

PARKRIDGE PASS PLANNED DEVELOPMENT NO. 37 BASE ZONING DISTRICT: C-1 COMMERCIAL ORDINANCE NO. 14-02-20-08 (ADOPTED 2-20-2014)

AMENDED BY:

- ORDINANCE NO. 14-10-16-35: DRAINAGE EASEMENT REVISION AND DETENTION POND REMOVAL (ADOPTED 10-16-2014)

City of Corinth • 3300 Corinth Parkway • Corinth, Texas 76208 940-498-3200 • www.cityofcorinth.com

AN ORDINANCE AMENDING A PORTION OF PLANNED DEVELOPMENT ORDINANCE NO. 86-04-21-05 (PD 3) FOR C-1 USES ON LOTS 1 AND 2, BLOCK 1, OF THE PARKRIDGE PASS ADDITION TO THE CITY OF CORINTH; APPROVING A DETAILED SITE PLAN FOR LOT 1; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

WHEREAS, the City Council considered the following factors in making a determination as to whether the requested change should be granted or denied: safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the sites; safety from fire hazards and damages; noise producing elements and glare of the vehicular and stationary lights and effect of such lights on established character of the neighborhood; location, lighting and types of signs and relation of signs to traffic control and adjacent property; street size and adequacy of width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood; 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 for property legally described as 2.81 acres within the Planned Development Zoning District

being Lot 1 and a portion of Lot 2, Parkridge Pass, an addition in the City of Corinth, Denton County, Texas; more particularly described in the metes and bounds description set forth in "Exhibit A" attached and incorporated by reference herein.

SECTION II - SITE PLAN

The Site Plan documents for Lot 1, Block 1, approved and described as "Exhibit B" attached hereto and made a part hereof for all purposed shall be adhered to in their entirety for the purposes of existing and proposed development of the property.

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 purposed shall be adhered to in its entirety for the purposes of this Planned Development Commercial District.
- 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

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 20th DAY OF FEBRUARY 2014.

APPROVED:

Paul Ruggiere, Mayor

ATTEST:

Kimberly Pence. City Secretary

APPROVED AS TO FORM:

Debra A. Drayovitch, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION / METES AND BOUNDS

WHEREAS Parkridge Pass, Ltd. is the owner of all that certain lot, tract or parcel of land situated in the E. Marsh Survey, Abstract Number 833, Denton County, Texas, being a part of a called 5.451 acre tract of land described in County Clerk File Number 2006-78827, Real Property Records, Denton County, Texas, the subject tract being more particularly described as follows;

BEGINNING at a TXDOT monument found for the Southwest corner of the herein described tract in the North line of F.M. Road 2181, the West line of said 5.451 acre tract and the East line of a tract of land described in a deed to Markwardt Investment Holdings, LLC, as recorded in County Clerk File Number 2007-14677, Real Property Records, Denton County, Texas;

THENCE North 00 degrees 28 minutes 56 seconds West with the East line thereof and the West line of said 5.451 acre tract, along or near a wire fence, at a distance of 308.09 feet passing a 5/8" iron rod found, continuing along said course, a total distance of 366.85 feet to a point in a pond for the Northwest corner of said 5.451 acre tract, the Northeast corner of said Markwardt tract, the Northwest corner of the herein described tract and being in the South line of a tract of land described in a deed to Fannie Mae, as recorded in County Clerk File Number 2010-75456, Real Property Records, Denton County, Texas;

THENCE South 68 degrees 36 minutes 43 seconds East with the South line thereof, the North line of said 5.451 acre tract and the North line of the herein described tract, a distance of 264.34 feet to an axle found for an angle point in said line;

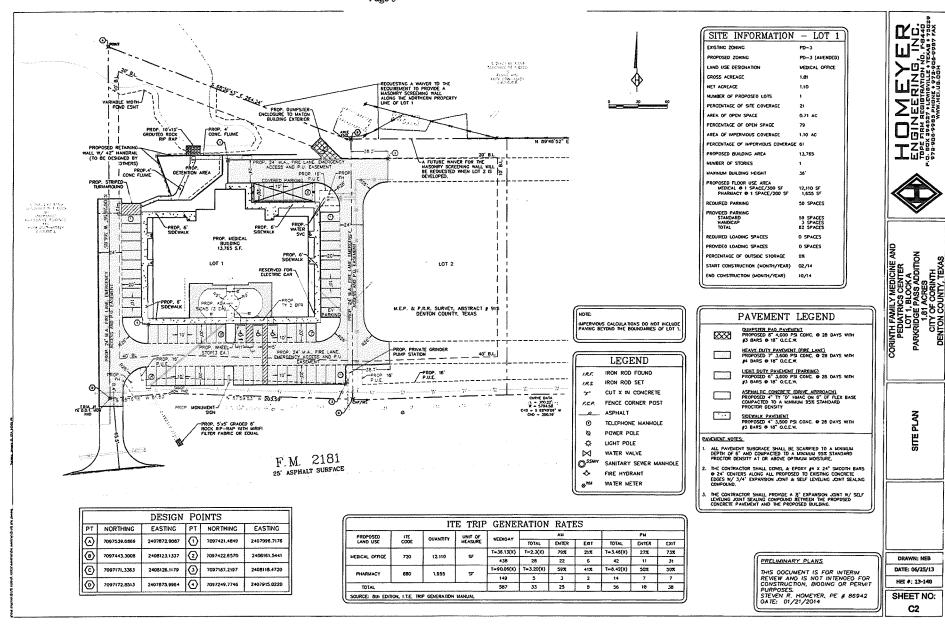
THENCE North 89 degrees 46 minutes 52 seconds East with the South line of said Fannie Mae tract and the North line of said 5.451 acre tract, a distance of 165.92 feet to a capped iron rod set for the Northeast corner of the herein described tract;

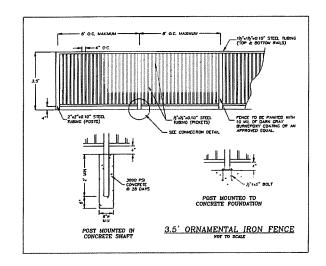
THENCE South 00 degrees 13 minutes 08 seconds East with a line severing said 5.451 acre tract, a distance of 268.17 feet to a capped iron rod set in the South line thereof and the North line of said Road for the Southeast corner of the herein described tract, said corner also being in a curve to the left having a radius of 5794.58 feet and a chord bearing and distance of South 88 degrees 03 minutes 09 seconds West, 145.19 feet;

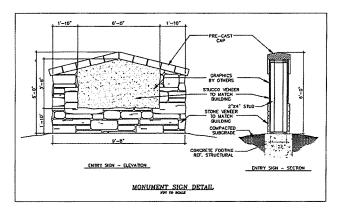
THENCE Southwesterly with the arc of said curve and the North line of said Road, an arc distance of 145.19 feet to a capped iron rod set for angle point on the South line of the herein described tract;

THENCE North 87 degrees 59 minutes 53 seconds West with the North line of said Road, a distance of 203.59 feet to a TXDOT monument found for an angle point in the South line of the herein described tract;

THENCE South 85 degrees 16 minutes 16 seconds West with the North line of said Road, a distance of 61.63 feet to the PLACE OF BEGINNING and enclosing 2.81 acres of land more or less.







FOR INCERTING, INC.
FOR FIRM REIGHTRATION OF FASTS
FOR EASTS ALKWINILE - TEXAS
FOR EASTS ALKWINING - TEXAS
FOR EAS

CORINTH FAMILY MEDICINE AND PEDATRICS CENTER LOT 1, BLOCK A LOT 1, BLOCK A PARKRIDGE PASS ADDITION 181 ACT OF COMMEN

> MISCELLANEOUS DETAILS

PRELIMINARY PLANS

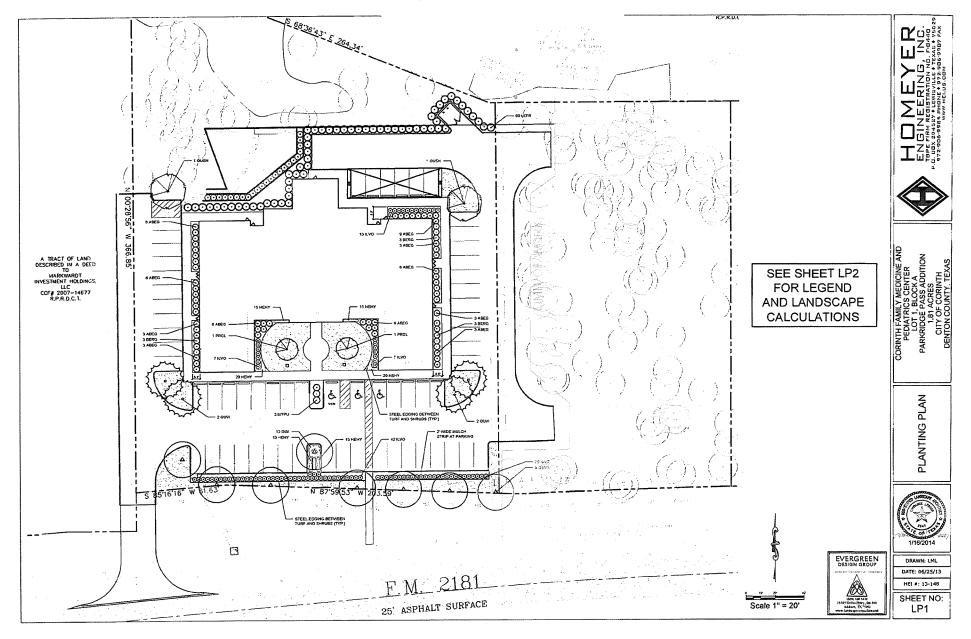
THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES STEVEN R. HOMEYER, PE # 86942 DATE: 01/21/2014 DRAWN: NEB

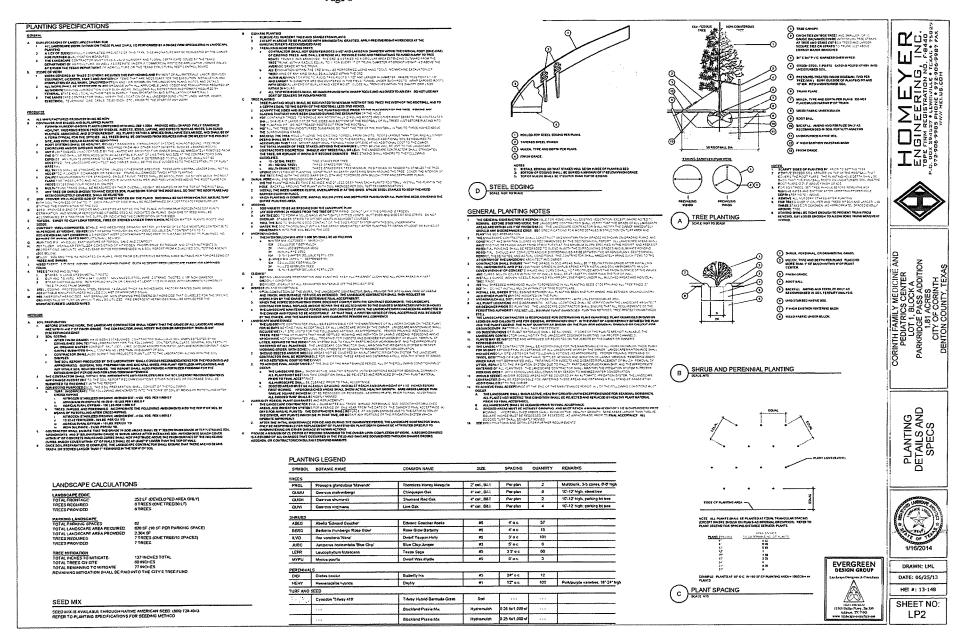
DATE: 06/25/13

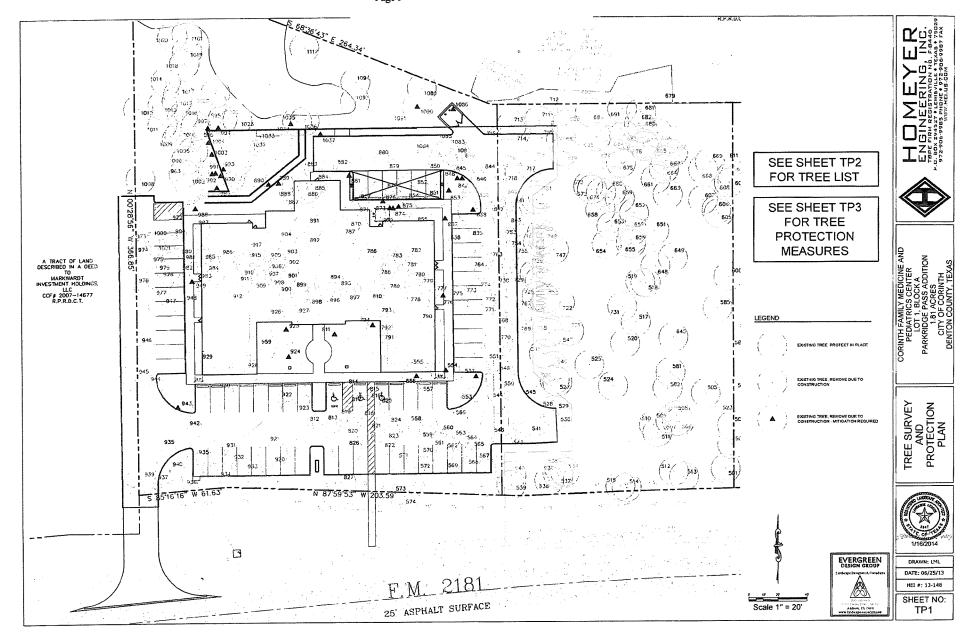
HEI #: 13-148

SHEET NO: C13

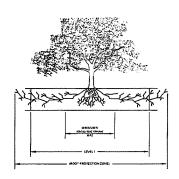
ORDINANCE NO. 14-02-20-08 PARKRIDGE PASS PLANNED DEVELOPMENT DISTRICT Page 7





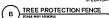


TREE LEGEND	/::agx
20	PARKRIDGE PASS ADDITION 1.81 ACRES OTH OF CORNANT DENTING THE FIRM EETING I INC. 1.81 ACRES 1.81 ACRES OTH OF CORNANT O
Second Column 10	TREE LEGEND
Color Colo	00/11/10/2014 EAWN: LML E: 06/25/13 I #: 13-149 EET NO: TP2



TREE PROTECTION FENCE - ELEVATION

NOTES
1 THE FENCING LOCATION SHOWN ABOVE IS DIAGRAMATIC ONLY AND WILL CONFORM TO THE DIRPLICE AND DELIMITED TO PROJECT ROUGHON WHERE HAVE PRAILED THREE WILL BE DIRLOGGED OF FORCING. THE PERCHANGE WILL BE DIRLOGGED ON THE CONFORMATION OF THE PERCHANGE WILL BE DIRLOGGED ON THE CONFORMATION OF THE PERCHANGE WILL BE THE PERCHANGE WILL AND THE PER 6" MULCH INSIDE RPZ

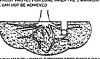


TREES THAT ARE MARKED TO BE PRESERVED ON A SITE PLAN AND FOR WHICH UTILITIES MUST PASS TROUGH THEIR ROOT PROTECTION ZONES MAY REQUIRE TUNNESUM SO OPPOSED TO OPPET TRECHCES THE DECISION TO TUNNEL WALL BE DETERMINED ON A CASE BY CASE BACIS BY THE DISINEED.

TURNELS SHALL BE DUG THROUGH THE ROOT PROTECTION ZONE IN ORDER TO MINIMIZE ROOT DAMAGE



TURNEL TO MINIMEE ROOT DANAGE (TCP) AS OPPOSED TO SURFACE-DUG TRENCHES IN ROOT PROTECTION ZONE WHEN THE 5 MINIMUM DISTANCE FROM TRUNK CAN NOT BE ACHIEVED



BORING THROUGH ROOT PROTECTION ZONE

TREE PROTECTION SPECIFICATIONS

POUNDS FOR INDIAN FOOT.
THE WIRE, WARE FOR ATTACHING THE TARRIC TO THE T-POSTS SHALL SENGTLESS THAN NO. 17 GAJGE

CORESPONDED PROPER AND RESIDENCE AND RESIDENCE AND THE CONTRACTOR SITE OPEN AND RESIDENCE AND RESIDE

PROTECTIVE FEILID DALL AT EXECT DOUTHOU THE OWN HEAT I NOT THE BOWN IN THE PAPER AND
DISECTED AT THE IMPOSANCE CONSULTANT AND ACT EXECUTED ON ACCORDANCE WITH THE CETALS SHOW
ON EACH PAPER AT THE ROOM HAS FOR THE CELEGOOT PARTICIPATION ONCY, STOP AND ON ANOMORPHICATION FOR THE CETALS SHOW
ON EACH PAPER AT THE ROOM HAS THE CELEGOOT PARTICIPATION ONCY, STOP AND ON ANOMORPHICATION OWN TO JUTE
OCCUTATION OF THE CETAL PARTICIPATION OF THE PARTICIPATIO

protective edical locations in close proximite to street introductions or crives small adhere to the applicable runnspictions signs despite all

THE PROTECTIVE FERCISO SHALT SE ERECTED SEPORE BITE WORK CONNINCES AND GHALT REMAIN IN MACE DURSIO THE CHINSE CONSTRUCTION PHASE.

THE RISALLATION POSTEYML REPLACED EVENT EXCEL AROUND THE OWN LINE OWNER AND ENDERFOUND TO HOME AND CONTROLLED TO HOME AND CONTROLLED THE AROUND THE AREA OF THE THIN NOTION OF THE OWNER OWNER AND THE CONTROLLED THE AREA OF THE OWNER OWNER AND THE CONTROLLED THE AREA OF THE OWNER OWNER OWNER AND THE AREA OF THE AREA OF THE OWNER O

- DO NOT STORE, STOCKPRE OR DUMP ANT YOR MATERIAL, TOE OR RUSERSHUMDER THE SPREAD OF THE TREE
- DO NOT PARK OR STORE ANY EQUIPMENT OR SUPPLIES UNION THE SPREAD OF THE TREE STANDING
- do not zet up any construction operations under the spread of the tree granches fix pde cutted arb threading, boatar busing parters of europe cutters.
- CO. NOT STEED IN MAKED TISOU VIMES MATERIALS ONLY, ONLY CONTROLL CONTROLL CANADISC AND ARCHIVE ARCHIVE

THE CONTRACTOR SHOULD AVOID CUITING ROOTS LARGER THAN ONE NEXT ALDMACTER WHICH EXEMATION OCCURS MEAR EXISTING TREES. EXCAVATION OF THE VICINITY OF THES SHALL PROCETOWING CAUTION REMOVE ALL TREES, SHAVES OR EURHAN TO ME CLEARED FROM PROTECTED ROOT ZERG AREAS ET HAND

THESE DAMAGED OR LOST QUE TO CONTRACTOR'S REQUIRED DURING DONSTRUCTION SHALL SESSINGATEDAT

ANY TREE EGNOVAL CHALL BY APPROVED BY THE OWNER PRIOR TO ITS REMOVAL

COVER EXPOSED ROOTS AT THE END OF FACH DAY WITH 90% HEACH DRIVET WIRLAN

TO CRITICAL ROOTSONE ARTAS THAT SHANCE BE ROOT BUT EQUING CONSTRUCTION AND WHERE OR AN TRANSCOR ANTICINATED, COVER ROOM SAFERS WITH COST OF HIS OF ROUMS WHICH TO MISSING DOE DEWELTON AND COST ACT OF THE TRANSCORD WHILL BE WANTARD THROWNOUT CONSTRUCTION.

NHEN INSTALLING CONCRETE ADMICENT TO THE ROOT ZONE OF A TREE LISE A PLASTIC VAPOR GARRER ERHHOSHE CONCRETE TO PROHIBIT LEACHING OFF MEETING BUT ADS.

valum an excavation de di empirent is placed plithin the driplined any time creatier than eight highe; In surgere, a tree well shall be constructed to protect the tree as procated yardi the cut or fill electede edin fiches.

CONTRACTOR BASIL REMOVE AND DISPOSE OF ALL TREE PROTECTION FENCING VALUE ALL THREATS TO THE SAISTRO TREES FROM CONSTRUCTION OF LATED ACTIVITIES HAVE RETHIR CHOOKED.

TREE PROTECTION REQUIREMENTS

- A ROOT PROTECTION FOR EACH, BE ESTRAIGHED AMOUND EACH TREE OR ANY MUSCLETCH YOU REPERTANT.

 PROTECTION DOUBLE BALL OF AN AREA COFFICE OF THE RADIUL ESTROICH COUNAGE FORCE HIS TRUNCTON THE
 CITEMACE OF COLIF OR LECTURE FOOT FOR EACH SECULO BALL TREAST RECORT OF SHE THEY EACH

 LINEAR DUBLIFIES TREE TREE TAKE AND THEY ARE ORD OF MUSCH SOUTH FOOT FOR EACH

 LINEAR DUBLIFIES TREE TREE THEY ARE ARE ORD OF AND EACH SOUTH FOOT FOR EACH

 THEY ARE ORD OF THE TREE TREE TREE THEY ARE THEY ARE ORD OF THE THEY ARE THEY ARE ORD OF THE THEY ARE THEY ARE ORD OF THE THEY ARE THEY ARE THE THEY ARE THEY ARE ORD OF THE THEY ARE TH
- 3 ALL RODTS LARGER THAN CHE-OICH IN GIALLETER AND TO BE CUT CLEARLY FOR DAKE YORY, ALL HOUNDS SHALL AS PAINTED WITH WOUND SEAL OR WITHIN SOMEWITES.
- Exposed goods shall be constrons the end of the work on using techniques such as covering with toil halich or wat burken.
- A MO COUPLINT, YENCTES OR MATERIALS THALL AR OMERATED OR STORED WITHIN THE ROOT PROTECTION ZONE NO CLEAN-OUT AREAS WILL RE-CONSTRUCTED SO THAT THE BATTERIA PURL 95 IN GRUDOLATE TO THE BOOT PROTECTION ZONE
- NO GRADE CHANGE WORE THAN I' IS ALLONED WITH IT THE ROOT PROTECTION ZONE
- roots or enangers in conflict with construction smaller out of carcy according to proper feunito Memods. All mounds small be parted within 36 Memots to previous onaccinet carcy car trees unity.
- ANY FARC REMOVAL SHALL SE APPROAFORY THE LOCAL MIRISDICTION'S AREOSHIS Thees which are damaged or lost due to the continuations negligible during construction bhall be replaced with thre quantities and sizes acceptable to the local jurisdiction.
- TREESHART HE NAMTANES IN GOOD HEALTH THROUGHOUT THE CONSTRUCTION PROCESS. MANIEMAKE MAY ANGLUCE WATERNO THE ROOF PROTECTION DING AND/OF WARRING FOR MOS DO NOT THE THE TAXABLE THE VALUE OF STATE OF STATE OF THE PROPERTY OF STATE OF THE PROPERTY OF
- No. marsh, Anadori north Maritina Nove of Afficiant to monitority fields.

 Medical Proposition of Anadoric Maritina Control Proposition of Afficiant Control Proposition Control Pr
- durno construction activity on bit, at 1 leat a iucron later of a coarse ballot shalt of facto and marilanto over the root protector zone. The epigradus cover ban ederoch which we root protector zone of salo decoaccieur is approved by the asports.





CORINTH FAMILY MEDICINE AND PEDATRICS CENTER LOT 1. BLOCK A PARKRIDGE PASS ADDITION 18 1A CRES CITY OF CORINTH DENTON COUNTY. TEXAS

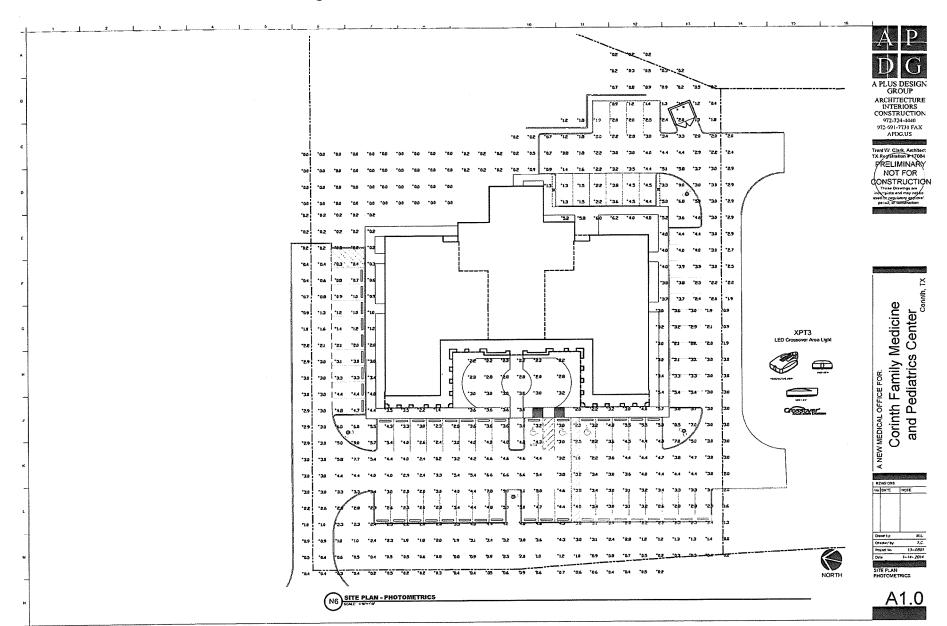
TREE PROTECTION DETAILS

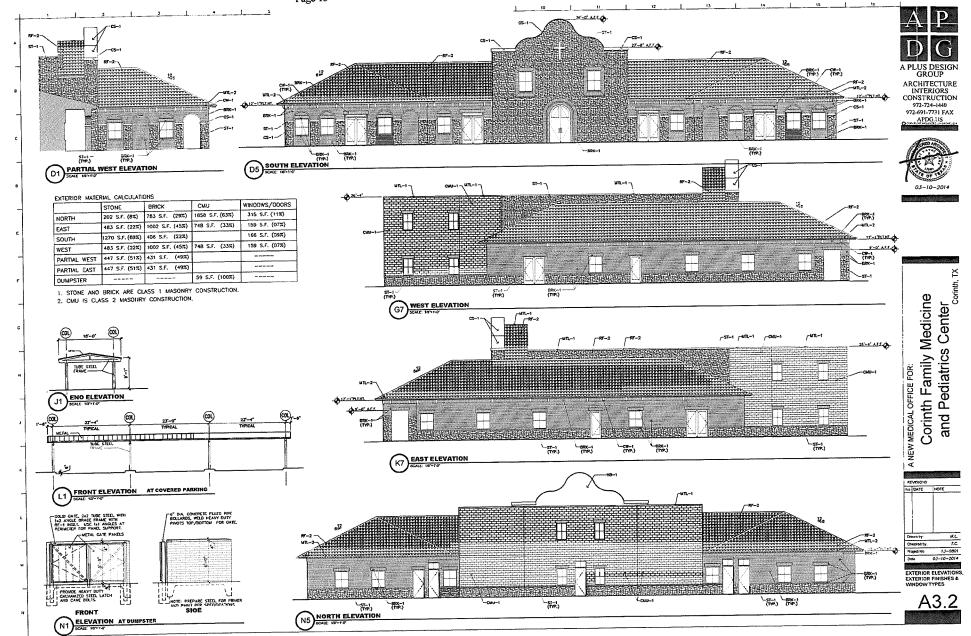




DRAWN: LML DATE: 06/25/13 HEI #: 13-148

SHEET NO: TP3







VIEW TOWARDS FRONT ENTRANCE

Corinth Family Medicine & Pediatrics CORINTH, TEXAS

AUGUST 30, 2013 COPYRIGHT 2013 A PLUS DESIGN GROUP





Corinth Family Medicine & Pediatrics CORINTH, TEXAS

AUGUST 30, 2013 COPYRIGHT 2013 A PLUS DESIGN GROUP





Corinth Family Medicine & Pediatrics CORINTH, TEXAS

JANUARY 27, 2014 COPYRIGHT 2014 A PLUS DESIGN GROUP



EXHIBIT "C"

LAND USE REGULATIONS

SECTION 1: PLANNED DEVELOPMENT DISTRICT REGULATIONS

A. Purpose

The Corinth Family Medicine and Pediatrics Center Planned Development is intended to provide for the development of a medical office for pediatric and family practice care with an on-site pharmacy.

B. Base Districts

The regulations of the "C-1" District, as amended from time to time, shall apply to the development of the property except as modified herein.

SECTION 2: DEVELOPMENT REGULATIONS

A. Permitted Uses and Use Regulations

The Permitted Uses in the Section 2.05.01 of the Unified Development Code, Ordinance No. 13-05-02-08, for the Commercial-1 (C-1) District, as amended from time to time, shall control the development of the property. No building or land shall be used and no building shall be hereafter erected, reconstructed, enlarged or converted, unless permitted by the Commercial-1 (C-1) District regulations of the Unified Development Code.

B. <u>Dimensional Regulations</u>

The Dimensional Regulations described in Section 2.05.01 of the Unified Development Code, Ordinance No. 13-05-02-08, for the Commercial-1 (C-1) District, as amended from time to time, shall apply to this District.

C. Development Standards for Lot 1, Block 1

The Development Standards described in Section 2.05.01 of the Unified Development Code, Ordinance No. 13-05-02-08, for the Commercial-1 (C-1) District, as amended from time to time, shall apply to the District as follows:

- 1. UDC Section 2.07.07 Accessory Buildings and Uses shall apply.
- 2. UDC Section 2.09.01 Landscape Regulations shall apply except:
 - a. The front yard landscape edge may meander so long as the total square feet of landscape edge is equivalent to a landscaped edge 15 feet in width.
- 3. UDC Section 2.09.02 Tree Preservation shall apply except:
 - a. A Tree Coverage Analysis has been performed to show that the site is considered a "Heavily Treed Site" with tree canopy coverage of 50 percent or more of its total land area excluding the pond area.
 - b. 60" of protected trees are required to be mitigated.

- 4. UDC Section 2.09.03 **Vehicle Parking Regulations** shall apply except that covered parking as shown on the Site Plan, Exhibit "B", is permitted.
- 5. UDC Section 2.09.04 Building Façade Material Standards shall apply except:
 - a. The exterior facades of a main building on the rear elevation shall be of the proposed split face materials as shown on the Site Plan attached as Sheet A.3.2 of Exhibit "B" with with CMU (Class 2 masonry materials).
- 6. UDC Section 2.09.05 Residential Adjacency Standards shall apply except:
 - a. No wall is required to be constructed abutting the residential property to the north.
- 7. UDC Section 2.09.06 Nonresidential Architectural Standards shall apply.
- 8. UDC Section 2.09.07 Lighting and Glare Regulations shall apply.
- 9. UDC Section 4.01 Sign Regulations shall apply.
- 10. UDC Section 4.02 Fence and Screening Regulations shall apply.
- 11. The detention pond shall be enclosed with a fencing of wrought iron construction materials as shown on Exhibit "B."

D. Development Standards for Lot 2, Block 1

The Development Standards described in Section 2.05.01 of the Unified Development Code, Ordinance No. 13-05-02-08, for the Commercial-1 (C-1) District, as amended from time to time, shall apply to development within the District as follows:

- 1. UDC Section 2.07.07 Accessory Buildings and Uses shall apply.
- 2. UDC Section 2.09.02 Tree Preservation shall apply.
- 3. UDC Section 2.09.01 Landscape Regulations shall apply.
- 4. UDC Section 2.09.03 Vehicle Parking Regulations shall apply except that covered parking as shown on the Site Plan, Exhibit "B", is permitted.
- 5. UDC Section 2.09.04 Building Façade Material Standards shall apply.
- 6. UDC Section 2.09.05 Residential Adjacency Standards shall apply.
- 7. UDC Section 2.09.06 Nonresidential Architectural Standards shall apply.
- 8. UDC Section 2.09.07 Lighting and Glare Regulations shall apply.
- 9. UDC Section 4.01 Sign Regulations shall apply.
- 10. UDC Section 4.02 Fence and Screening Regulations shall apply.

ORDINANCE NO. 14-10-16-35

PARKRIDGE PASS PLANNED DEVELOPMENT DISTRICT

AN ORDINANCE AMENDING A PORTION OF PLANNED DEVELOPMENT ORDINANCE NO. 14-02-20-08 (PD 37) BY ADOPTING THE AMENDED SITE PLAN SPECIFICALLY REVISING DRAINAGE EASEMENTS AND REMOVING THE PROPOSED CONSTRUCTION OF A DETENTION POND ON LOT 1, BLOCK 1, OF THE PARKRIDGE PASS ADDITION TO THE CITY OF CORINTH; APPROVING A DETAILED SITE PLAN; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the hereinafter described property is zoned as Planned Development District 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 the approved site plan for said district; 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 proposed change 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 for property legally described as 2.81 acres within the Planned Development Zoning District adopted with Ordinance No. 14-02-20-08, being Lot 1 and a portion of Lot 2, of the Parkridge Pass Addition; more particularly described in the metes and bounds description set forth in "Exhibit A" attached and incorporated by reference herein.

SECTION II - SITE PLAN

The Site Plan documents for Lot 1, Block 1, approved and described as "Exhibit B" attached hereto and made a part hereof for all purposes shall be adhered to in their entirety for the purposes of existing and proposed development of the property. This does not change the site plan for lot 2.

SECTION III - 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 IV - 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 - EFFECTIVE DATE

TEXA

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

PASSED AND APPROVED THIS 16th DAY OF OCTOBER, 2014.

APPROVED:

Ruggiere, Mayo

ATTEST:

Kimberly Pence, City Secretary

APPROVED AS TO FORM:

Debra A. Drayovitch, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION / METES AND BOUNDS

WHEREAS Parkridge Pass, Ltd. is the owner of all that certain lot, tract or parcel of land situated in the E. Marsh Survey, Abstract Number 833, Denton County, Texas, being a part of a called 5.451 acre tract of land described in County Clerk File Number 2006-78827, Real Property Records, Denton County, Texas, the subject tract being more particularly described as follows;

BEGINNING at a TXDOT monument found for the Southwest corner of the herein described tract in the North line of F.M. Road 2181, the West line of said 5.451 acre tract and the East line of a tract of land described in a deed to Markwardt Investment Holdings, LLC, as recorded in County Clerk File Number 2007-14677, Real Property Records, Denton County, Texas;

THENCE North 00 degrees 28 minutes 56 seconds West with the East line thereof and the West line of said 5.451 acre tract, along or near a wire fence, at a distance of 308.09 feet passing a 5/8" iron rod found, continuing along said course, a total distance of 366.85 feet to a point in a pond for the Northwest corner of said 5.451 acre tract, the Northeast corner of said Markwardt tract, the Northwest corner of the herein described tract and being in the South line of a tract of land described in a deed to Fannie Mae, as recorded in County Clerk File Number 2010-75456, Real Property Records, Denton County, Texas;

THENCE South 68 degrees 36 minutes 43 seconds East with the South line thereof, the North line of said 5.451 acre tract and the North line of the herein described tract, a distance of 264.34 feet to an axle found for an angle point in said line;

THENCE North 89 degrees 46 minutes 52 seconds East with the South line of said Fannie Mae tract and the North line of said 5.451 acre tract, a distance of 165.92 feet to a capped iron rod set for the Northeast corner of the herein described tract;

THENCE South 00 degrees 13 minutes 08 seconds East with a line severing said 5.451 acre tract, a distance of 268.17 feet to a capped iron rod set in the South line thereof and the North line of said Road for the Southeast corner of the herein described tract, said corner also being in a curve to the left having a radius of 5794.58 feet and a chord bearing and distance of South 88 degrees 03 minutes 09 seconds West, 145.19 feet;

THENCE Southwesterly with the arc of said curve and the North line of said Road, an arc distance of 145.19 feet to a capped iron rod set for angle point on the South line of the herein described tract;

THENCE North 87 degrees 59 minutes 53 seconds West with the North line of said Road, a distance of 203.59 feet to a TXDOT monument found for an angle point in the South line of the herein described tract:

THENCE South 85 degrees 16 minutes 16 seconds West with the North line of said Road, a distance of 61.63 feet to the PLACE OF BEGINNING and enclosing 2.81 acres of land more or less.

EXHIBIT B ORDINANCE #14-10-16-35

