



PLANNING AND ZONING COMMISSION

CITY OF CORINTH, TEXAS

3300 CORINTH PARKWAY, CORINTH, TEXAS

SPECIAL SESSION MEETING

MONDAY, MARCH 12, 2018 – 7:00 P.M.



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

**NOTICE OF THE CITY OF CORINTH
PLANNING AND ZONING COMMISSION
SPECIAL SESSION
MONDAY, MARCH 12, 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 February 26, 2018 Planning and Zoning Commission Regular Session Meeting.
2. Consider and act on a request from the applicant Tom Tronzano, authorized representative for the property owner, BB3 Learning System, Inc. for a major subdivision waiver to the City of Corinth Ordinance No. 13-05-08-20, Unified Development Code (UDC) to allow a reduction in the minimum required distance from the intersection along a collector street to the proposed driveway on property legally described as a tract in the J.P. Walton Survey, Abstract No. 1389 and part of Lot 1, Block A, A.L. Lamascus Addition, in the City of Corinth, Denton County, Texas. This property is located on the northwest corner of Corinth Pkwy. and Shady Rest Lane.

PUBLIC HEARING AND BUSINESS ITEMS

PUBLIC HEARING

TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT TOM TRONZANO, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER, BB3 LEARNING SYSTEM, INC. FOR A ZONING CHANGE FROM SF-2, SINGLE FAMILY RESIDENTIAL DISTRICT TO PLANNED DEVELOPMENT (PD) MX-R, MIXED USE RESIDENTIAL DISTRICT WITH MODIFIED DEVELOPMENT STANDARDS IN ORDER TO DEVELOP A DAY CARE FACILITY ON ONE TRACT, AND A FUTURE MIXED-USE RESIDENTIAL AND/OR OFFICE/RETAIL DEVELOPMENT ON ANOTHER TRACT OF LAND ON PROPERTY LEGALLY DESCRIBED AS A TRACT IN THE J.P. WALTON SURVEY, ABSTRACT NO. 1389 AND PART OF LOT 1, BLOCK A, A.L. LAMASCUS ADDITION, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. THIS PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF CORINTH PKWY. AND SHADY REST LANE.

BUSINESS

3. Consider and act on an ordinance for a zoning change from SF-2, Single-Family Residential District to Planned Development (PD) MX-R, Mixed Use Residential District with modified development standards in order to develop a day care facility on one tract, and a future mixed-use residential and/or office/retail development on another Tract of land on property legally described as a tract in the J.P. Walton Survey, Abstract No. 1389 and part of Lot 1, Block A, A.L. Lamascus Addition, in the City of Corinth, Denton County, Texas. This property is located on the northwest corner of Corinth Pkwy. and Shady Rest Lane.

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 9th day of March, 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 February, 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
Dwayne Zinn
Marc Powell
Wade May

Members Absent

Breien Velde
Chuck Mills

CALL TO ORDER,

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

INVOCATION

Marc Powell delivered the invocation.

BUSINESS AGENDA

BUSINESS ITEMS

1. Consider and act on Minutes from the January 22, 2018 Planning and Zoning Commission Regular Session Meeting.

Motion made by Wade May to approve.

Motion Seconded by Marc Powell.

5-0 All in favor:

Ayes: Brian Rush, Bruce Hanson, Dwayne Zinn, Marc Powell, Wade May
Nays: None

MOTION TO APPROVE CARRIES

2. Consider and act on a request from the applicant Tom Tronzano, authorized representative for the property owner, BB3 Learning System, Inc. for a major subdivision waiver to the City of Corinth Ordinance No. 13-05-08-20, Unified Development Code (UDC) to allow a reduction in the minimum required distance from the intersection along a collector street to the proposed driveway on property legally described as a tract in the J.P. Walton Survey, Abstract No. 1389 and part of Lot 1, Block A, A.L. Lamascus Addition, in the City of Corinth, Denton County, Texas. This property is located on the northwest corner of Corinth Pkwy. and Shady Rest Lane.

Ms. Lori Levy, Senior Planner, announced there has been a procedural error regarding the public notices and requested that this item be postponed along with item 3, which is a companion item, to be held in a Special Session on March 12th, 2018.

Motion made by Marc Powell to postpone.

Motion Seconded by Bruce Hanson.

5-0 All in favor:

Ayes: Brian Rush, Bruce Hanson, Dwayne Zinn, Marc Powell, Wade May
Nays: None

MOTION TO POSTPONE CARRIES

PUBLIC HEARING AND BUSINESS ITEMS

PUBLIC HEARING

TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT TOM TRONZANO, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER, BB3 LEARNING SYSTEM, INC. FOR A ZONING CHANGE FROM SF-2, SINGLE FAMILY RESIDENTIAL DISTRICT TO PLANNED DEVELOPMENT (PD) MX-R, MIXED USE RESIDENTIAL DISTRICT WITH MODIFIED DEVELOPMENT STANDARDS IN ORDER TO DEVELOP A DAY CARE FACILITY ON ONE TRACT, AND A FUTURE MIXED-USE RESIDENTIAL AND/OR OFFICE/RETAIL DEVELOPMENT ON ANOTHER TRACT OF LAND ON PROPERTY LEGALLY DESCRIBED AS A TRACT IN THE J.P. WALTON SURVEY, ABSTRACT NO. 1389 AND PART OF LOT 1, BLOCK A, A.L. LAMASCUS ADDITION, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. THIS PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF CORINTH PKWY. AND SHADY REST LANE.

BUSINESS

3. Consider and act on an ordinance for a zoning change from SF-2, Single-Family Residential District to Planned Development (PD) MX-R, Mixed Use Residential District with modified development standards in order to develop a day care facility on one tract, and a future mixed-use residential and/or office/retail development on another Tract of land on property legally described as a tract in the J.P. Walton Survey, Abstract No. 1389 and part of Lot 1, Block A, A.L. Lamascus Addition, in the City of Corinth, Denton County, Texas. This property is located on the northwest corner of Corinth Pkwy. and Shady Rest Lane.

Ms. Lori Levy recommended that this item be postponed.

Motion made by Bruce Hanson to postpone.

Motion Seconded by Marc Powell.

5-0 All in favor:

Ayes: Brian Rush, Bruce Hanson, Dwayne Zinn, Marc Powell, Wade May
Nays: None

MOTION TO POSTPONE CARRIES

PUBLIC HEARING

TO HEAR PUBLIC OPINION REGARDING AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE (UDC) ORDINANCE NO. 13-05-02-08, AS AMENDED, SECTION 2.07.01 — USES PERMITTED BY DISTRICT BY ADDING PHOTOVOLTAIC SYSTEMS (ATTACHED) AND PHOTOVOLTAIC SYSTEMS (DETACHED) AND PROVIDING THE REQUIREMENTS OF SECTION 2.07.

BUSINESS

4. Consider and act on an ordinance amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code (UDC) Ordinance No. 13-05-02-08, as amended, Section 2.07.01 — Uses Permitted by District; Adding Photovoltaic Systems (Attached) and Photovoltaic Systems (Detached) and providing the requirements of Section 2.07.07 Accessory Buildings and Uses.

Ms. Barb Cabbage, Interim Director of Planning and Development, stated that the State and Federal government are mandating that solar panels are to be allowed in neighborhoods. The city is trying to be proactive in establishing regulations for the installation of panels.

Mr. Wade May asked if this is preventing home owners associations from restricting the installation of solar panels and how this is addressed.

Ms. Barb Cabbage stated that the City of Corinth does not handle deeds and covenants but there are State and Federal statutes that can. There are specific things that homeowners associations can do but they have limits on what they can restrict. Homeowners associations may be able to implement some standards that are greater than the standards put in place by the city but whatever regulations are put in place must be reasonable and cannot be a full ban.

Mr. Marc Powell sought clarification that the 7 things specified in the document are the things that an HOA can regulate.

Ms. Barb Cabbage said that this is correct.

Mr. Bruce Hanson asked what requirements are in section 2.07.07.

Ms. Barb Cabbage stated that this is the accessory buildings and uses standards which are based on lot sizes. Solar panels will be added as an accessory building to that section of the ordinance.

Mr. Patrick Hubbard, Development Coordinator, stated that, based on discussion with the Building Official Cleve Joiner, the intent of the proposed regulation is to ensure that ground based solar installations are treated as an accessory building. It applies the regulations applicable to accessory buildings to ground based photovoltaic installations.

Mr. Bruce Hanson asked if there are regulations in place for rooftop solar.

Ms. Barb Cabbage stated that we do not have zoning standards other than the height limit which applies to all things. However, it would have to comply with building code regulations such as electrical and structural requirements.

Mr. Dwayne Zinn sought clarification that in essence we are applying the requirements of accessory buildings only to ground mounted arrays. He then stated concern that by placing a regulation that restricts placement in front yards, this essentially denies the ability to install panels to anyone whose front yard is south facing.

Ms. Barb Cabbage stated that this may be correct but that, in a residential subdivision, you will not be able to place structures in the front yard. However, a variance may be appropriate for a large property.

Mr. Marc Powell asked what the P.22 stands for in the ordinance.

Mr. Barb Cabbage responded that this means that this activity is permitted with the conditional development standards while P means it is permitted in general.

Mr. Brian Rush asked if we had knowledge transfer with other communities through this process.

Ms. Barb Cabbage responded that she believes that there has been. She also stated that adopting this ordinance supports the city's other efforts to obtain credentialing for various sustainability efforts.

Motion made by Bruce Hanson to recommend approval.

Motion Seconded by Dwayne Zinn.

Mr. Bruce Hanson stated that, since the State has established that these structures must be allowed, it is prudent to establish standards and this is a simple and expedient approach to put standards in place.

5-0 All in favor:

Ayes:	Brian Rush, Bruce Hanson, Dwayne Zinn, Marc Powell, Wade May
Nays:	None

MOTION TO RECOMMEND APPROVAL CARRIES

PUBLIC HEARING

TO HEAR PUBLIC OPINION REGARDING A REQUEST BY THE APPLICANT, PETER KAVANAGH, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER, NORTH CENTRAL TEXAS COLLEGE (NCTC) FOR A SPECIFIC USE PERMIT (SUP) TO ALLOW A CELL TOWER ON PROPERTY ZONED I, INDUSTRIAL, LEGALLY DESCRIBED AS LOT 1-R, BLOCK A, NORTH CENTRAL TEXAS COLLEGE ADDITION NO. 2 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located at 1500 North Corinth Street.)

Ms. Barb Cabbage provided background information on cell towers in Corinth. She stated that the city has been proactive in establishing standards for towers and that we have some cell towers and some have been in place for a long time dating back to the 1970s. Stated that in this case, we are looking at building a tower at NCTC. She then stated that the Planning and Zoning Commission members must state a reason in order to recommend denial. Before a vote is called, any commissioner intending to vote for denial must state any additional reasons for voting denial before voting. The city has Conditional Development Standards for cell towers which must be satisfied. Currently, we do not have a complete application satisfying these standards. A detailed site plan is required showing landscape and other design elements, existing land use, tower height and design. The height is proposed at 121'. A letter of intent to lease the excess space on the tower, ground site and equipment has not been provided. The applicant is required to demonstrate that no existing tower could accommodate the proposed development. The appearance of the property has not been provided. The applicant has done some of these things but not all. A letter from the FAA must be provided showing that this will not interfere with the airport in Shady Shores. The applicant has stated that he has this letter but staff have not received it. Ms. Cabbage also presented the site plan to the commissioners on a

slideshow. Based on the existing plans for the development of the area, this project does not appear to be compatible for complimentary for what is planned for the site. Verizon had been working with the City of Corinth 1 year ago to place a cell antennae on the city water tower. They were unable to reach an agreement at the time in part because the city was unwilling to allow a lease longer than 5 years. The city is now willing to allow for longer leases. Barb acknowledged that this tower will increase the quality of the cellular network in the area but explained that it does not appear to be suitable for the area at which it is proposed to be located.

Mr. Peter Kavanagh, Zone Systems, presented to the commission. He pointed out that the zoning is industrial at the site. He stated that Verizon tries to provide the service in the least intrusive manner possible. Mr. Kavanagh provided background on existing coverage and antennae in the city. The property selected in this case is the NCTC property and the site is partially located in a drainage easement. A site for a tower must be located to serve the system, must be as appropriately zoned as possible and must allow for the establishment of a very long lease on a piece of property. NCTC agreed to allow the tower but wants it in the corner of the property. The site plan provides for an 8 foot masonry wall with 1 parking space with a driveway off of Walton and will be landscaped consistent with city ordinance. The site will contain a generator, which is needed to provide service in the event that electricity is lost. Towers rarely if ever fall. The monopole style antennas are unobtrusive and simply look like a pole with the equipment interior to the pole. Mr. Kavanagh provided examples of this type of pole to the commission. The tower will provide in building coverage. There will be an FAA approval or airspace approval.

Mr. Allan "Butch" Jones spoke in opposition to Item 5. He expressed concern that he owns a nearby antennae and is concerned that this antennae might interfere with his antennae. Also, he was required to put in a natural screen for his tower and to move the property off of the property line so that it would fall clear of any public property. Also, he stated that he was never contacted about having his company's tower used for this purpose.

Mr. Melvin Locklear spoke in opposition to Item 5. He is concerned about airport clearance and medical helicopters, is concerned about the aesthetics of having a tower right by City Hall. Stated that he believes that Verizon should use the water tower. He is concerned about microwaves originating from the tower affecting elderly and children in properties near the structure. He also commented that the city should consider making the 200' notice distance be longer.

Public Hearing Closed at 7:56PM.

BUSINESS

5. Consider and act on an ordinance for a Specific Use Permit (SUP) to allow a Cell Tower on property zoned I, Industrial legally described at Lot 1-R, Block A, North Central Texas College Addition No. 2 in the City of Corinth, Denton County, Texas.

Ms. Barb Cubbage clarified that notice was provided to property owners within 200' of the NCTC property. Stated that she believes that the city would prefer to have this structure placed on the water tower. The tower placement would limit future development of the affected portion of the NCTC property.

Wade May asked for clarification on what they are being asked to approve, noting that there is no complete application.

Barb Cubbage clarified that they are asked to approve the project though the application is part of the process.

Brian Rush asked if the school had been involved with this process.

Barb Cubbage responded that we were working with the college on another project but had not heard anything recently.

Dwayne Zinn asked if the city has standards in place to mitigate against the falling of the structure and asked if it would prevent rezoning adjacent properties to residential. He also sought clarification that an applicant can come to the commission with an incomplete application

Barb Cubbage stated that there is not a rule in place regulating setbacks for cell towers, that there is no rule prevent adjacent properties from rezoning to residential but it may serve as a deterrence and stated that an applicant may

come before the Planning and Zoning Commission with an incomplete application but that this can be taken into account when evaluating the proposal.

Wade May asked what the process would be to have an antennae placed on the water tower.

Barb Cabbage stated that this would not require Planning and Zoning Commission or City Council approval.

Motion made by Bruce Hanson to recommend denial without prejudice.

Motion Seconded by Marc Powell.

Bruce Hanson stated that he cannot support the application because it is incomplete and provides insufficient information about the project and that denying without prejudice is not intended to be a final determination. He would encourage the applicant to return with a complete application. He stated that the monopole type of towers being presented seem to have a modest footprint but this could affect future development at the site.

Dwayne Zinn stated that he objected to the application and that he is concerned about the concentration of elderly residents with pacemakers in the near vicinity of the structure. Stated that it may not be the role of the Planning and Zoning Commission to discuss health concerns but it should be.

Bruce Hanson stated that he wants to see data on the emissive power of the antenna.

Wade May stated that he will seek to deny the request because the applicant provided insufficient information and did not include technical specifications.

Marc Powell stated that he cannot support the current request because it contains insufficient information upon which to justify approval.

Brian Rush stated that he is disappointed that NCTC is not represented at the hearing. In the previous instance where a tower was built, both the property owner and the applicant attended the meeting.

Dwayne Zinn stated that more than half of the tract that the property would go on is designated as drainage easement and therefore a substantial piece of the proposed area will not be otherwise developed unless the need for drainage detention is otherwise satisfied.

5-0 All in favor:

Ayes: Brian Rush, Bruce Hanson, Dwayne Zinn, Marc Powell, Wade May
Nays: None

MOTION TO RECOMMEND DENIAL WITHOUT PREJUDICE

ADJOURN REGULAR SESSION at 8:17 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 AGENDA
ITEM #2
Planning and Zoning Commission Regular Session
March 12, 2018

AGENDA ITEM

BUSINESS: Consider and act on a request from the applicant Tom Tronzano, authorized representative for the property owner, BB3 Learning System, Inc. for a major subdivision waiver to the City of Corinth Ordinance No. 13-05-08-20, Unified Development Code (UDC) to allow a reduction in the minimum required distance from the intersection along a collector street to the proposed driveway on property legally described as a tract in the J.P. Walton Survey, Abstract No. 1389 and part of Lot 1, Block A, A.L. Lamascus Addition, in the City of Corinth, Denton County, Texas. This property is located on the northwest corner of Corinth Pkwy. and Shady Rest Lane.

AGENDA ITEM DESCRIPTION

The applicant is requesting a major subdivision waiver in order to reduce the minimum required distance from the intersection of Walton Drive and Shady Rest Lane and the proposed driveway into the future mixed-use site. Section **3.05.04 Access Management** of the Unified Development Code requires the minimum distance from the intersection along City maintained collector roadways to the proposed driveway to be a minimum of 150' feet; whereas, the applicant is proposing a minimum distance of 132' feet. The minimum distance to the proposed driveway along Shady Rest Lane from the intersection of Corinth Parkway meets the requirement.

The applicant has also submitted a rezoning request, Goddard School Planned Development, and it is a companion item on this agenda.

The Commission's recommendation will be forwarded to the City Council at the March 15, 2018 meeting.

FINANCIAL SUMMARY

Source of Funding: No funding is required.

STAFF RECOMMENDATION

Staff recommends **Approval** of the request as presented.

ATTACHMENTS/SUPPORTING DOCUMENTS

Waiver Application
Exhibit

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

Finance Review: Yes ___ NA X

Legal Review: Yes ___ NA X

Director Review and Approval:



Subdivision Waiver Checklist and Questionnaire

Please check the appropriate box(es) below

- Minor Subdivision Waiver** (must specify type) **Major Subdivision Waiver**
- Alley Length
 - Side Lot Line Angles
 - Traffic Impact Analysis
 - Water Lines
 - Wastewater Lines

GENERAL INFORMATION

- See **Section 3.06.01. Petition for Subdivision Waiver** of the Unified Development Code for more information on the Major and Minor Subdivision Waivers process and requirements. As described in this Section, a request for a Subdivision Waiver shall be submitted with the Plat.
- A pre-application conference with City Staff is encouraged, but not required.
- All required materials shall be submitted in both hard copy and electronic formats (Adobe PDF), unless specifically instructed otherwise. All digital items shall be saved on a CD/DVD or flash drive. Each file shall be labeled on the disc or drive as it appears on the checklist. Discs or drives must be clearly labeled with the project name on the outside of the media.

APPLICATION CHECKLIST

Item	Applicant	Staff
Completed and Signed Universal Application Form - Three (3) copies	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Application Fee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Statement of Intent - Three (3) copies	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tax Certificate(s) from Denton County indicating that City taxes are current (http://dentoncounty.com/Departments/Tax-Assessor-Collector/Property-Tax/Tax-Certificates.aspx) - Three (3) copies	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scaled drawing representing the proposed standard - Three (3) copies	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Description of the alleged undue hardship and special circumstances that necessitate the Subdivision Waiver - Three (3) copies	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Additional items as requested by the Planning & Zoning Commission, City Council, or City Staff	<input checked="" type="checkbox"/>	<input type="checkbox"/>
For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed to be changed, and a complete legal field note description	<input checked="" type="checkbox"/>	<input type="checkbox"/>

UDC SECTION(s) you are requesting a waiver from:

3 . 05 . 04	



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:

A driveway off Shady Rest Lane approximately 150' from the intersection of Corinth Parkway and Shady Rest Lane and approximately 120' from the intersection of Shady Rest Lane and Walton Road is being requested.

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.**

Without a driveway off of Shady Rest Lane this site will not have adequate vehicular circulation to support a mixed use development.

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

This driveway is necessary to preserve the site as a mixed use development.



CITY OF CORINTH

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

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 not be detrimental to the public. A driveway off Shady Rest Lane will create safer vehicular circulation throughout the site.

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

This waiver is in harmony with the general purpose and intent of the ordinance because it increases the efficiency of the site and surrounding vehicular circulation.

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.

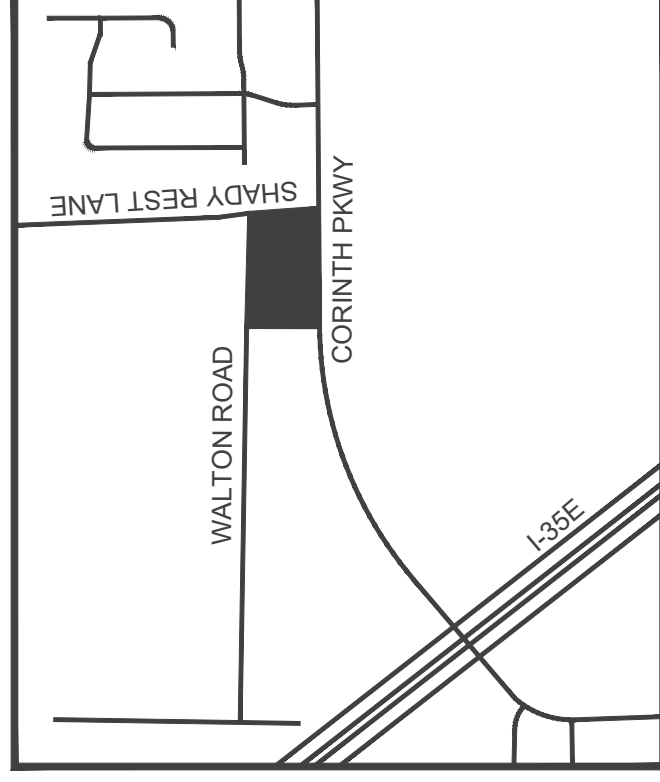
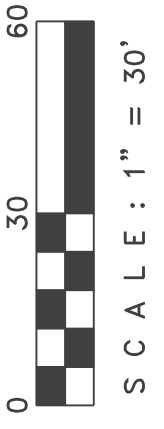
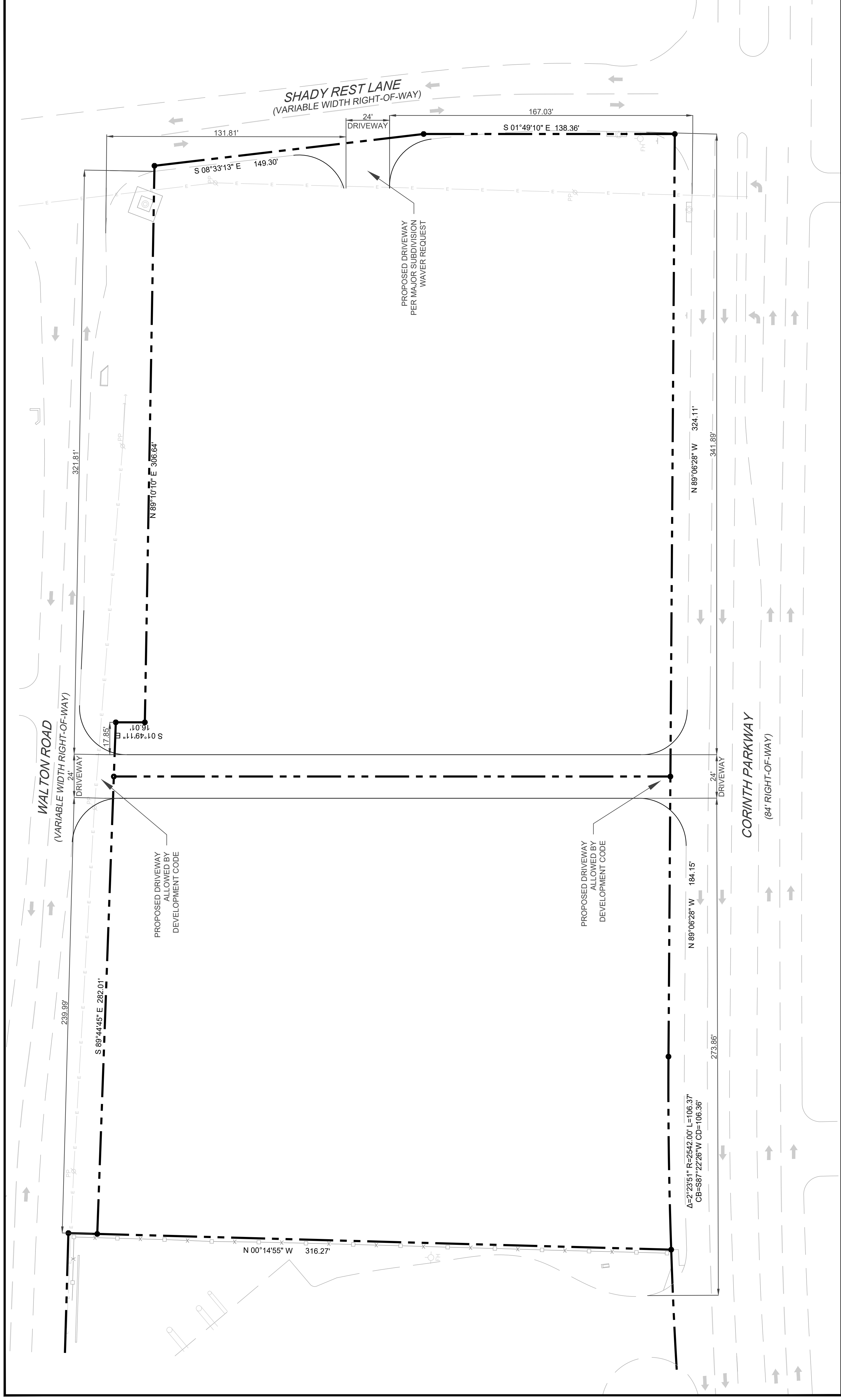
Applicant's Signature

02/19/18

Date

GODDARD SCHOOL

1.828 ACRES BEING ALL THAT LOT, TRACT OR PARCEL OF LAND LOCATED IN THE J.P. WALTON SURVEY,
 ABSTRACT NO. 1389, RECORDED IN VOLUME 4568, PAGE 573 DEED RECORDS
 CITY OF CORINTH, DENTON COUNTY, TEXAS



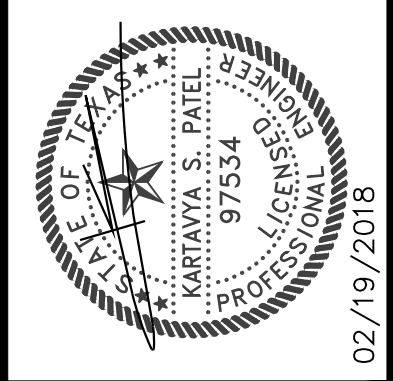
MAJOR SUBDIVISION WAIVER
 REQUEST EXHIBIT A FOR
 PROPOSED DRIVEWAY OFF
 CORINTH PKWY, SHADY REST
 LANE & WALTON ROAD
 CORINTH, TEXAS



T: 214.699.9271 | F: 469.359.6709 | E: kpatel@triangle-engr.com
 W: triangle-engr.com | O: 1333 McCombs Drive, Suite 200, Allen, TX 75013

Planning | Civil Engineering | Construction Management

DESIGN DRAWN	DATE	SCALE	PROJECT NO.	SHEET NO.
KP	02/19/18	1"=40'	071-17	13



NO.	DATE	DESCRIPTION	BY
1	12/01/18	1ST CITY SUBMITTAL	KP
2	01/08/18	2ND CITY SUBMITTAL	KP
3	02/05/18	3RD CITY SUBMITTAL	KP
4	02/19/18	4TH CITY SUBMITTAL	KP

TX PE FRM #11525

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

PUBLIC HEARING/BUSINESS AGENDA
ITEM #3
Planning and Zoning Commission Regular Session
March 12, 2018

AGENDA ITEM

PUBLIC HEARING: TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT TOM TRONZANO, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER, BB3 LEARNING SYSTEM, INC. FOR A ZONING CHANGE FROM SF-2, SINGLE-FAMILY RESIDENTIAL DISTRICT TO PLANNED DEVELOPMENT (PD) MX-R, MIXED USE RESIDENTIAL DISTRICT WITH MODIFIED DEVELOPMENT STANDARDS IN ORDER TO DEVELOP A DAY CARE FACILITY ON ONE TRACT, AND A FUTURE MIXED-USE RESIDENTIAL AND/OR OFFICE/RETAIL DEVELOPMENT ON ANOTHER TRACT OF LAND ON PROPERTY LEGALLY DESCRIBED AS A TRACT IN THE J.P. WALTON SURVEY, ABSTRACT NO. 1389 AND PART OF LOT 1, BLOCK A, A.L. LAMASCUS ADDITION, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. THIS PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF CORINTH PKWY. AND SHADY REST LANE.

BUSINESS: Consider and act on an ordinance for a zoning change from SF-2, Single-Family Residential District to Planned Development (PD) MX-R, Mixed Use Residential District with modified development standards in order to develop a day care facility on one tract, and a future mixed-use residential and/or office/retail development on another Tract of land on property legally described as a tract in the J.P. Walton Survey, Abstract No. 1389 and part of Lot 1, Block A, A.L. Lamascus Addition, in the City of Corinth, Denton County, Texas. This property is located on the northwest corner of Corinth Pkwy. and Shady Rest Lane.

APPROVAL PROCESS

A public hearing will be held for the rezoning request. The rezoning request is in conformance with the Comprehensive Plan. Therefore, the Commission may consider and make a recommendation on the rezoning request.

The recommendation of the Planning and Zoning Commission for this rezoning request will be forwarded to the City Council for final action at the March 15, 2018, City Council regular session meeting.

The applicant has also submitted a Major Subdivision Waiver request and it is a companion item on this agenda.

AGENDA ITEM DESCRIPTION

The applicant is proposing a rezoning from SF-2, Single Family Residential District on approximately 4.2 acres to a Planned Development (PD) MX-R Mixed Use with Residential

District with modified development standards in order to develop a Goddard School Day Care facility on Area A for Phase 1.

Two buildings with a mix of residential and/or retail along Shady Rest Lane, and a restaurant along Corinth Parkway is conceptually proposed for Area B. Both proposed Areas/Lots include stamped concrete driveways into the development, benches and planters and benches with litter receptacles on the property along Corinth Parkway and Shady Rest Lane and along Walton Road for Area B that will be maintained by the property owner. A 5' sidewalk will also be provided along all rights-of-way with connections from the development to provide connectivity to the adjacent Corinth Community Park.

A bio-swale along Corinth Parkway and Shady Rest Lane is proposed for low impact development to reduce the need for detention and will also be maintained by the property owner.

Staff requested that the applicant meet with the Homeowner's Association of the adjacent property to the east prior to the public hearing. The applicant met with the Property Manager of the HOA and presented the request per his request in early February. A letter was provided regarding the meeting and is attached.

PROPOSED MODIFIED DEVELOPMENT STANDARDS

AREA A: PROPOSED GODDARD SCHOOL DAY CARE

The applicant is meeting or exceeding all other **Development Standards** of the UDC, except the following:

The Development Standards described in Section 2.06.01 of the Unified Development Code, Ordinance No. 13-05-02-08, for the Mixed Use with Residential (MX-R) District, as amended shall apply except as follows:

1. UDC Section 2.06.01.A **MX-R Mixed Use With Residential** permitted uses and use regulations shall apply, except as follows:
 - a. The floor area of the entire development for Area A, as shown on the Concept/Site Plan shall be for day care uses.

B. Dimensional Regulations

1. UDC Section 2.06.01.B **MX-R Mixed Use With Residential** shall apply, except as follows:

MX-R (Mixed Use Residential)	Required	Proposed
Minimum Lot Width: Interior Lot	200'	180'

MX-R (Mixed Use Residential)	Required	Proposed (Corinth Pkwy)	Proposed (Walton Rd)
Maximum Front Yard Setback:	25'	135'	55'

- a. Building location in relationship to maximum front yard setback. At least twenty-five (25) percent of the front façade of any structure facing a street must be located between the minimum and maximum front yard setbacks.
2. UDC Section 2.06.01.C.2 **MX-R Mixed Use With Residential** Landscaping Regulations shall apply, except:
 - a. Landscaping shall be as shown on the Landscape Plan for Area A.
 3. UDC Section 2.06.01.C.6 **MX-R Mixed Use With Residential** Residential Adjacency Standards shall apply, except:
 - a. Proposed screening fences shall be as shown on Exhibit B for Area A.
 4. UDC Section 2.06.01.C.13 **MX-R Mixed Use With Residential** Facades and Building Forms shall apply, except as follows:
 - a. The buildings (daycare and accessory uses and structures) shall not be required to meet the UDC Section 2.06.01.C.13 **MX-R Mixed Use With Residential** Facades and Building Forms requirements.
 5. UDC Section 2.06.01.C.14 **MX-R Mixed Use With Residential** Street Furnishings shall apply, except:
 - a. Benches with litter receptacles will not be required along Walton Road for Area A.

AREA B: PROPOSED MIXED-USE (RETAIL AND/OR RESIDENTIAL, RESTAURANT)

1. UDC Section 2.06.01.A **MX-R Mixed Use With Residential** permitted uses and use regulations shall apply, except as follows:
 - a. The maximum floor area of the entire development for the residential use for Area B shall be generally as shown on the Concept Plan (Exhibit B) for Area B, and as determined by the approved site plan before a permit for the construction of the structures are issued.
 - b. The minimum floor area of the entire development for approved non-residential uses for Area B shall be generally as shown on the Concept Plan (Exhibit B) for

Area B, and as determined by the approved site plan before a permit for the construction of the structures are issued.

B. Dimensional Regulations

1. UDC Section 2.06.01.B **MX-R Mixed Use With Residential** shall apply, except as follows:

MX-R (Mixed Use Residential)	Required	Proposed
Minimum Lot Width: Interior Lot	200'	180'
Minimum Floor Area:	850 Sq. Ft. Per DU	650 sq. ft. per DU

MX-R (Mixed Use Residential)	Required	Proposed (Corinth Pkwy)	Proposed (Shady Rest Lane)
Maximum Front Yard Setback:	25'	55'	55'

- a. Building location in relationship to maximum front yard setback. At least twenty-five (25) percent of the front façade of any structure facing a street must be located between the minimum and maximum front yard setbacks.

2. UDC Section 2.06.01.C.2 **MX-R Mixed Use With Residential** Landscaping Regulations shall apply, except:
 - a. A 15' Landscape Buffer adjacent to Walton Road shall be required.

3. UDC Section 2.06.01.C.10 **MX-R Mixed Use With Residential** Fence and Screening Regulations shall apply, except:
 - a. A screening wall shall not be required along Corinth Parkway or Walton Road unless privacy fences are included for Area B adjacent to Corinth Parkway and Shady Rest Lane.

Easements

Developer shall provide applicable drainage easements and install the bio-swale/detention area and discharge storm sewer on Area B as shown on Exhibit B at the time of development of Area A.

NOTIFICATION TO PUBLIC

Prior to the Planning and Zoning Commission meeting, public hearing notifications were sent to the 12 property owners located within 200' of the subject property. A notice of public hearing was posted on the subject property on southwest corner of Corinth Parkway and Shady Rest Lane and the northwest corner of Walton Road and Shady Rest Lane.

SURROUNDING PROPERTIES ZONING

- Subject Property SF-2, Single Family, Residential
- North SF-2, Single Family, Residential
- South PD (C-2), Commercial, SF-2, Single Family Residential
- East PD (SF-1), Single Family Residential
- West PD (C-2), Commercial

SURROUNDING PROPERTIES EXISTING LAND USE

- Subject Property Vacant/Vacant Single Family House
- North Single Family Residential
- South Office, Single Family Residential, Corinth Community Park
- East Single Family Residential
- West Senior Living Facility

SURROUNDING PROPERTIES FUTURE LAND USE

- Subject Property Mixed Use with Residential/Transit Oriented Development
- North Mixed Use with Residential/Transit Oriented Development
- South Mixed Use with Residential/Transit Oriented Development
- East Single Family Residential
- West Mixed Use with Residential/Transit Oriented Development

CONFORMANCE TO THE COMPREHENSIVE PLAN

The Unified Development Code requires consistency between a Zoning Map Amendment (Rezoning) and the Comprehensive Plan. The proposed zoning is in conformance with the Comprehensive Plan. Therefore, a Comprehensive Plan Amendment is **not** necessary and the Commission may make a recommendation on this zoning request.

FINANCIAL SUMMARY

Source of Funding: No funding is required.

STAFF RECOMMENDATION

Staff recommends **Approval** of this request.

ATTACHMENTS/SUPPORTING DOCUMENTS

Zoning Locator Map
HOA Letter
Draft Ordinance

Submitted By: Lori Levy, AICP

Department: Planning and Development

Finance Review: Yes ___ NA X

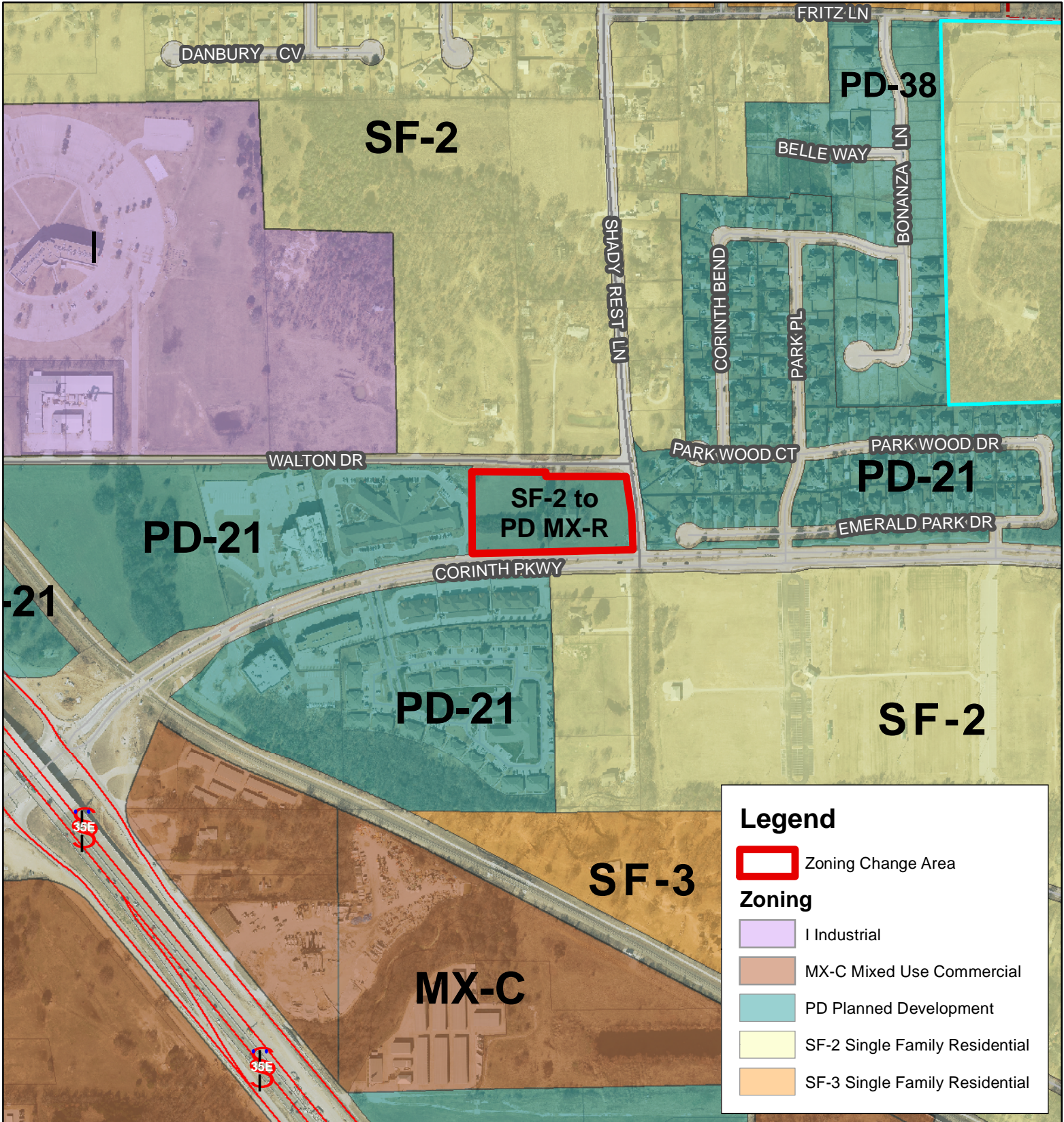
Legal Review: Yes ___ NA X

Director Review and Approval:



CITY OF CORINTH

Zoning Change Proposed: SF-2 to PD MX-R



Lori Levy

Subject: FW: Goddard School - HOA Response

From: Tom Tronzano [<mailto:ttronzano@triangle-engr.com>]

Sent: Wednesday, February 21, 2018 2:08 PM

To: Lori Levy <Lori.Levy@cityofcorinth.com>

Cc: Kevin Patel <kpatel@triangle-engr.com>

Subject: Goddard School - HOA Response

Lori,
Below are the comments from the HOA in response to the provided presentation. Please let me know if you have any questions or if there is anything else you need from me in preparation for the meeting on the 26th.

Sincerely,

Tom Tronzano, Project Manager



Planning | Civil Engineering | Construction Management

O: 1333 McDermott Drive | Suite 200 | Allen, TX 75013

T: 479.381.1478 | F: 469.359.6709 | E: ttronzano@triangle-engr.com | W: www.triangle-engr.com

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Do You Need to Print? Save Paper, Save Trees, Save the Planet.

Jeremy,

The project as proposed for the school looks very good. I would hope that they will address a potential sound issue by providing a 10 ft. sound break wall at the back of the Parks of Corinth subdivision, this is really a minor cost of development, but prevents noise pollution from encroaching on the homes that have enjoyed the quiet. Currently Shady rest has very little traffic 24 hrs. a day. Additionally, when the city widened Shady rest, they removed a 100 year old 50 ft tall Oak tree and shrubbery that was to be replaced with equivalent landscaping (per city code), and that would need to be part of the retail development.

As you can see I have copied our neighborhood on this response and I am sure that all of our residents look forward to a reply to this e-mail and the public forum discussion at a future city council meeting.

Neighbors,

Please forward this e-mail to any neighbors you have e-mail for that I have missed.

Respectfully submitted,

Mike and Karen Danks

3700 Park Wood Ct,

Corinth TX 75219

ORDINANCE NO. 18-03-15-

GODDARD SCHOOL PLANNED DEVELOPMENT DISTRICT

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE, BY AMENDING THE ZONING CLASSIFICATION FROM SF-2, SINGLE-FAMILY RESIDENTIAL DISTRICT TO PLANNED DEVELOPMENT, MIXED USE WITH RESIDENTIAL (MX-R) ON 4.151 ACRES OF LAND LEGALLY DESCRIBED AS A TRACT IN THE J.P. WALTON SURVEY, ABSTRACT NO. 1389 AND PART OF LOT 1, BLOCK A, A.L. LAMASCUS ADDITION, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS, PROVIDING FOR A DESIGN STATEMENT; PROVIDING A LEGAL PROPERTY DESCRIPTION; APPROVING A PLANNED DEVELOPMENT CONCEPT PLAN; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the hereinafter described property is zoned as SF-2, Single Family Residential District Classification under the City's Unified Development Code and an authorized person having a proprietary interest in the property has requested a change in the zoning classification of said property; and

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

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

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

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

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

SECTION I - LEGAL PROPERTY DESCRIPTION; AMENDMENT

That in accordance with the Unified Development Code, the Zoning Map of the City of Corinth is hereby amended by amending the zoning map of the City of Corinth, Texas on 4.151 acres of land described in "Exhibit A" attached, from SF-2, Single-Family District to Planned Development Mixed Use with Residential (PD MX-R) District.

SECTION II – PLANNED DEVELOPMENT MASTER PLAN

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

SECTION III – LAND USE REGULATIONS

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

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

SECTION IV – PENALTY FOR VIOLATIONS

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

SECTION V – SEVERABILITY CLAUSE

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

SECTION VI – EFFECTIVE DATE

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

PASSED AND APPROVED THIS 15th DAY OF MARCH, 2018.

APPROVED:

Bill Heidemann, Mayor

ATTEST:

Kimberly Pence, City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION
4.151 ACRE MIXED USE WITH RESIDENTIAL TRACT

Area A

Being all that lot, tract or parcel of land located in the J. P. WALTON SURVEY, ABSTRACT NO. 1389, Corinth, Denton County, Texas, and being the same tract of land described in deed to Grace Presbytery, INC., a Texas non-profit corporation, recorded in Volume 4568, Page 573, Deed Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at 5/8" iron rod found in the North line of Corinth Parkway, an 84' right-of-way, at the Southeast corner of Corinth Healthcare Realty Addition, an addition the Town of Corinth, according to the plat thereof, recorded in Volume 2011, Page 135, Plat Records, Denton County, Texas;

Thence North 00°14'55" West, a distance of 316.27' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the East line of said Corinth Healthcare Realty Addition, same being in the present South line of said Walton Road;

Thence South 89°44'45" East, along said South line a distance of 252.14" to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence South 01°49'10" East, Cutting through said Grace Presbytery tract, a distance of 306.59' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the said North line of Corinth Parkway;

Thence South 88°34'21" West, along said North line, a distance of 154.30' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set at the beginning of a tangent curve to the left having a central angle of 2°23'51", a radius of 2542.00' and a chord bearing and distance of South 87°22'26" West, 106.36';

Thence Southwesterly, continuing along said North line and said curve to the left, an arc distance of 106.37' to the PLACE OF BEGINNING and containing 79,616 square feet or 1.828 acres of land.

Area B

Being part of Lot 1, Block A, A. L. Lamascus Addition, an addition to the Town of Corinth, Denton County, Texas, according to the plat thereof, recorded in Cabinet F, Page 400, Plat Records, Denton County, Texas, and being part of tract 1, described in deed to Grace Presbytery, INC., a Texas non-profit corporation, recorded in Volume 4618, Page 578, Deed Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at an "X" set at the intersection of the present South line of Walton Road, a variable width right-of-way, with the West line of Shady Rest Lane, a variable width right-of-way, same being the North line of said Lot 1, said point being South 89°10'10" West, a distance of 17.51' from the Northeast corner of said Lot 1;

Thence South 08°33'13" East, along said West line, a distance of 149.30' to an "X" set in a concrete road;

Thence South 01°49'10" East, continuing along said West line, a distance of 138.36' to an "X" set at the intersection of said West line, with the North line of Corinth Parkway, an 84' right-of-way;

Thence South 88°34'21" West, along said North line, passing at a distance of 324.29' a 1/2" iron rod found in the West line of said Lot 1, and continuing a total distance of 353.95' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence North 01°49'10" West, cutting through said Grace Presbytery tract, a distance of 306.59' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the said South line of Walton Road;

Thence South 89°44'45" East, along said South line, a distance of 29.86' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence South 01°49'11" East, a distance of 16.01' to a 1/2" iron rod found at the Northwest corner of said Lot 1, Lamascus Addition;

Thence North 89°10'10" East, continuing along said South line, a distance of 306.64' to the PLACE OF BEGINNING and containing 101,187 square feet or 2.323 acres of land.

EXHIBIT “B”
GODDARD SCHOOL PLANNED DEVELOPMENT DISTRICT
PD DESIGN STATEMENT

INTENT

Goddard at Corinth Parkway is approximately 4.151 acres of land generally located near the intersection of Corinth Parkway and Shady Rest Lane. This land includes 2 separate parcels. Parcel 1 is approximately 1.828 acres and parcel 2 is approximately 2.323 acres. The site has approximately 508’ of street frontage along Corinth parkway, approximately 288’ of street frontage along Shady Rest Lane and approximately 589’ of street frontage along Walton Road. The existing zoning district is SF-2 Residential. The existing land use is vacant land and an uninhabited single-family home. The proposed zoning will provide a mix of retail, restaurant and/or residential. The site is surround by single family to the north, a rehabilitation center to the west, commercial and single family to the south and single family to the east. The mixed-use development for retail, restaurant and/or residential will be compatible with the adjacent properties.

Future Land Use of Subject Site

Future Land Use Plan – Mixed Use w/ Residential/TOD

Proposed Land Use – Mixed Use w/ Residential

Adjacent Zoning

North – Single Family Residential (SF-2)

West – Planned Development (PD-21)

South – Planned Development (PD-21) & Single Family Residential (SF-2)

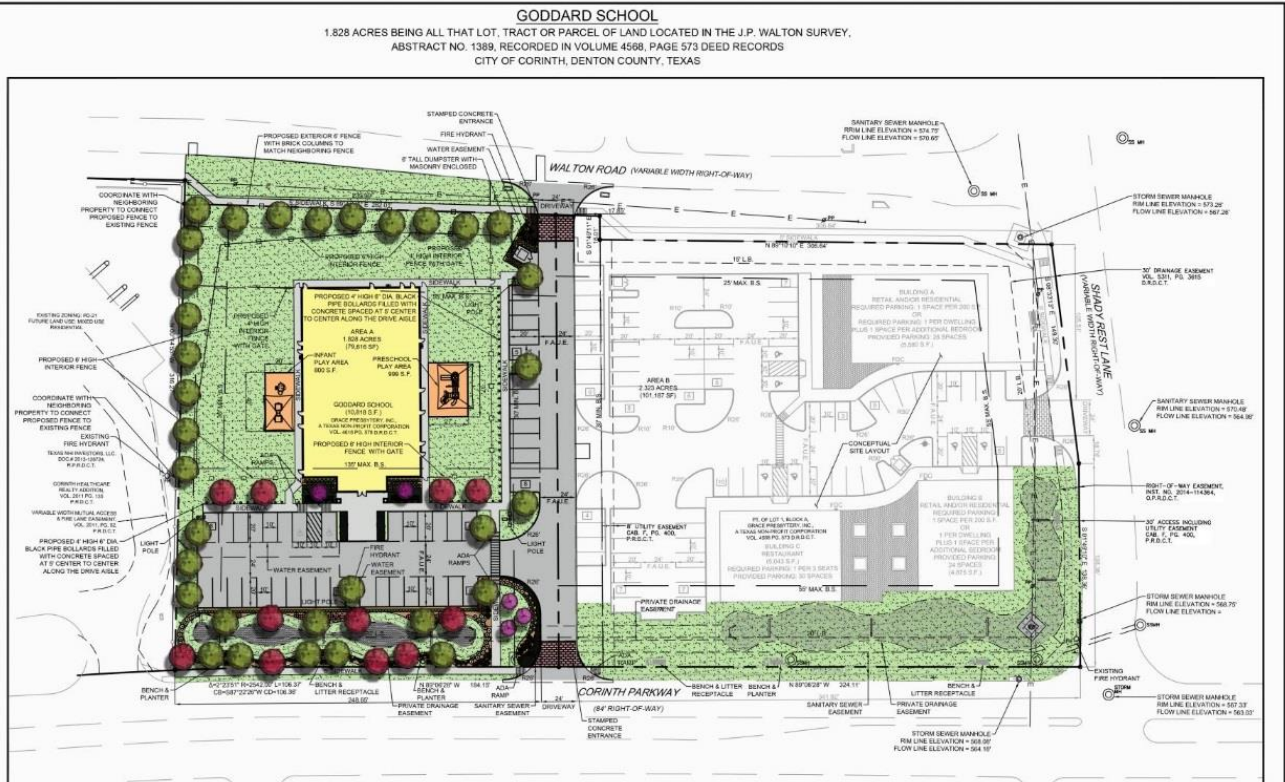
East - Single Family Residential (SF-2)

Goddard at Corinth Parkway consists of a proposed Goddard School daycare and a conceptual layout of a retail, restaurant and/or residential mixed-use development. The Goddard School building is 10,818 square feet and the conceptual mixed-use development will be 10,455 square feet of retail and/or residential and 5,043 square feet of restaurant. The requested land use designation will further the goals and objectives of the city by increasing the amount of retail for sales taxes and employment. The retail, restaurant and daycare will service the neighboring residents.

EXISTING SITE CONDITIONS

1. The 4.151 acre site is currently a vacant lot and an uninhabited single-family home lot. There are 18 existing trees scattered throughout the site. The site generally drains from the northwest to the southeast. A storm water detention area will be provided for drainage per the requirements of the UDC and sized for the development at the time of replatting.

EXHIBIT "B"
 PD CONCEPT DESIGN MAP



SITE PLAN RENDERING

TRIANGLE ENGINEERING LLC
 1724888 0017 401.200.0008 1174444@triangle-engineering.com
 1174444@triangle-engineering.com

NO.	DATE	DESCRIPTION	BY
1	12/07/18	1ST CITY SUBMITTAL	OP
2	01/25/19	2ND CITY SUBMITTAL	OP
3	02/05/19	3RD CITY SUBMITTAL	OP
4	02/17/19	4TH CITY SUBMITTAL	OP

DATE: 02/17/2018

NO.	DATE	SCALE	PROJECT NO.	SHEET NO.
10	02/17/19	N.T.S.	181-17	07

EXHIBIT “C”
LAND USE REGULATIONS

Section 1: Regulations

A. Purpose

The regulations set forth in this Exhibit provide development standards for Mixed Use Residential designations within this Goddard at Corinth Parkway 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 the Planned Development (PD) District.

B. Base District

The “MX-R” Mixed Use Residential District regulations of the Corinth Unified Development Code, Ordinance No. 13-05-02-08, shall apply except as modified herein. If a change to the Concept Plan is requested, the request shall be processed in accordance with the development standards in effect at the time the change is requested for the proposed development.

Area A: Proposed Goddard School

Section 2: Uses and Area Regulations

A. Mixed Use-Residential

In the Planned Development (PD) District for Mixed Use Residential, no building or land shall be used, and no building shall be hereafter erected, reconstructed, enlarged or converted unless otherwise provided in the Mixed Use Residential (MX-R) District regulations of the Unified Development Code.

B. Accessory Uses

The fenced playgrounds, outdoor amenities, and storm water detention area, as shown on the Concept/Site Plan, are approved as accessory uses. The specific design of the bio-swale/detention area shall be determined and approved with construction plans prior to issuance of a permit for the construction of the structures. These accessory uses shall be maintained by the property owner or a property owner’s association.

C. Easements

1. Developer agrees to submit with the final plat a 10’ wide sanitary sewer easement, a 24’ wide fire lane easement along with applicable drainage easements for the bio-swale/detention area and discharge storm sewer.

2. The exact configuration of the lot, streets and easement may vary at the time of replatting as long as no additional deviations other than included within this PD are created.

D. Open Space

All open space areas as designated on the Site Plan/Landscape Plan and all such areas, including, but not limited to the bioswale/detention area, outdoor amenities, landscaping and site amenities shall be installed by the developer and maintained by the property owner or property owner's association.

E. Connectivity

A minimum 5' wide sidewalk shall be installed by the developer along Corinth Parkway, Walton Blvd., and Shady Rest Lane. Minimum 5' wide sidewalks shall also be installed to create connectivity from the proposed public sidewalks to the proposed buildings.

Purpose

This district is intended to provide for development of a daycare on not less than 1.5 acres. Regulations set forth in this section have been made with reasonable consideration among other things, of the character of the surrounding area and its peculiar suitability for the particular uses, and with a view of increasing the value and encouraging the appropriate use of the property.

A. Permitted Uses and Use Regulations

1. UDC Section 2.06.01.A **MX-R Mixed Use With Residential** permitted uses and use regulations shall apply, except as follows:
 - a. The floor area of the entire development for Area A, as shown on the Concept/Site Plan shall be for day care uses.

B. Dimensional Regulations

1. UDC Section 2.06.01.B **MX-R Mixed Use With Residential** shall apply, except as follows:

MX-R (Mixed Use Residential)	Required	Proposed
Minimum Lot Width:	200'	180'

Interior Lot		
--------------	--	--

MX-R (Mixed Use Residential)	Required	Proposed (Corinth Pkwy)	Proposed (Walton Rd)
Maximum Front Yard Setback:	25'	135'	55'

- a. Building location in relationship to maximum front yard setback. At least twenty-five (25) percent of the front façade of any structure facing a street must be located between the minimum and maximum front yard setbacks.

C. Development Standards

1. UDC Section 2.06.01.C.1 **MX-R Mixed Use With Residential** Accessory Buildings and Uses shall apply.
2. UDC Section 2.06.01.C.2 **MX-R Mixed Use With Residential** Landscaping Regulations shall apply, except:
 - a. Landscaping shall be as shown on the Landscape Plan for Area A.
3. UDC Section 2.06.01.C.3 **MX-R Mixed Use With Residential** Tree Preservation shall apply.
4. UDC Section 2.06.01.C.4 **MX-R Mixed Use With Residential** Vehicle Parking Regulations shall apply.
5. UDC Section 2.06.01.C.5 **MX-R Mixed Use With Residential** Building Façade Material shall apply.
6. UDC Section 2.06.01.C.6 **MX-R Mixed Use With Residential** Residential Adjacency Standards shall apply, except:
 - a. Proposed screening fences shall be as shown on Exhibit B for Area A.
7. UDC Section 2.06.01.C.7 **MX-R Mixed Use With Residential** Nonresidential Architectural Standards shall apply.
8. UDC Section 2.06.01.C.8 **MX-R Mixed Use With Residential** Lighting and Glare Regulations shall apply.

9. UDC Section 2.06.01.C.9 **MX-R Mixed Use With Residential** Sign Regulations shall apply.
10. UDC Section 2.06.01.C.10 **MX-R Mixed Use With Residential** Fence and Screening Regulations shall apply.
11. UDC Section 2.06.01.C.11 **MX-R Mixed Use With Residential** Block Lengths shall apply.
12. UDC Section 2.06.01.C.12 **MX-R Mixed Use With Residential** Ground Floor Non-Residential Minimum Ground Floor Area shall apply.
13. UDC Section 2.06.01.C.13 **MX-R Mixed Use With Residential** Facades and Building Forms shall apply, except as follows:
 - a. The buildings (daycare and accessory uses and structures) shall not be required to meet the UDC Section 2.06.01.C.13 **MX-R Mixed Use With Residential** Facades and Building Forms requirements.
14. UDC Section 2.06.01.C.14 **MX-R Mixed Use With Residential** Street Furnishings shall apply, except:
 - a. Benches with litter receptacles will not be required along Walton Road for Area A.

D. Site Plan Requirement

1. The approved concept plan/site plan and other plans attached to this ordinance as Exhibit “B” for Area A shall satisfy the Site Plan requirement listed in Section 2.10.08.b of the UDC. Subsequent Site Plans shall be required for Area B in accordance with the provisions of the UDC.

Area B: Proposed Mixed-Use (Retail and/or Residential, Restaurant)

Purpose

This district is intended to provide for development of MX-R, Mixed Use Residential consisting of retail, restaurant and/or residential uses on not less than 2 acres. Regulations set forth in this section have been made with reasonable consideration among other things, of the character of the surrounding area and its peculiar suitability for the particular uses, and with a view of increasing the value and encouraging the appropriate use of the property.

A. Permitted Uses and Use Regulations

1. UDC Section 2.06.01.A **MX-R Mixed Use With Residential** permitted uses and use regulations shall apply, except as follows:
 - a. The maximum floor area of the entire development for the residential use for Area B shall be generally as shown on the Concept Plan (Exhibit B) for Area B, and as determined by the approved site plan before a permit for the construction of the structures are issued.
 - b. The minimum floor area of the entire development for approved non-residential uses for Area B shall be generally as shown on the Concept Plan (Exhibit B) for Area B, and as determined by the approved site plan before a permit for the construction of the structures are issued.

B. Dimensional Regulations

1. UDC Section 2.06.01.B **MX-R Mixed Use With Residential** shall apply, except as follows:

MX-R (Mixed Use Residential)	Required	Proposed
Minimum Lot Width:	200'	180'
Interior Lot		
Minimum Floor Area:	850 Sq. Ft. Per DU	650 sq. ft. per DU

MX-R (Mixed Use Residential)	Required	Proposed (Corinth Pkwy)	Proposed (Shady Rest Lane)
Maximum Front Yard Setback:	25'	55'	55'

- a. Building location in relationship to maximum front yard setback. At least twenty-five (25) percent of the front façade of any structure facing a street must be located between the minimum and maximum front yard setbacks.

C. Development Standards

1. UDC Section 2.06.01.C.1 **MX-R Mixed Use With Residential** Accessory Buildings and Uses shall apply.
2. UDC Section 2.06.01.C.2 **MX-R Mixed Use With Residential** Landscaping Regulations shall apply, except:
 - a. A 15' Landscape Buffer adjacent to Walton Road shall be required.
3. UDC Section 2.06.01.C.3 **MX-R Mixed Use With Residential** Tree Preservation shall apply.
4. UDC Section 2.06.01.C.4 **MX-R Mixed Use With Residential** Vehicle Parking Regulations shall apply.
5. UDC Section 2.06.01.C.5 **MX-R Mixed Use With Residential** Building Façade Material shall apply.
6. UDC Section 2.06.01.C.6 **MX-R Mixed Use With Residential** Residential Adjacency Standards shall apply.
7. UDC Section 2.06.01.C.7 **MX-R Mixed Use With Residential** Nonresidential Architectural Standards shall apply.
8. UDC Section 2.06.01.C.8 **MX-R Mixed Use With Residential** Lighting and Glare Regulations shall apply.
9. UDC Section 2.06.01.C.9 **MX-R Mixed Use With Residential** Sign Regulations shall apply.
10. UDC Section 2.06.01.C.10 **MX-R Mixed Use With Residential** Fence and Screening Regulations shall apply, except:
 - a. A screening wall shall not be required along Corinth Parkway unless privacy fences are included for Area B along Corinth Parkway.
11. UDC Section 2.06.01.C.11 **MX-R Mixed Use With Residential** Block Lengths shall apply.
12. UDC Section 2.06.01.C.12 **MX-R Mixed Use With Residential** Ground Floor Non-Residential Minimum Ground Floor Area shall apply.

13. UDC Section 2.06.01.C.13 **MX-R Mixed Use With Residential** Facades and Building Forms shall apply.

14. UDC Section 2.06.01.C.14 **MX-R Mixed Use With Residential** Street Furnishings shall apply.

D. Site Plan Requirement

1. UDC Section 2.06.01.D. **MX-R Mixed Use With Residential** Site Plan Required for Rezoning to the MX-R, Mixed Use Residential District shall apply, except:

- a. The attached Concept Plan/Site Plan (Exhibit B) shall be conceptual for Area B.
- b. The Site Plan requirement listed in Section 2.10.08.b of the UDC shall apply to Area B in accordance with the provisions of the UDC.

E. Easements

Developer shall provide applicable drainage easements and install the bio-swale/detention area and discharge storm sewer on Area B as shown on Exhibit B at the time of development of Area A.