant to [2.04.06. A.2.](#)

2. [Guest House/Servants' Quarters](#) Standards
 - a. See [2.07.07. Accessory Buildings and Uses](#) for standards..
3. [Modular \(Industrialized\) Home](#) Standards

- a. Modular (Industrialized) Homes shall be permitted within all [Residential Zoning Districts](#).
- b. Modular (Industrialized) Home Requirements

A Modular (Industrialized) Home shall meet the following requirements.

- i. The Modular (Industrialized) Home meets or exceeds all building code requirements that apply to other dwelling units concerning on-site construction.
- ii. The Modular (Industrialized) Home conforms to all applicable zoning standards for the respective zoning district.
- iii. The Building Official is so notified in writing for the purpose of establishing procedures for the inspection, issuing of building permits, and compliance with the Texas Manufactured Housing Standards Act ([Article 5221f V.T.C.S.](#)).
- iv. The Modular (Industrialized) Home is placed on an approved platted lot.
- v. Per the [Texas Occupations Code §1202.253](#), single family and duplex Modular (Industrialized) Homes shall:
 - (a) Have a value equal to or greater than the median taxable value for each single family dwelling located within 500 feet of the lot on which the Modular (Industrialized) Home is proposed to be located, as determined by the most recent county certified tax appraisal roll;
 - (b) Have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the single family dwellings located within 500 feet of the lot on which the Modular (Industrialized) Home is proposed to be located;
 - (c) Comply with municipal aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single family dwellings; and
 - (d) Be securely affixed to an approved permanent foundation.
- vi. For purposes of above subsection [2.07.04. A.3.b.v above](#), "value" means the taxable value of the industrialized housing and the lot after installation of the housing.

4. [Agricultural Use](#) Standards
 - a. Barns or Enclosures for Livestock
 - i. No barn or enclosure for cows, horses, mules, donkeys, sheep, goats, or similar livestock shall be located nearer than 100 feet to any dwelling or nearer than 200 feet to any property line.
 - ii. These barns or enclosures are not subject to any masonry requirements if the site is (3) three acres or larger in size and the buildings are set back 200 feet from any dwelling other than that of the resident.
 - b. Restriction of Agricultural Uses within Residential Zoning Districts
 - i. When in a residential zoning district, [Agricultural Uses](#) and buildings are permitted only on land comprising three (3) or more acres and are incidental and secondary to the use permitted within the residential districts and which do not change the character of the district, including garages for implements or equipment, greenhouses, tool sheds, pens, barns, workshops, well houses, or enclosures for cows, horses, mules, donkeys, sheep or goats.
 - ii. Chickens are permitted as household pets within all residential lots, subject to the following requirements:
 - (a) No more than four hens are permitted,
 - (b) Roosters are prohibited, and
 - (c) A permit is required to keep chickens.
 - c. Pens or Enclosures for Chickens as Household Pets within Residential Zoning Districts
 - i. Pens or enclosures for chickens as household pets are permitted on all residential lots and shall meet the following standards.
 - (a) Setbacks:
 - (i) Front Setback: Behind the front building line;
 - (ii) Side Setback: 30 feet from the side lot line; and
 - (iii) Rear Setback: 20 feet from the rear lot line.
 - (b) Proximity to Owner's House:
 - (i) Enclosures must be within 10 feet of the owner's house.
 - (c) Maximum Enclosure Size:
 - (i) Four feet by ten feet.
 - ii. These pens or enclosures are not subject to any masonry requirements.
 - d. Household Chicken Permit
 - i. A person commits an offense if the person maintains or keeps chickens without having obtained a permit from the City.
 - ii. A person shall apply to the [Director of Planning](#) for a permit to keep chickens. The Application shall be submitted on a form provided by the City and include such information as is specified to ensure the applicant complies with City ordinances.
 - iii. The [City Manager](#) shall issue a permit if the applicant meets all requirements of the UDC and other applicable City ordinances.
 - iv. In the event a permit holder violates the requirements of the UDC or other applicable ordinance, the [City](#) shall revoke the permit.
 - v. The permit holder may appeal the revocation to the [City Manager](#) within five days of receipt of the notice of revocation, and shall state the basis for the appeal. The [City Manager](#) shall



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

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

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

- j. Vehicular access to the boundaries of the Concrete Batch Plant site from the street thoroughfare shall be paved sufficiently to allow emergency vehicle access as approved by the City.
- k. Prior to obtaining a building permit from the Building Official; the applicant shall submit a copy of the State of Texas approved permit for the proposed site and abide by the State allowed noise standards.
- l. In granting the Specific Use Permit (SUP), the City Council may impose such additional conditions as reasonably necessary."

8. Financial Loan Standards

The following conditional standards apply to [Financial Loan – Credit Access Business](#), [Financial Loan – Deferred Presentment Transaction](#) and [Financial Loan – Motor Vehicle Title Loan](#):

- a. To obtain a certificate of occupancy as a credit access business, including for a new building or in any existing building or portion of a building, the business must meet the following requirements:
 - i. No credit access business may be located within one thousand (1,000) feet of another credit access business, measured in a direct line from front door to front door.
 - ii. No credit access business may be located within five hundred (500) feet of a residential use; the 500 foot distance shall be measured in a direct line from the front door of the credit access business building to the property line of the residential use.
- b. If there is any conflict between this subsection and an adopted Site Plan or Development Plan, the more specific standard shall apply.

9. Firewood Sales Standards

- a. Firewood Sales may be approved by specific use permit in all zoning districts as a temporary use, not to exceed four months per calendar year.
- b. A site plan which complies with the requirements of [2.10.08. Site Plans](#) of the Unified Development Code must be submitted and approved.
- c. The use of the property or Firewood sales shall be in accordance with the site plan.
- d. Firewood or equipment associated with tax sale of firewood shall be setback at least 15 feet from all property lines.
- e. Firewood must be setback out of the sight visibility triangle (20 foot) to allow safe ingress and egress.
- f. Parking is prohibited within the right of way.
- g. The sale of firewood is permitted only between the hours of 7:00 a.m. to 7:00 p.m.
- h. All signage must meet the City's sign ordinance (banners and other signage).
- i. No permit shall be granted unless there is a main building.
- j. Firewood sales must be an accessory use to the main use of the property.
- k. In granting the Specific Use Permit (SUP), the City Council may impose such additional conditions as reasonably necessary."



10. [Gasoline Filling or Service Station/Car Wash](#) Standards

- a. Allowed by [Specific Use Permit](#).
- b. Gasoline pumps, pump islands, canopies, or car washes, where adjacent to property zoned as single family residential uses shall maintain a minimum setback of at least one hundred twenty-five feet (125').
- c. The hours of any car wash operation may be limited when located adjacent to property zoned for single family residential uses.
- d. No exterior illumination (either direct or indirect) shall cross a residential property line nor be a nuisance to traffic.
- e. No outside/outdoor vending machines, such as soda, video rental, or newspaper vending machines, are permitted.

11. [Heliport or Helistop](#) Standards

- a. Allowed by [Specific Use Permit](#).
- b. No heliport or helistop shall be located within 1,000 feet of any church, school, hospital, library, public park or within 1,000 feet of any dwelling unless:
 - i. Noise attenuation methods are implemented to achieve noise levels no greater than if the heliport or helistop were located 1,000 feet from any such property in an unprotected state;
 - ii. The Federal Aviation Administration has approved approach and departure paths for the proposed heliport or helistop which require all departures to be made at an angle of more than 90 degrees from any boundary or any such property which is less than 1,000 feet from the proposed heliport or helistop; and
 - iii. No substantial adverse impact exists on residence or businesses within the 1,000 foot requirement.

12. [Home Based Business](#) Standards

A [Home Based Business](#) shall meet the following requirements:

- a. No persons other than members of the family residing on the premises shall be engaged in such business;
- b. The use of the dwelling unit for the home based business shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 500 square feet or ten percent (10%) of the square footage of the dwelling area, whichever is greater, shall be used in the conduct of the home based business;
- c. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home based business;
- d. No sign advertising a home based business shall be placed on property where a home based business is conducted. Only one vehicle (motorized or non-motorized), one ton carrying capacity or less may advertise for the home based business;
- e. No home based business shall be conducted in an [Accessory Building](#);
- f. Any sales in connection with such home based business shall be clearly secondary to occupancy. Merchandise shall not be offered or displayed for sale on the premises. Sales incidental to a service shall be allowed; and orders previously made by telephone or at a sales party may be filled on the premises;

- g. No traffic shall be generated by a home based business in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of a home based business shall be met off the street and other than in a required front yard;
 - h. No equipment, process or work shall be used or conducted in such home based business which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment, process or work shall be used or conducted which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises;
 - i. The operation of beauty culture schools, beauty parlors, barber shops, vehicle repair, lawn mower or other small or large engine repair, and any boarding house/rooming house shall not be permitted as a home based business or as an accessory use; and
 - j. No [Outside Storage](#) or [Outside Display](#) of any type shall be permitted with any home based business.
13. [Kennel/Veterinary Office](#) Standards
- a. Allowed by [Specific Use Permit](#).
 - b. All commercial kennels with indoor and/or outdoor pens and runs (except where related to indoor medical treatment) shall be located a minimum of fifty (50) feet from adjacent residential properties to minimize noise and odor nuisances.
 - c. Disposal of all waste materials shall be in accordance with the Texas Department of Health regulations.
14. [Outside Display](#) Standards
- a. Outside Display areas shall not be placed or located more than thirty feet (30') from the main building and shall not exceed fifty (50) percent of the linear frontage of the building.
 - b. Outside Display areas shall be permitted year round.
 - c. Outside Display areas shall be additionally restricted in regards to occupying required parking spaces. Outside Display areas shall not occupy any of the parking spaces that are required by this UDC for the primary use(s) of the property, except on a temporary basis only, which is a maximum of 45 days per display and a maximum of two (2) displays per calendar year.
 - d. Outside Display areas shall not pose a safety or visibility hazard, nor impede public vehicular or pedestrian circulation, either on-site or off-site, in any way.
 - e. Outside Display areas shall not extend into public Right-of-Way or onto adjacent property.
 - f. Outside Display items shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.
 - g. Outside Display is permitted only as an [Accessory Use](#) and is not a permitted [Principal Use](#).
15. [Outside Storage](#) Standards
- a. Allowed by [Specific Use Permit](#).
 - b. Outside Storage is limited to a maximum of five (5) percent of the total lot area, shall not be located in front of or on top of the building, and must be screened.



- c. Outside Storage screening shall be required only for those areas surrounding Outside Storage.
- d. Outside Storage of materials, commodities, or equipment shall be screened with a minimum six foot (6') screening fence or wall, and shall not be visible from the street or from adjacent property.
- e. No Outside Storage may exceed the height of the screening wall or fence.
- f. In addition to the screening fence or wall surrounding [Outside Storage \(2.07.04. A.15.c\)](#), a second level of screening is required at the property line.
- i. A six foot (6') screening fence or wall shall be provided and maintained at the common property line or street adjacent to the area to be screened by one or a combination of the following methods:
 - (a) Solid masonry consisting of rock, stone, or other material that is equivalent, visually and qualitatively;
 - (b) Wrought iron in conjunction with solid landscape screening;
 - (c) Wood or wood vinyl in conjunction with solid landscape screening; and,
 - (d) An equivalent alternative screening method approved by the Director of Planning.

16. [Portable Building](#) Standards

- a. Allowed by [Specific Use Permit](#).
- b. Approval for a Portable Building shall be valid for a maximum of one (1) year subject to renewal for an additional one (1) year period.
- c. The Specific Use Permit Application should include a narrative explaining the transition from a temporary to a permanent structure.
- d. All Portable Buildings shall be constructed in accordance with the appropriate State or Federal codes that regulate their construction or shall meet all requirements of the City's codes.
- e. [Portable Buildings](#) shall be anchored to withstand winds up to 75 miles per hour.
- f. [Portable Buildings](#) for human occupation, such as a classroom or office facility, shall have a building façade match the façade of the main building.
- g. Concrete parking shall be provided for all parking.
- h. Portable Buildings shall be maintained in a neat and presentable condition at all times.
- i. Upon expiration of the Specific Use Permit, the Portable Building shall be immediately removed and the premises shall be restored to its previous condition.

17. [Sexually Oriented Business](#) Standards

Sexually Oriented Businesses include but are not limited to the following uses:

- a. Applicable Uses
 - i. Adult Arcade
 - ii. Adult Bookstore or Video Store
 - iii. Adult Cabaret
 - iv. Adult Dancing Establishment
 - v. Adult Entertainment Business

- vi. Adult Motel
- vii. Adult Motion Picture Theatre
- viii. Adult Novelty Store
- ix. Adult Theatre
- x. Escort Agency
- xi. Nude Modeling Studio
- xii. Sex Parlor
- xiii. Sexual Encounter Center
- b. Location
- i. A person commits an offense if the person operates or causes to be operated a [Sexually Oriented Business](#) as follows:
 - (a) Within one thousand feet (1,000') of any property line of any residentially zoned property; or,
 - (b) Within one thousand feet (1,000') of any property line of any public, private, or parochial school or library; or,
 - (c) Within one thousand feet (1,000') of any property line of any public or private park, playground, greenbelt, or other recreational area or facility; or
 - (d) Within one thousand feet (1,000') of any property line of any church, convent, monastery, synagogue, or other place of worship; or,
 - (e) Within one thousand feet (1,000') of any property line of any lot devoted to residential use; or,
 - (f) Within one thousand feet (1,000') of any property line of any other [Sexually Oriented Business](#); or,
 - (g) Within the same building or structure wherein another [Sexually Oriented Business](#) occurs.
- ii. For the purposes of this UDC, measurement shall be made as follows:
 - (a) The distance between two Sexually Oriented Businesses shall be measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the first property boundary to the nearest portion of the second property boundary.
 - (b) The distance between any [Sexually Oriented Business](#) and the uses listed in [2.07.04.A.17.b.i](#) shall be measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the first property boundary to the nearest portion of the second property boundary.
- c. Licensing and Other Requirements

For licensing and other requirements, see [Ordinance Number 11-11-17-23](#), or as amended.

18. [Temporary Building for New Construction](#) Standards

- a. Temporary buildings and temporary building material storage areas to be used for construction purposes may be permitted for two (2) years in accordance with a permit issued by the City Building Official. A six (6) month extension may be approved by the City Building Official. After the initial extension is given, the Building Official may approve a second six (6) month extension.



- b. Upon completion or abandonment of construction or expiration of permit, the temporary field offices and buildings shall be removed.

19. [Tower/Antenna: TV, Radio, Microwave, Telephone, or Cellular](#) Standards

The purpose of this section is to establish procedures governing the issuance of a [Specific Use Permit](#) for the location of telecommunications towers and antennas.

- a. The City of Corinth recognizes today's rapidly changing technological environment and realizes the public's increasing acceptance of and demand for superior personal wireless communication services and with the adoption of this ordinance, the City's objectives are to:
 - i. Encourage the location of towers in non-residential areas and minimize the total number, height, and obtrusiveness of towers and antennas throughout the community;
 - ii. Encourage strongly the joint use of new and existing tower sites through co-location;
 - iii. Encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal (e.g., pre-existing buildings or structures such as water towers, church steeples, bell towers, clock towers, and lighting stanchions or on municipal-owned properties and facilities) to camouflage or conceal the presence of antennas or towers;
 - iv. Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas; and
 - v. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.
- b. An application for a [Specific Use Permit](#) for a tower, antenna, or use of an alternative tower structure must be submitted to the [Director of Planning](#). An application will not be considered until it is complete. A complete application must contain the following:
 - i. An inventory of the applicant's existing towers that are either within the City or within one mile of the corporate limits, specifying the location, height, and design of each tower.
 - ii. [Site Plans](#) to scale specifying the location of tower(s), transmission building, setbacks, driveways and other accessory uses, street access, parking, fences, landscaped areas, and adjacent land uses.
 - iii. A report from a professional structural engineer licensed in the State of Texas documenting the following:
 - (a) Tower height and design, showing a cross-section of the tower structure.
 - (b) Total anticipated capacity of the tower structure, including the number and types of antennas which can be accommodated.
 - iv. A letter of intent to lease excess space on the tower and to lease additional excess land on the tower site when the shared use potential of the tower is absorbed, if structurally and technically possible.
 - v. Each applicant must make a good faith effort to substantially demonstrate that no existing towers could accommodate the applicant's proposed antenna by doing the following:
 - (a) The applicant must contact the owners of all existing towers of a height roughly equal to or greater than the height of the tower proposed by the applicant. A list must be provided of all owners contacted, the date of the contact, and the form and content of the contact. Where an existing tower is known to have capacity for additional antennas of the sort proposed, that application for a new tower is not complete until the owner of the existing

- tower responds, unless the applicant submits sufficient information for the [Director of Planning](#) to determine that all reasonable efforts to obtain a response have been made and further efforts would be futile.
- (b) The applicant must request the following information from each tower owner contacted:
 - (i) Identification of the site by location, existing uses, and tower height.
 - (ii) Whether each tower could structurally accommodate the antenna proposed by the applicant without requiring structural changes be made to the tower. To enable the owner to respond, the applicant must provide each owner with the height, length, weight, and other relevant data about the proposed antenna.
 - (iii) Whether each tower could structurally accommodate the proposed antenna if structural changes were made, not including totally rebuilding the tower. If so, the owner must specify in general terms what structural changes would be required.
 - (iv) If structurally able, would share use by the existing tower be precluded for reasons related to RF interference. If so, the owner must describe in general terms what changes in either the existing or proposed antenna would be required to accommodate the proposed tower, if at all.
 - (c) The [Director of Planning](#) must maintain and provide, on request, records of responses from each owner. Once an owner demonstrates an antenna of the sort proposed by the applicant cannot be accommodated on the owner's tower as described below, the owner need not be contacted by future applicants for antennas of the sort proposed.
 - (d) Shared use is not precluded simply because a reasonable fee for shared use is charged, or because of reasonable costs necessary to adapt the existing and proposed uses to a shared tower. The [City](#) may consider expert testimony to determine whether the fee and costs are reasonable. Costs exceeding new tower development are presumed unreasonable.
- vi. Any other information which may be requested by the [Director of Planning](#) to fully evaluate and review the application and the potential impact of a proposed tower or antenna.
 - c. The [City Council](#) will consider an application for a [Specific Use Permit](#) for a tower using the following procedure:
 - i. After the close of the public hearing, any council member who moves to deny the application will state his or her reasons for making the motion for denial.
 - ii. Before the vote is called, any council member proposing to vote in favor of the motion of denial who has additional reasons for supporting the motion must state the reasons.
 - iii. If the [City Council](#) votes to deny the application for the [Specific Use Permit](#), the [City Attorney](#) will prepare a proposed written decision for the [City Council](#) to consider at a following meeting. The decision to deny the application is not final until the [City Council](#) adopts a written decision.
 - d. Building Codes; Safety Standards; Setbacks
 - i. After receiving the appropriate zoning approval, no tower, antenna, or other appurtenance shall be installed without first obtaining a building permit issued by the [Building Official](#).
 - ii. To ensure structural integrity, the owner of a tower shall ensure that the tower is constructed and maintained in compliance with standards contained in applicable local building codes ("Uniform Building Codes, UBC") and applicable standards for towers, published by the Electronics Industries Association Standard 222, ("EIA-222") "Structural Standards for Steel Antenna Towers and Antenna Support Structures."
 - iii. A tower inspection report (based upon applicable UBC and EIA-222 standards) shall be prepared by an engineer licensed in the state of Texas and filed with the [Building Official](#) in



accordance to the following schedule: 1) monopoles – at least once every ten years; 2) lattice towers – at least once every five years; and 3) guyed towers – at least once every three years. However, should an issue of safety be raised, the [Building Official](#) may require an immediate inspection.

- iv. If, upon inspection, the tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring the tower into compliance with such standards, unless the applicant can demonstrate a hardship and thus establish the need for additional time. If the owner fails to bring the tower into compliance within said 30 days, the [City](#) shall remove the tower at the owner's expense.
- v. Tower Setback
 - (a) No television, radio, microwave, telephone or cellular tower or antenna for a commercial use shall be located within a distance equal to or less than the height of such tower from any residential structure or from any area zoned residential, or shown as residential on the current Comprehensive Plan. The distance shall be measured in a straight line from the closest point of the tower to the closest point of such area or residential structure or property line.
- e. Requirements
 - i. No advertising is permitted on an antenna or tower.
 - ii. No signs or illumination are to be placed on an antenna or tower unless required by the FCC, FAA or other state or federal agency of competent jurisdiction. The [Director of Planning](#) may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding uses and views.
 - iii. A new cell may not be established if there is a technically suitable space available on an existing tower within the search area that the new cell is to serve. For the purpose of this section, the search area is defined as the grid for the placement of the antenna.
 - iv. Accessory structures used in direct support of a tower are allowed but must not be used for offices, vehicle storage or other outdoor storage. Mobile or immobile equipment not used in direct support of a tower shall not be stored or parked on the site of the tower, unless repairs to the tower are being made.
 - v. Towers may be located on sites containing another principal use in the same buildable area. Towers may occupy a parcel meeting the minimum Lot size requirements for the zoning district in which it is located. For a monopole tower, the minimum distance between the tower and any other principal use located on the same Lot shall be 20% percent of the tower height or 25 feet, whichever is greater.
 - vi. No outside storage shall be permitted on the tower site.
- f. Appearance
 - i. Towers must either maintain a galvanized steel finish or, subject to any applicable standards of the FAA or other applicable federal or state agency, be painted a neutral color, so as to reduce visual obtrusiveness.
 - ii. At a tower site the design of the Building and related structures must use materials, colors, textures, screening, and landscaping that will blend the tower and facilities to the natural setting and built environment.
 - iii. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely

compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

g. Landscaping and Screening

The following requirements shall govern the landscaping surrounding towers; however, in locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced.

- i. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be sufficient buffer. Mitigation of any tree removal shall be in accordance to [2.09.02. Tree Preservation](#).
- ii. Tower facilities (e.g., tower/antennas and any necessary equipment building) shall be enclosed by an eight foot, solid screening fence or masonry wall or a wrought iron fence with an eight foot evergreen, and shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from any public roadway or any property used for a residential purpose. Any fence constructed in accordance with this section shall provide a knock box or other entry device for public safety access per the requirements of the Fire Marshal.
- iii. Where abutting residentially used land zoned or used for residential purposes, public land or public streets, or land designated as low or medium density residential on the City's Land Use Plan, the applicant shall provide screening and landscaping as required by this [Unified Development Code](#).
 - h. To encourage shared use of towers, no building permit or [Specific Use Permit](#) is required for the addition of antennas to an existing tower so long as the height of the tower or structure on which the antenna is placed is not increased and the requirements of this section are met.
 - i. Any [Specific Use Permit](#) which is granted for a new tower is specifically subject to the condition that the tower owner abide by the following provisions relating to shared use, regardless of whether or not the ordinance granting the permit contains the conditions:
 - i. The tower owner must respond in a timely, comprehensive manner to a request for information from a potential shared use applicant;
 - ii. The tower owner must negotiate in good faith for shared use by third parties; and
 - iii. The tower owner must allow shared use where the third party seeking the use agrees in writing to pay reasonable, pro rata charges for sharing, including all charges necessary to make modifications of the tower and transmitters to accommodate the shared use, and to observe whatever technical requirements are necessary to allow shared use without creating interference.
 - j. The willful failure of an owner whose tower was approved under this section to comply with the requirements of this section is grounds for withholding approval of any application by the owner for a building permit for the approved tower, for revoking the [Specific Use Permit](#) granted for the tower, and for refusing to approve a new [Specific Use Permit](#) for any new tower or antenna.

20. PD, Planned Development Standards

Permitted uses shall be determined through the Section [2.06.03. PD, Planned Development](#) and Section [2.10.09. PD, Planned Development Application and Review](#).

21. Private Club Standards



- a. A [Specific Use Permit](#) for a [Private Club](#) may not be granted for property located in a residential district.
- b. An applicant for a [Specific Use Permit](#) for a [Private Club](#) shall, along with his application, submit a plan of the inside of the building where the [Private Club](#) is proposed; the plan shall indicate to scale the bar area, seating area, kitchen and other amenities and facilities.
- c. The special conditions of a [Specific Use Permit](#) for a [Private Club](#) shall provide that such [Private Club](#) shall only be operated and allowed in connection with the operation of a restaurant, either in the same or any adjacent or contiguous room of the same building. Such special conditions shall require that such restaurant shall derive no more than 50 percent of its gross revenues from the sale of alcoholic beverages. Such special conditions shall require that the operator comply with the provisions of the [Texas Alcoholic Beverage Code](#) ("TABC"). The City shall have the right to audit the books of such [Private Club](#) to assure compliance with the requirements of this subsection. The permittee shall be required to pay the costs of such audit. A country club/recreation area shall be exempt from the requirements of this subsection.
- d. A [Private Club](#) shall not be permitted in conjunction with a non-conforming use as defined in the [UDC](#).
- e. Dancing or other entertainment which exposes less than opaquely the female breast below the top of the areola or the human genitals is prohibited in establishments where alcoholic beverages are served.
- f. There shall be no exterior signs advertising the sale of alcoholic beverages.
- g. The [Private Club](#), country club/recreation area and restaurant shall comply with all City, County, State and Federal laws.

22. Photovoltaic Systems (detached) Standards

- a. See 2.07.07. Accessory Buildings and Uses for standards."