



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

**NOTICE OF A CITY COUNCIL REGULAR SESSION IMMEDIATELY FOLLOWING  
A WORKSHOP SESSION  
OF THE CITY OF CORINTH**

**Thursday, December 5, 2019, 5:45 P.M.  
CITY HALL - 3300 CORINTH PARKWAY**

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**CALL TO ORDER:**

**WORKSHOP BUSINESS AGENDA**

1. Annual Report from the Planning and Zoning Commission Chair.
2. Receive a report, hold a discussion and receive direction on the system wide review of the digital water meter system.
3. Receive a report, hold a discussion and provide staff direction on the Operational and Administrative Analysis of the Lake Cities Fire Department
4. Discuss Regular Meeting Items on Regular Session Agenda, including the consideration of closed session items as set forth in the Closed Session agenda items below.
5. Receive an update and hold a discussion on the Tax Increment Reinvestment Zone (TIRZ) and Transit Oriented Development (TOD) District.

**ADJOURN WORKSHOP SESSION**

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

**CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE:**

**"Honor the Texas Flag: I pledge allegiance to thee, Texas, one state under God, one and indivisible".**

**PROCLAMATION:** January 26 - February 1, 2020 as "National School Choice Week"

**PRESENTATION:**

Presentation of Planning and Development Services Annual Update

**CONSENT AGENDA**

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

- 1. Consider and act on a Resolution approving the rules for the electronic receipt of bids or proposals.
- 2. Consider and act on an Interlocal Agreement for services between the City of Corinth and SPAN, Inc.

**CITIZENS COMMENTS**

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

**PUBLIC HEARING**

- 3. Hold a Public Hearing to consider testimony and act upon an ordinance rezoning an approximate 38.01 acre tract of land from PD, Planned Development (C-1, Commercial), and I, Industrial to PD, Planned Development zoning district with a base zoning designation of C-2, Commercial. The property is legally described as CoServ Flex Addition, Lot 1 (Exempt Portion)(Partial), and Tracts 12A(Partial) and Old DCAD Tract #3D of the H.H. Swisher Survey, Abstract 1220A within the City of Corinth, Denton County, Texas and is more commonly known as 7801 S I-35E and 7805 S I-35E, Corinth, TX (Global Spheres Center).
  - a. Staff Presentation
  - b. Applicant Presentation
  - c. Public Hearing
  - d. Staff Response
  - e. Take Action
  
- 4. Hold a public hearing regarding proposed amendments to the City's Unified Development Code, Section 1, Provisions and Procedures; Subsection 1.03 Universal Submittal and processing Procedures (pre-application meetings); Section 3, Subdivision Regulations, Subsection 3.04 Construction Plans and Procedures, Section 3.04.06 Inspection, Maintenance, and Acceptance of Public Improvements (Inspection fees); Section 3.05 Subdivision Regulations, Section 3.05.07 Easements and Dedications, Section 3.05 Retaining Wall Construction, Section 3.05.12 Sidewalks, Section 3.05.13 Streets, Section 3.05.16 Drainage and Storm Water (Drainage, Floodplain, Sidewalks, Retaining Walls & Streets); Section 5 Definitions, 5.02 Words and Terms Defined.
  - a. Staff Presentation
  - b. Public Hearing
  - c. Staff Response
  - d. Take Action

5. Hold a Public Hearing to consider testimony and act upon an ordinance rezoning a ±2.327 acre tract of land from Mixed-Use Commercial (MX-C) to a Planned Development with a base district of Mixed-Use Commercial (MX-C) The property is legally described as Abstract 0511A E.A. Garrison Survey, Tract 19(Partial), Tract 20(Partial), Tract 21 (Partial), Tract 22, Tract 23(Partial). This property is located at the southwest corner of the intersection of I-35E and Lake Sharon Dr./Meadow Oaks Dr. (Magnolia Center).
  - a. Staff Presentation
  - b. Applicant Presentation
  - c. Public Hearing
  - d. Staff Response
  - e. Take Action
  
6. Hold a Public Hearing to consider testimony and act upon an ordinance amending title XVI "Fee Schedule" of the Code of Ordinances and Section 2 "Zoning Regulations" of the Unified Development code to amend the City's engineering inspection and tree replacement fees.
  - a. Staff Presentation
  - b. Public Hearing
  - c. Staff Response
  - d. Take Action
  
7. Hold a public hearing to consider testimony and act upon an ordinance amending the City's Comprehensive Plan "City of Corinth 2010 Comprehensive Plan" by amending the City's Master Thoroughfare Plan. (Thoroughfare Plan Amendment)
  - a. Staff Presentation
  - b. Public Hearing
  - c. Staff Response
  - d. Take Action

<b>BUSINESS AGENDA</b>
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8. Consider and act on an ordinance amending the City of Corinth Code of Ordinances by adopting a new Section 153 "Drainage Design Standards"; adopting the Drainage Design Manual; and adopting a new Section 156 "Engineering Standards"; adopting the revised Engineering Standards Manual.
9. Appoint Chair and Vice-Chair to the Planning and Zoning Commission per the City Charter procedures.
10. Consider and act on a Resolution casting votes for membership to the Board of Directors of the Denton Central Appraisal District.

<b>COUNCIL COMMENTS &amp; FUTURE AGENDA ITEMS</b>
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<p>The purpose of this section is to allow each councilmember the opportunity to provide general updates and/or comments to fellow councilmembers, the public, and/or staff on any issues or future events. Also, in accordance with Section 30.085 of the Code of Ordinances, at this time, any Councilmember may direct that an item be added as a business item to any future agenda.</p>
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**CONTINUATION OF WORKSHOP:**

**CLOSED SESSION**

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

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

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

**a. Receive and hold discussion on the Initial offer for ROW purchase associated with the Lake Sharon Dobbs Rd Realignment ST18-01 project.**

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

**Section 551.087.** To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

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

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

11. **Consider and act on the Lake Sharon Dobbs Road Realignment ST18-01 Project.**

**ADJOURN:**

Posted this 26th day of November, 2019 at 5:00 p.m. on the bulletin board at Corinth City Hall.

Kimberly Pence  
Kimberly Pence, City Secretary  
City of Corinth, Texas

**WORKSHOP BUSINESS ITEM 1.**

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** Annual Report from the Planning and Zoning Commission Chairman  
**Submitted For:** Helen-Eve Liebman, Director      **Submitted By:** Ben Rodriguez, Manager  
**Finance Review:** N/A      **Legal Review:** N/A  
**City Manager Review:** **Approval:** Bob Hart, City Manager  
**Strategic Goals:** Land Development  
Citizen Engagement & Proactive Government  
Organizational Development

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**AGENDA ITEM**

Annual Report from the Planning and Zoning Commission Chair.

**AGENDA ITEM SUMMARY/BACKGROUND**

The Chair of the Corinth Planning and Zoning Commission will give a presentation on the Commission's actions this year.

**RECOMMENDATION**

N/A

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**WORKSHOP BUSINESS ITEM 2.**

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** Meter Reading Overview  
**Submitted For:** Lee Ann Bunselmeyer, Director  
**Submitted By:** Lee Ann Bunselmeyer, Director  
**Finance Review:** **Legal Review:**  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Infrastructure Development  
Citizen Engagement & Proactive Government

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**AGENDA ITEM**

Receive a report, hold a discussion and receive direction on the system wide review of the digital water meter system.

**AGENDA ITEM SUMMARY/BACKGROUND**

The meter review team has identified and mapped the processes necessary for a successful meter, register and transponder update. Procedures for testing unresponsive transponders has been established and will be used when inspecting or troubleshooting billing data transmissions.

In order to ensure the integrity of the system, staff will be conducting a system wide audit of every residential and commercial account over the next few months.

**RECOMMENDATION**

N/A

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**WORKSHOP BUSINESS ITEM 3.**

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** Fire Operational Analysis  
**Submitted For:** Bob Hart, City Manager      **Submitted By:** Lee Ann Bunselmeyer, Director  
**Finance Review:**      **Legal Review:**  
**City Manager Review:**  
**Strategic Goals:** Citizen Engagement & Proactive Government  
Regional Cooperation  
Organizational Development

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**AGENDA ITEM**

Receive a report, hold a discussion and provide staff direction on the Operational and Administrative Analysis of the Lake Cities Fire Department

**AGENDA ITEM SUMMARY/BACKGROUND**

The City retained the Center for Public Safety Management, LLC (CPSM) to evaluate the Lake Cities Fire Department and conduct an Operational and Administrative Analysis for the department, including a detailed review of department operations, its interaction with hospital services, workload, staffing, fire stations, fire apparatus, and deployment practices. The analysis includes a thorough review of the organization structure, training, performance measures, prevention activities, and interactions with mutual aid and regional partners.

CPSM objective was to provide recommendations and alternatives regarding the fire department operations, staffing levels, and modes of operation referencing both the current service demand and options that can position the department to best manage the community's anticipated rapid growth.

**RECOMMENDATION**

N/A

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**WORKSHOP BUSINESS ITEM 5.**

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** Tax Increment Reinvestment Zone / Transit Oriented Development District Update  
**Submitted For:** Bob Hart, City Manager      **Submitted By:** Kim Pence, City Secretary  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Land Development  
Infrastructure Development  
Economic Development  
Citizen Engagement &  
Proactive Government  
Regional Cooperation

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**AGENDA ITEM**

Receive an update and hold a discussion on the Tax Increment Reinvestment Zone (TIRZ) and Transit Oriented Development (TOD) District.

**AGENDA ITEM SUMMARY/BACKGROUND**

The TIRZ and TOD District are complementary components that are specifically intended to spur investment and encourage a mix of complementary uses focused around a transit stop. The purpose of this presentation is to provide the City Council with an update on the conversations with Denton County, Denton County Transportation Authority (DCTA) and other community partners. These conversations are part of a collective effort to finalize the financing plan for the TIRZ --- as required by Chapter 311 of the Texas Tax Code --- and to prepare an interlocal agreement with Denton County. The financing plan and interlocal agreement will guide development and investment opportunities within the TIRZ and TOD District.

**RECOMMENDATION**

N/A.

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**PROCLAMATION**

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** Proclamation - Corinth School Choice Week  
**Submitted For:** Bob Hart, City Manager **Submitted By:** Kim Pence, City Secretary  
**Finance Review:** N/A **Legal Review:** N/A  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Citizens Engagement & Proactive Government

**AGENDA ITEM**

**PROCLAMATION:** January 26 - February 1, 2020 as "National School Choice Week"

**AGENDA ITEM SUMMARY/BACKGROUND**

Issuing a proclamation provides an opportunity to shine a positive spotlight on the K-12 education options available for children and families in Corinth.

Last year, more than 565 mayors and county leaders, along with 19 governors, the unanimous United States Senate and the President issued proclamations recognizing National School Choice Week, which in 2020 will feature more than 50,000 events across America.

National School Choice Week is entirely nonpolitical and nonpartisan, and we do not advocate for or against any legislation. The goal is simply to raise awareness among parents, of the public and nonpublic K-12 education options available to their children.

**RECOMMENDATION**

N/A

**Attachments**

Proclamation



## ***PROCLAMATION***

### **CORINTH SCHOOL CHOICE WEEK**

**WHEREAS**, all children in Corinth should have access to the highest-quality education possible; and,

**WHEREAS**, Corinth recognizes the important role that an effective education plays in preparing all students in Corinth to be successful adults; and,

**WHEREAS**, quality education is critically important to the economic vitality of Corinth; and,

**WHEREAS**, Corinth is home to a multitude of high quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and,

**WHEREAS**, educational variety not only helps to diversity our economy, but also enhances the vibrancy of our community; and,

**WHEREAS**, Corinth has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and,

**WHEREAS**, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

**NOW, THEREFORE**, I Bill Heidemann, Mayor of Corinth, Texas do hereby recognize January 26 - February 1, 2020 as Corinth School Choice Week, and I call this observance to the attention of all of our citizens.

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Bill Heidemann, Mayor, City of Corinth, Texas

**PRESENTATION ITEM**

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019

**Title:** Planning and Development Services Annual Update

**Submitted For:** Helen-Eve Liebman, Director

**Submitted By:** Ben Rodriguez, Manager

**City Manager Review: Approval:** Bob Hart, City Manager

**Strategic Goals:** Land Development  
Citizen Engagement & Proactive  
Government

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**AGENDA ITEM**

Presentation of Planning and Development Services Annual Update

**AGENDA ITEM SUMMARY/BACKGROUND**

Staff will provide a presentation prepared for the City Council December 5, 2019 meeting.

**RECOMMENDATION**

N/A

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**CONSENT ITEM 1.**

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** Electronic Bid Submission  
**Submitted For:** Lee Ann Bunselmeyer, Director  
**Submitted By:** Cindy Troyer, Purchasing Agent  
**Finance Review:** Yes  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Citizen Engagement & Proactive  
Government  
Organizational Development

**Legal Review:** N/A

**AGENDA ITEM**

Consider and act on a Resolution approving the rules for the electronic receipt of bids or proposals.

**AGENDA ITEM SUMMARY/BACKGROUND**

Local Government Code 252.0415 allows municipalities to receive electronic bids or proposals; provided that the governing body approves rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time.

The City currently uses Bonfire Interactive, Ltd. to post solicitations for bids or proposals. Vendors are able to download the solicitation and respond in hard copy to the City. Upon approval of this resolution with attached rules for electronic receipt of bids or proposals, the City would also be able to receive bids or proposals electronically in addition to hard copies. The current system, Bonfire Interactive, has the capability built in to receive electronic bids and proposals. The letter of certification by Bonfire is attached.

**RECOMMENDATION**

Staff recommends approval of the resolution approving the rules for the receipt of electronic bids or proposals, effective November 18, 2019.

**Attachments**

Resolution  
Bonfire Certification Letter

**RESOLUTION NO. 19-11-14-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, APPROVING RULES FOR THE ELECTRONIC RECEIPT OF BIDS OR PROPOSALS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 252, Section 252.0415(a) of the Texas Local Government Code provides authority for a municipality to receive bids or proposal through electronic transmission; and

**WHEREAS**, prior to receiving bids or proposals through electronic transmission, the Local Government Code requires the governing body of the municipality to adopt rules ensuring the identification, security, and confidentiality of electronic bids or proposal; and

**WHEREAS**, said rules must further ensure that the electronic bids or proposal remain effectively unopened until the proper time.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORINTH,:**

**SECTION ONE:** The facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

**SECTION TWO:** The City Council of the City of Corinth, Texas, in accordance with the Texas Local Government Code 252.0415 hereby approves the rules attached hereto as Exhibit "A" for ensuring the identification, security, and confidentiality of electronic bids or proposals and further ensuring that the electronic bids or proposal remain effectively unopened until the proper time.

**SECTION THREE:** If any provision of this Resolution or application thereof to any person or circumstance, shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

**SECTION FOUR:** The Mayor is hereby authorized to sign this Resolution and the City Secretary to attest. This Resolution shall become effective upon its adoption.

**PASSED AND APPROVED** by the City Council of the City of Corinth, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF CORINTH, TEXAS

\_\_\_\_\_  
BILL HEIDEMANN, MAYOR

ATTEST:

\_\_\_\_\_  
KIM PENCE, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
PATRICIA ADAMS, CITY ATTORNEY

# Letter of Certification

## For Bid Process Compliance Facilitated Online Through the Use of Bonfire

### **COMPLIANCE WITH RULES FOR THE ELECTRONIC RECEIPT OF BIDS OR PROPOSALS**

Pursuant to the Texas Local Government Code, Section 252.0415 “Procedures for Electronic Bids or Proposals”, the using organization adopts the following rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time.

1. All users of the Bonfire system shall be assigned a unique user name and password.
2. Access to the system by authorized users shall be logged and tracked for audit purposes in order to record when any user has accessed the system and what data the user accessed.
3. Transmittal of data through the internet shall be encrypted. All sensitive data (sealed bid responses, passwords, etc.) within the system shall be encrypted.
4. All bids or proposals submitted are protected using a time-sensitive mechanism that allows the data to be decrypted only after the due date and time.
5. Bonfire is synchronized to an atomic clock (U.S. Nuclear Time) to ensure exact recording of the due date and time, and the receipt of date and time, of each submission.
6. The contents of supplier response submissions are not available during the bidding process.
7. Only users with an authorized, administrator user account and password, and only on or after the established due date and time, can open the electronic bids or proposals. The system shall provide an audit trail of who unsealed the proposals and a corresponding time stamp.
8. The end-user (purchasing staff, etc.) of Bonfire will determine when and what information is released to the public pursuant to Texas law.

**CONSENT ITEM 2.**

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** SPAN Contract  
**Submitted For:** Bob Hart, City Manager **Submitted By:** Kim Pence, City Secretary  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Citizen Engagement & Proactive  
Government  
Regional Cooperation

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**AGENDA ITEM**

Consider and act on an Interlocal Agreement for services between the City of Corinth and SPAN, Inc.

**AGENDA ITEM SUMMARY/BACKGROUND**

Corinth participates with the Lake Cities to provide transportation services. Currently, senior residents can use the service for medical trips. The proposed change will permit seniors to also secure rides for necessities shopping, travel to the Lake Dallas library, and to participate in the Lake Cities seniors program. Trips will continue to be monitored to insure budget compliance.

**RECOMMENDATION**

Recommend approval of the contract amendment and authorize the city manager to sign on behalf of the city.

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**Attachments**

SPAN Contract

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**AMENDMENT TO INTERLOCAL AGREEMENT FOR SERVICES BETWEEN SPAN, INC.  
AND THE CITY OF CORINTH**

THIS AMENDMENT is made to the Inter Local Agreement previously executed by and between SPAN, Inc., (hereinafter referred to as "SPAN"), and Corinth, Texas, acting by and through its duly authorized City Manager (hereinafter referred to as "CITY")

WHEREAS, Riders in CITY may be taken anywhere in SPAN's demand response transit service area in Denton County at a cost to the Riders of \$3.00 for seniors (age 65 and older) and people with documented disabilities for the limited purposes of medical treatments, doctor's and dentist's appointments and trips to get prescriptions filled; shopping for necessities, travel to and from the Public Libraries within Lake Cities, and participation in the CITY'S Lake Cities Seniors Program; and

NOW THEREFORE, in consideration of the mutual agreements contained herein, the Agreement is hereby replaced in its entirety with the following provision:

Riders in CITY may be taken anywhere in SPAN's demand response transit service area in Denton County at a cost to the Riders of \$3.00 for seniors (age 65 and older) and people with documented disabilities for the purpose of medical treatments, doctor's and dentist's appointments, and trips to get prescriptions filled. The following trips outside of medical purposes are limited to a maximum of four one-way trips per week:

Shopping for necessities, travel to and from the Public Libraries within Lake Cities, participation in the Lake Cities Seniors Program, Employment, Education, Nutrition, Recreation, and Workshop trips.

It is mutually understood and agreed by and between the undersigned contracting parties to amend that previously executed agreement. All other terms and conditions that are not hereby amended are to remain in full force and effect.

IN WITNESS WHEREOF the CITY of Corinth and Span, Inc. have executed this First Amendment to the Agreement on this the \_\_\_ day of \_\_\_\_\_, 2019. SPAN, INC:

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Michelle McMahan, Executive Director

**CITY of Corinth**

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CITY Manager

ATTEST:

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CITY Secretary

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** Global Spheres Planned Development  
**Submitted For:** Helen-Eve Liebman, Director **Submitted By:** Ben Rodriguez, Manager  
**Finance Review:** N/A **Legal Review:** Yes  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Land Development

**AGENDA ITEM**

Hold a Public Hearing to consider testimony and act upon an ordinance rezoning an approximate 38.01 acre tract of land from PD, Planned Development (C-1, Commercial), and I, Industrial to PD, Planned Development zoning district with a base zoning designation of C-2, Commercial. The property is legally described as CoServ Flex Addition, Lot 1 (Exempt Portion)(Partial), and Tracts 12A(Partial) and Old DCAD Tract #3D of the H.H. Swisher Survey, Abstract 1220A within the City of Corinth, Denton County, Texas and is more commonly known as 7801 S I-35E and 7805 S I-35E, Corinth, TX (Global Spheres Center).

- a. Staff Presentation
- b. Applicant Presentation
- c. Public Hearing
- d. Staff Response
- e. Take Action

**AGENDA ITEM SUMMARY/BACKGROUND**

**The applicant is requesting a Planned Development district to facilitate the subdivision of their property.**

The City’s Unified Development Code provides for setbacks from adjacent property lines to ensure appropriate spacing between structures on adjoining lots. The applicant is requesting a Planned Development district in order to reduce the side yard setback so that the property may be subdivided to facilitate the potential future sale of land. Staff has also proposed amendments to the proposed development standards to provide additional flexibility for the use of the property such as removing the requirement for a Special Use Permit for Farmer’s Market events and providing flexibility to the number of required parking spaces needed for shared users. Finally, the entire property is being rezoned into one base district of C-2 Commercial to provide continuity in allowable uses and development regulations.

**RECOMMENDATION**

The Planning and Zoning Commission unanimously recommended their approval of the item at their November 18, 2019 meeting.

Staff recommends approval as presented.

**Attachments**

Global Spheres Planned Development Ordinance

**ORDINANCE NO. 19-12-05-\_\_**

**GLOBAL SPHERES PLANNED DEVELOPMENT DISTRICT #32**

**AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING THE CITY'S COMPREHENSIVE PLAN, SPECIFICALLY THE COMPREHENSIVE ZONING ORDINANCE AND THE "OFFICIAL ZONING DISTRICT MAP OF THE CITY OF CORINTH, TEXAS," EACH BEING A PART OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CORINTH, BY AMENDING THE ZONING CLASSIFICATION FOR THE PROPERTY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATION HEREIN, FROM I, INDUSTRIAL AND PD-PLANNED DEVELOPMENT TO PD-PLANNED DEVELOPMENT ZONING DISTRICT WITH A BASE ZONING DESIGNATION OF C-2, COMMERCIAL ON AN APPROXIMATE 38.01 ACRE TRACT OF LAND LEGALLY DESCRIBED AS COSERV FLEX ADDITION, LOT 1 (EXEMPT PORTION) (PARTIAL), AND TRACTS 12A (PARTIAL) AND OLD DCAD TRACT #3D OF THE H.H. SWISHER SURVEY, ABSTRACT 1220A WITHIN THE CITY OF CORINTH, DENTON COUNTY, TEXAS AND IDENTIFIED AS GLOBAL SPHERES PLANNED DEVELOPMENT DISTRICT NO. 32 ("PD-32"); PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A LEGAL PROPERTY DESCRIPTION; APPROVING A PLANNED DEVELOPMENT CONCEPT PLAN (EXHIBIT "B"); APPROVING PLANNED DEVELOPMENT LAND USE REGULATIONS (EXHIBIT "C"); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 A DAY FOR EACH VIOLATION OF THE ORDINANCE AND A SEPARATE OFFENSE SHALL OCCUR ON EACH DAY THAT A VIOLATION OCCURS OR CONTINUES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth, Texas, adopted Ordinance No. 13-05-02-08, which established a Unified Development Code of the City, including the Comprehensive Zoning Ordinance and the "Official Zoning District Map of the City of Corinth, Texas," (the "Zoning Map"), in accordance with the City's Comprehensive Plan; and

**WHEREAS**, the Property, described in Exhibit "A", is zoned as I, Industrial and PD-Planned Development zoning district, more specifically identified as Global Spheres Planned Development District No. 32 ("PD-32") with a base zoning designation of C-2, Commercial under the City's Unified Development Code and as designated on the City's Zoning Map,

**WHEREAS**, an authorized person having a proprietary interest in the Property has requested an Amendment to the Comprehensive Zoning Ordinance and the Zoning Map to change the zoning classification of the 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 has determined that the Property has unique characteristics and zoning through a planned development district is the most appropriate mechanism for zoning the Property, thus an amendment to the Comprehensive Zoning Ordinance and the Zoning Map of the City's Unified Development Code in accordance with the Land Use Regulations set forth in Exhibit "C" should be approved; 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 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 neighborhoods; location, 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 proposed district and its peculiar suitability for particular use requested 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 requested Amendment to the Comprehensive Zoning Ordinance and Zoning Map to effect the change in zoning for the Property 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 1.  
INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

**SECTION 2  
LEGAL PROPERTY DESCRIPTION; AMENDMENT**

That Ordinance No. 13-05-02-08, adopting the Unified Development Code of the City of Corinth (“UDC”), including the Comprehensive Zoning Ordinance that establishes zoning districts in accordance with the City’s Comprehensive Plan and the Zoning Map of the City of Corinth, is hereby amended to change the zoning classification on an approximate 38.01 acre tract of land described in "Exhibit A" attached hereto and incorporated herein (the “Property”), from I, Industrial and PD-Planned Development, to PD-Planned Development zoning district with a base zoning designation of C-2, Commercial and identified as Global Spheres Planned Development District No. 32 (“PD-32”), and the Zoning Map of the City is also hereby amended to reflect the new zoning classification for the Property.

**SECTION 3.  
PLANNED DEVELOPMENT CONCEPT PLAN**

The Planned Development Concept Plan for the Property as set forth in “Exhibit B”, a copy of which is attached hereto and incorporated herein, is hereby approved.

**SECTION 4.  
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 are hereby adopted and shall be adhered to in their entirety for the purposes of this PD-Planned Development zoning district with a base zoning designation C-2, Commercial. In the event of conflict between the provisions of “Exhibit C” and provisions of any other City zoning regulations, including without limitation the regulations governing the C-2, Commercial zoning district, the provisions of “Exhibit C” shall control.
- B. That the zoning regulations and district herein established have been adopted 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. The Planned Development Concept Plan (Exhibit “B”) and the Land Use Regulations (Exhibit “C”) shall control the use and development of the Property, and all building permits and development requests shall be in accordance with applicable City ordinances, the PD Concept Plan and Land Use Regulations. The PD Concept Plan and Land Use Regulations shall remain in effect as set forth herein unless amended by the City Council.

- D. 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 and shall be subject to City Council approval.

**SECTION 5.  
PENALTY FOR VIOLATIONS**

Any person, firm, or corporation who intentionally, knowingly or recklessly violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving violation of any provision of this Ordinance or Code of Ordinances, as amended hereby, governing the fire safety, zoning, or public health and sanitation shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

**SECTION 6.  
SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

**SECTION 7.  
CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 8.  
SAVINGS**

All rights and remedies of the City of Corinth, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning for the Property which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

**SECTION 9.  
EFFECTIVE DATE**

This ordinance shall become effective after approval and publication as provided by law. The City Secretary is directed to publish the caption and penalty of this ordinance two times.

**PASSED AND APPROVED THIS 5<sup>th</sup> DAY OF DECEMBER, 2019.**

APPROVED:

\_\_\_\_\_  
Bill Heidemann, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Pence, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Patricia Adams, City Attorney

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**STATE OF TEXAS       §**

**COUNTY OF DENTON   §**

WHEREAS, all that certain lot, tract or parcel of land lying and being a part of the Thomas White Survey, Abstract number 1375 and a part of the H.H. Swisher Survey Abstract number 1220 and being situated in the City of Corinth, Denton County, Texas and being all of Lot 1, Coserv Flex Addition, as shown on Replat recorded in Cabinet X, Page 901, Plat Records, Denton County, Texas, and being all of a tract of land described in deed to Global Spheres Center, recorded in Instrument No. 2013-46889, Deed Records, Denton County, Texas and being more fully described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found for the Northernly Northeast corner of said Lot 1;

THENCE South 11 degrees 49 minutes 22 seconds East, along a wood fence, a distance of 744.69 feet to a found iron rod;

THENCE South 14 degrees 18 minutes 38 seconds East, along said fence, a distance of 212.49 feet to a 5/8 Inch Iron rod found for the Southeast corner of said Lot 1;

THENCE South 14 degrees 33 minutes 00 seconds East, a distance of 160.17 feet to capped iron rod set stamped "KAZ";

THENCE South 17 degrees 05 minutes 35 seconds East, a distance of 242.48 feet to a capped iron rod set stamped "KAZ";

THENCE South 32 degrees 06 minutes 09 seconds West, a distance of 51.91 feet to a capped iron rod set stamped "KAZ";

THENCE South 54 degrees 10 minutes 46 seconds West, a distance of 34.49 feet to a capped iron rod set stamped "KAZ";

THENCE South 28 degrees 40 minutes 24 seconds East, a distance of 18.50 feet to a capped iron rod set stamped "KAZ";

THENCE South 61 degrees 37 minutes 16 seconds West, a distance of 109.33 feet to a 1/2 Inch Iron rod found;

THENCE South 47 degrees 54 minutes 23 seconds West, a distance of 152.80 feet to a 1/2 inch iron rod found;

THENCE South 21 degrees 40 minutes 31 seconds West, a distance of 91.95 feet to a metal fence corner post;

THENCE South 23 degrees 03 minutes 01 second West, a distance of 61.36 feet to a metal fence corner post;

THENCE South 56 degrees 14 minutes 40 seconds West, a distance of 115.39 feet to a 1/2 inch iron rod found for the Northeast corner of a tract of land described in a deed to Shan-Wen Chang and Shu-KIn Chang recorded in Document number 2003-53024, Real Property Records, Denton County, Texas;

THENCE South 80 degrees 45 minutes 15 seconds West, a distance of 459.15 feet to a capped iron rod set stamped "KAZ" from which a 1/2 inch capped iron rod found bears South 40 degrees 39 minutes 39 seconds East, at a distance of 672.20 feet;

THENCE North 40 degrees 39 minutes 39 seconds West, a distance of 191.02 feet to a 1/2 inch capped iron rod found for the Southeast corner of said Lot 1;

THENCE North 40 degrees 48 minutes 38 seconds West, a distance of 984.94 feet to a 5/8 inch iron rod found for the Southwest corner of said Lot 1 from which a 1/2 Inch Iron rod found bears North 40 degrees 47 minutes 38 seconds West, at a distance of 474.54 feet;

THENCE North 49 degrees 11 minutes 15 seconds East, a distance of 677.93 feet to a "X" cut found at the beginning of a curve to the right whose radius is 45.79 feet and a long chord that bears South 86 degrees 22 minutes 40 seconds East, 61.31 feet;

THENCE along said curve whose arc length is 67.17 feet to a "X" cut found;

THENCE South 48 degrees 14 minutes 41 seconds East, a distance of 101.16 feet to a "X" cut found;

THENCE North 49 degrees 12 minutes 42 seconds East, a distance of 878.59 feet to the POINT OF BEGINNING and containing 38.01 acres of land, more or less, and designated herein as the COSERV FLEX ADDITION, an Addition to the City of Corinth, Texas, and whose names are subscribed hereto, hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, parks, and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules, and regulations thereon shown for the purpose and consideration therein expressed.



**EXHIBIT "B"**  
**CONCEPT PLAN**

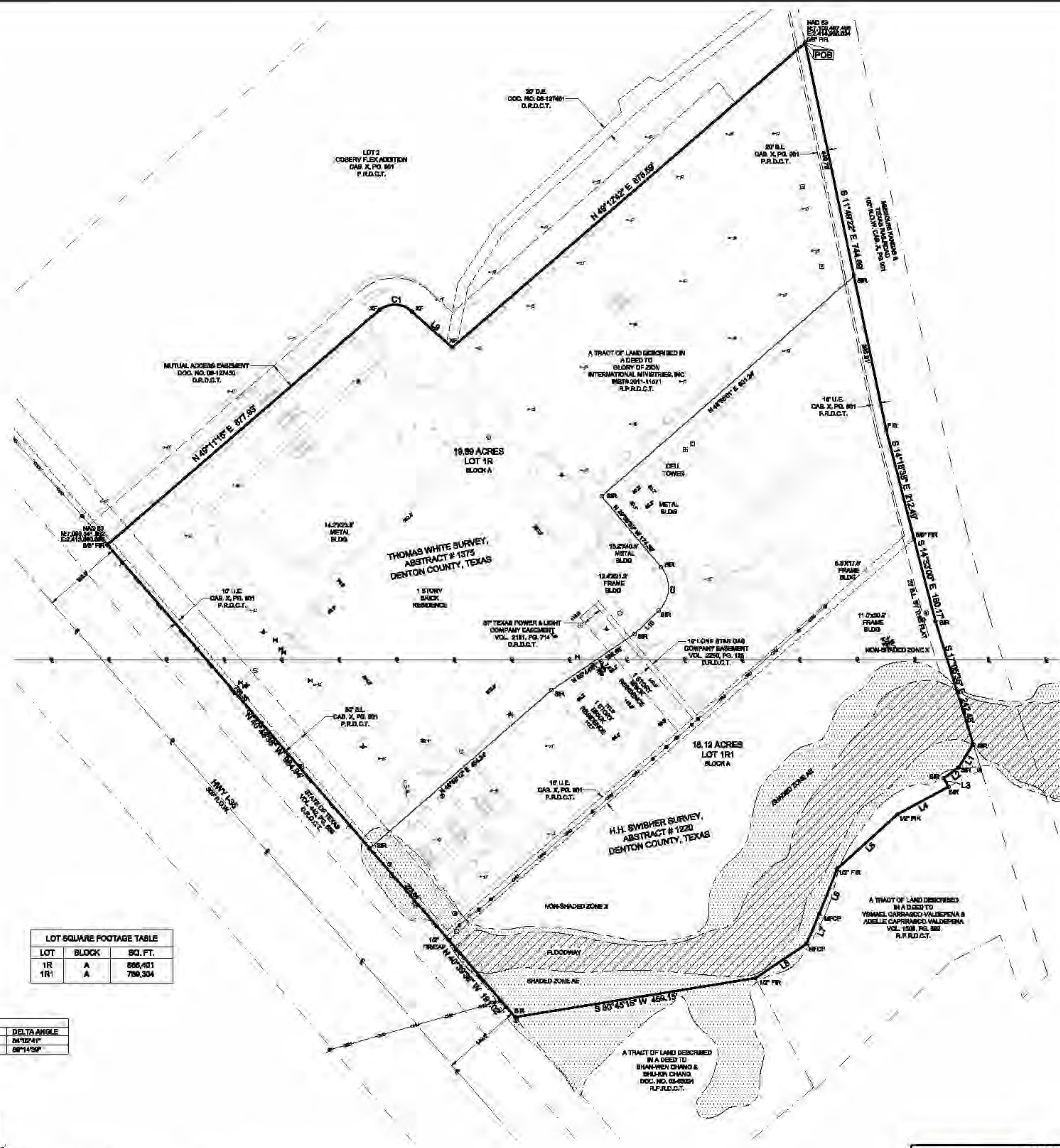
STATE OF TEXAS §  
 COUNTY OF DENTON §

WHEREAS, all that certain lot, tract or parcel of land lying and being a part of the Thomas White Survey, Abstract number 1375 and a part of the H.H. Swisher Survey Abstract number 1220 and being situated in the City of Corinth, Denton County, Texas and being all of Lot 1, Coserv Flex Addition, as shown on Replat recorded in Cabinet X, Page 001, Plat Records, Denton County, Texas, and being all of a tract of land described in deed to Global Sphere Center, recorded in Instrument No. 2013-48288, Deed Records, Denton County, Texas and being more fully described by metes and bounds as follows:

BEGINNING at a 6/8 inch iron rod found for the Northerly Northeast corner of said Lot 1;  
 THENCE South 11 degrees 49 minutes 22 seconds East, along a wood fence, a distance of 744.88 feet to a found iron rod;  
 THENCE South 14 degrees 18 minutes 38 seconds East, along said fence, a distance of 212.69 feet to a 5/8 inch iron rod found for the Southeast corner of said Lot 1;  
 THENCE South 14 degrees 38 minutes 00 seconds East, a distance of 480.17 feet to capped iron rod set stamped "KAZ";  
 THENCE South 17 degrees 05 minutes 35 seconds East, a distance of 242.48 feet to a capped iron rod set stamped "KAZ";  
 THENCE South 12 degrees 08 minutes 02 seconds West, a distance of 51.91 feet to a capped iron rod set stamped "KAZ";  
 THENCE South 64 degrees 10 minutes 45 seconds West, a distance of 24.48 feet to a capped iron rod set stamped "KAZ";  
 THENCE South 28 degrees 40 minutes 24 seconds East, a distance of 18.50 feet to a capped iron rod set stamped "KAZ";  
 THENCE South 81 degrees 37 minutes 10 seconds West, a distance of 109.33 feet to a 1/2 inch iron rod found;  
 THENCE South 47 degrees 54 minutes 23 seconds West, a distance of 152.69 feet to a 1/2 inch iron rod found;  
 THENCE South 21 degrees 40 minutes 31 seconds West, a distance of 91.95 feet to a metal fence corner post;  
 THENCE South 23 degrees 03 minutes 01 seconds West, a distance of 81.36 feet to a metal fence corner post;  
 THENCE South 58 degrees 14 minutes 40 seconds West, a distance of 115.39 feet to a 1/2 inch iron rod found for the Northeast corner of a tract of land described in a deed to Shan-Wen Chang and Shu-Kin Chang recorded in Document number 2009-83024, Real Property Records, Denton County, Texas;  
 THENCE South 80 degrees 45 minutes 16 seconds West, a distance of 458.16 feet to a capped iron rod set stamped "KAZ" from which a 1/2 inch capped iron rod found bears South 40 degrees 38 minutes 30 seconds East, at a distance of 872.20 feet;  
 THENCE North 40 degrees 59 minutes 38 seconds West, a distance of 191.02 feet to a 1/2 inch capped iron rod found for the Southwest corner of said Lot 1;  
 THENCE North 40 degrees 48 minutes 38 seconds West, a distance of 984.94 feet to a 5/8 inch iron rod found for the Southwest corner of said Lot 1 from which a 1/2 inch iron rod found bears North 40 degrees 47 minutes 38 seconds West, at a distance of 474.84 feet;  
 THENCE North 48 degrees 11 minutes 15 seconds East, a distance of 877.93 feet to a "C" out found at the beginning of a curve to the right whose radius is 48.79 feet and a long chord that bears South 88 degrees 22 minutes 40 seconds East, 81.31 feet;  
 THENCE along said curve whose arc length is 67.17 feet to a "C" out found;  
 THENCE South 48 degrees 14 minutes 41 seconds East, a distance of 401.18 feet to a "C" out found;  
 THENCE North 48 degrees 12 minutes 42 seconds East, a distance of 878.59 feet to the POINT OF BEGINNING and containing 38.01 acres of land, more or less, and designated herein as the COSERV FLEX ADDITION, an Addition to the City of Corinth, Texas, and whose name is subscribed hereto, hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, parks, and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the platting ordinance, rules, and regulations thereon shown for the purpose and consideration herein expressed.

GLORY OF ZION INTERNATIONAL MINISTRIES, INC.

Owner: \_\_\_\_\_  
 Charles D. Pierce  
 Date: \_\_\_\_\_  
 Owner: \_\_\_\_\_  
 Pamela J. Pierce  
 Date: \_\_\_\_\_



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 82°00'00" W	61.81'
L2	S 84°19'48" W	34.87'
L3	S 33°40'28" E	19.52'
L4	S 81°27'11" W	109.33'
L5	S 47°04'28" W	182.87'
L6	S 21°40'31" W	81.82'
L7	S 32°03'01" W	61.38'
L8	S 88°14'47" W	115.39'
L9	S 48°14'41" E	101.18'
L10	N 48°11'16" E	877.93'

LOT SQUARE FOOTAGE TABLE

LOT	BLOCK	SQ. FT.
1R	A	866,401
1R1	A	789,304

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	48.79'	67.17'	81.31'	S 88°22'40" E	84°12'41"
C2	80.67'	80.31'	82.02'	N 05°08'28" E	88°14'58"

LEGEND  
 POB - POINT OF BEGINNING  
 3/8" = 7/8" CUT FOUND  
 FR - FOUND IRON ROD  
 FRCAF - FOUND IRON ROD WITH CAP  
 SR - SET IRON ROD  
 P.R.D.C.T. - PLAT RECORDS DENTON COUNTY TEXAS  
 D.R.D.C.T. - DEED RECORDS DENTON COUNTY TEXAS  
 R.P.R.D.C.T. - REAL PROPERTY RECORDS DENTON COUNTY TEXAS  
 R.O.W. - RIGHT OF WAY  
 P.A.E. & P.L.E. - PUBLIC ACCESS AND PRELAMB EASEMENT  
 D.E. - DRAINAGE EASEMENT  
 U.E. - UTILITY EASEMENT  
 B.L. - BUILDING LINE  
 NAD 83 - NORTH AMERICAN DATUM 1983  
 DOC. NO. - DOCUMENT NUMBER  
 MFCP - METAL FENCE CORNER POST  
 - CENTERLINE OF R.O.W.



SURVEYOR:  
 KAZ SURVEYING, INC.  
 1720 WESTMINSTER STREET  
 DENTON, TX 76205  
 PHONE: (940) 382-3448  
 TRPLS FIRM #10002100

OWNER:  
 GLORY OF ZION INTERNATIONAL MINISTRIES, INC.  
 P.O. BOX 1801  
 DENTON, TX 76202  
 CONTACT: PENNY PERCE  
 PHONE: (940) 387-8822

1720 WESTMINSTER  
 DENTON, TX 76205  
 (940) 382-3448  
 JOB NUMBER 17063  
 DRAWN BY: TK  
 DATE: 5-18-2018  
 RPL:LS  
 MICHAEL R. KERITEN

CONCEPT PLAN  
 EXHIBIT "B"  
 LOTS 1R, BLOCK A, LOT 1R1, BLOCK A  
 COSERV FLEX ADDITION  
 BEING 38.01 ACRES IN THE  
 H.H. SWISHER SURVEY, ABSTRACT NUMBER 1220, AND  
 THE THOMAS WHITE SURVEY, ABSTRACT NUMBER 1375,  
 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS

**EXHIBIT “C”**

**LAND USE REGULATIONS**

**GLOBAL SPHERES CENTER  
PLANNED DEVELOPMENT REGULATIONS**

**PURPOSE:** The Global Spheres Center Planned Development will be a multi-use facility designed to blend the space and use needs of a Business Park, Special Events Center, Education Center and Daycare Center; all of which will serve to enhance the economy and culture of the surrounding areas.

**A. MAIN USES AND ACCESSORY USES** – In the Global Spheres Center Planned Development District, no building or land shall be used and no building shall be hereafter erected, reconstructed, enlarged, except when in relation to the uses permitted within the C-2, Commercial zoning district or one or more of the following uses:

1. Main uses.

- a. Church
- b. Special Events Center / Conference Center
- c. Broadcasting and telecommunications
- d. Hotel
- e. Charter School / Private School
- f. Child Day Care Center
- g. Parking Garage
- h. Amusement / Recreation Center
- i. Outdoor Café
- j. Coffee House
- k. Gymnasium
- l. Office
- m. Farmer’s Market/Community Trade Days
- n. Parsonage
- o. Wedding chapel, Reception Facility

2. Accessory uses

- a. One Cell Tower for Telecommunications
- b. Keeping 50 hens (roosters prohibited)
- c. Cleaning Service (not laundry/dry cleaning, car wash)

3. Uses Permitted with Issuance of Specific Use Permit

- a. Cisterns in excess of forty feet (40’) in height
- b. Wind Energy Turbines

4. Uses Prohibited

- a. Laundry, Commercial
- b. Car Wash, Full Service
- c. Car Wash, Self Service

**B. AREA REGULATIONS:**

1. Front Yard: There shall be a front yard having a depth of not less than forty feet (40').
2. Side Yard: No side yard shall be required for a retail use except:
  - a. On a corner lot, a side yard of ten feet (10') shall be required on the side street.
  - b. On the side of a lot in this district adjoining any Residential District, there shall be a side yard. The minimum width of the side yard shall be fifteen feet (15').
3. Rear Yard: There shall be a rear yard having a depth of not less than eight feet (8').
4. Width of Lot: The minimum width of the lot shall be two hundred feet (200') measured at the building setback line.
5. Depth of Lot: The minimum lot depth shall not be less than two hundred feet (200').
6. Area of Lot: Every lot shall have an area of not less than one acre (1 ac.).
7. Maximum Building Area: The building area of the main building and any accessory buildings shall not exceed fifty percent (50%) of the total lot area.
8. Building Height: No structure shall exceed two and one-half (2-1/2) standard stories in height, but in no case more than forty feet (40').
9. General: If the building adjoins a second (2<sup>nd</sup>) public street, it must conform to the front yard building line requirements on both public streets.
10. Development Standards: 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.

**C: MECHANICAL EQUIPMENT AND WASTE STORAGE:**

1. Mechanical equipment, refuse containers and waste storage areas shall be constructed, located and screened so as to in no way interfere with the peace, comfort, and repose of the occupants of any adjoining building or residence.
2. No trash receptacle or recycling receptacle shall be located within twenty-five feet (25') of any property line.
3. Trash and recycling receptacles shall be four (4) sided with a solid metal gate and be located to the side or rear of the principal building. They shall be screened by a solid masonry screen at least eight feet (8') in height and shall utilize similar masonry materials to the building's facades.

**D. OUTSIDE STORAGE AND DISPLAY OF GOODS, WARES AND MERCHANDISE:**

1. The permanent outside display and storage of goods, wares and merchandise is prohibited.

**E. LANDSCAPING**

1. All existing landscaping shall remain per approved site plan. All new construction shall meet current standards pertaining to that area.

**F. TELECOMMUNICATION TOWER**

1. The telecommunication tower approved on December 15, 2012 shall remain in accordance with the approved site plan. Any changes to the layout or equipment depicted on the site plan must be approved through a site plan amendment.

**G: ARCHITECTURAL STANDARDS**

1. Main Structure: Materials approved for the exterior facades of the main structures are brick, stone and stucco.
2. Accessory Structures: Materials approved for the exterior facades of accessory structures are wood, metal, stucco, brick and stone.

**H: FENCING**

1. Chain-link or stone fencing materials may be used along the southern and eastern boundaries and around the shipping and receiving areas.
2. Wood or stone fencing materials may be used on interior site projects erected behind the front building line).
3. Vinyl or stone fencing materials may be used behind the front building line.

**I: ACCESSORY STRUCTURES**

1. No additional accessory structures are approved or permitted. The accessory structures in existence are permitted as listed below:
  - a. Israel Prayer Garden
  - b. Beulah Acres Biblical Agriculture Community Garden and Development
  - c. Storage Sheds
  - d. Vineyard Trellis
  - e. Arbors
  - f. Greenhouse
  - g. Chicken Coop(s)
  - h. Portable Composition Tumblers / Bins
  - i. Rainwater harvesting Cisterns
  - j. Solar Panels (allowed on all buildings on property)
2. Area regulations for Accessory Structures:
  - a. Side Yard: A side yard setback shall not be less than 100 feet for Chicken Coops.

- b. Side Yard: A side yard setback shall not be less than five feet (5') for all other allowed Accessory Structures.
- c. Rear Yard: A rear yard setback shall not be less than 100 feet for Chicken Coops.
- d. Maximum Area: Chicken Coop not to exceed 200 square feet.
- e. Rear Yard: A rear yard setback shall not be less than five feet (5') for all other Accessory Structures allowed by this ordinance.
- f. No Accessory Structure shall be erected within any easement.
- g. Height: No Accessory Structure shall exceed fifteen feet (15') unless shown on an approved site plan.
- h. Cell Tower Height: No cell tower shall exceed ninety-nine feet (99') in height.

**J: PARKING**

1. Parking for the uses described, depicted and approved on the Concept Plan shall be provided in accordance with the Concept Plan.
2. For allowed uses permitted in the future, off-street driveways and parking areas shall be constructed, curbed, paved, dimensioned, and maintained as required by the standards in effect at the time of the requested change in use.
3. Parking standards for uses not in effect at the time of the adoption of this ordinance must follow the parking standards in effect at the time of approval of the use.
4. Required parking shall be available for parking of operable passenger vehicles of visitors, members, and employees only, and shall not be used for the storage or display of vehicles or materials. The parking of passenger vehicles owned or used by a church or religious institution shall be allowed as their ownership and/or use is shared by the membership at large, provided that such vehicles are parked behind the main building.

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** Public Hearing UDC Changes  
**Submitted For:** Helen-Eve Liebman, Director **Submitted By:** George Marshall, Engineer  
**Finance Review:** N/A **Legal Review:** Yes  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Land Development  
Infrastructure Development  
Economic Development

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**AGENDA ITEM**

Hold a public hearing regarding proposed amendments to the City's Unified Development Code, Section 1, Provisions and Procedures; Subsection 1.03 Universal Submittal and processing Procedures (pre-application meetings); Section 3, Subdivision Regulations, Subsection 3.04 Construction Plans and Procedures, Section 3.04.06 Inspection, Maintenance, and Acceptance of Public Improvements (Inspection fees); Section 3.05 Subdivision Regulations, Section 3.05.07 Easements and Dedications, Section 3.05 Retaining Wall Construction, Section 3.05.12 Sidewalks, Section 3.05.13 Streets, Section 3.05.16 Drainage and Storm Water (Drainage, Floodplain, Sidewalks, Retaining Walls & Streets); Section 5 Definitions, 5.02 Words and Terms Defined.

- a. Staff Presentation
- b. Public Hearing
- c. Staff Response
- d. Take Action

**AGENDA ITEM SUMMARY/BACKGROUND**

**Action Requested:**

**The City Council will hold a public hearing on the following items:**

1. An amendment to the City's Unified Development Code, Section 1, Provisions and Procedures; Subsection 1.03 Universal Submittal and Processing Procedures. (Pre-application meetings)
2. An amendment to the City's Unified Development Code, Section 3, Subdivision Regulations; Subsection 3.04 Construction Plans and Procedures; Section 3.04.06 Inspection, Maintenance, and Acceptance of Public Improvements. (Inspection fees)
3. An amendment to the City's Unified Development Code, Section 3, Subdivision Regulations; Subsection 3.05 Subdivision Regulations; Section 3.05.07 Easements and Dedications, Section 3.05.11 Retaining Wall Construction, Section 3.05.12. Sidewalks, Section 3.05.13. Streets, Section 3.05.16. Drainage and Storm Water. (Drainage, Floodplain, Sidewalks, Retaining Walls & Streets)
4. An amendment to the City's Unified Development Code, Section 5 Definitions, 5.02 Words and Terms Defined

**Background Information:**

Staff is proposing changes to the Unified Development Code (UDC) to address several engineering development items. The proposed changes are either in relation to become certified in the integrated Storm Water Management Criteria Manual for Drainage Design from the North Central Texas Council of Governments (NCTCOG) or promote the City's design standards to be more in line with the metroplex. It is important to establish quality engineering standards for both public and private infrastructure to reduce long term maintenance and replacement costs as well as maintain an attractive community for future residents and businesses.

Pre-application Meetings

## 1. 1.03 Universal Submittal and Processing Procedures

1. 1.03.02 – Pre-Application Conference - Adding language to the UDC mentioning that at the pre-application conference that staff will be available to discuss the City’s Storm Water Management Plan and the iSWM Standards. This is required for iSWM Silver certification.

### Inspection Fees

## 2. 3.04 Construction Plans and Procedures

1. 3.04.06 – Inspection, Maintenance, and Acceptance of Public Improvements – Establishing that the inspection fee shall be collected for both public and private infrastructure, moving the fee percentage from the UDC to the master fee schedule, adjusting the inspection hours based on the hours the inspectors work, and clarifying that the maintenance bond is only for the public infrastructure.

### Drainage, Floodplain, Sidewalks, Retaining Walls & Streets

## 3. 3.05 Subdivision Regulations:

### 1. 3.05.07 – Easements and Dedications

1. Drainage Easements – Shall be designed for the 1% frequency storm. Clarifying the definition and removal of unnecessary information.
2. Floodplain Easements – Defined to the fully developed condition of the watershed. Adding section that floodplain easements and floodplain shall not encroach on single-family residential lots that are less than ½ acre in size. The subdivision could be designed in such a way to prevent homeowners from having floodplain within their lot boundaries.
3. Retaining Wall Easements – Establishing dimension criteria for the no build zone and clarification of the width of an easement shall be in proportion to the wall height including subsurface elements.

2. 3.05.11 Retaining Wall Construction – allow for retaining walls that are greater than 4 feet but include requirements that the wall be properly engineered and built within appropriate easements

3. 3.05.12 Sidewalks – require all developments to provide sidewalk. Remove caveat that sidewalks are not required along I-35E. The removal of this language will assist in promoting a walkable community. Sidewalks can be constructed based on ultimate conditions of I-35E. Staff would recommend during site plan approval if a property should not be required to install sidewalk along I-35E.

4. 3.05.13 Streets – Minimum street grades changed from 0.3% minimum and 0.5% preferred to 0.5% minimum and 0.8% preferred. Will allow for better long-term drainage along street segments with the clay soils found in the region.

5. 3.05.16 Drainage and Storm Water – clarifying the criteria that drainage improvements shall be collected into an underground system and designed to fully developed conditions. Additionally, grassed swales shall have a side slope of 4:1 as opposed to 3:1.

Furthermore, staff will present a revised Engineering Standards Manual (ESM) and Drainage Design Manual also known as the iSWM Criteria Manual. The changes within the ESM and Drainage Design Manual will put Corinth in line with other municipalities within the region.

### Supporting Documents:

- [UDC TEXT AMENDMENTS](#) (Attached)
- See <https://www.cityofcorinth.com/engineering/page/2019-engineering-design-standards> for:
  - Revised Engineering Design Manual
  - Comparison of Changes to the Engineering Design Manual
  - Drainage Design Manual (aka iSWM Criteria Manual)

## RECOMMENDATION



The Planning & Zoning Commission unanimously recommended approval of the item at their November 18, 2019 meeting.

Staff recommends approval as presented.

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**Attachments**

Memo

Ordinance - UDC Changes

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## Memorandum

To: **The City of Corinth City Council**  
From: George S. Marshall, P.E., CFM  
Meeting Date: December 5, 2019  
Re: Unified Development Code Updates

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### **Action Requested:**

The City Council will hold a public hearing on the following items:

- 1) An amendment to the City's Unified Development Code, Section 1, Provisions and Procedures; Subsection 1.03 Universal Submittal and Processing Procedures. (Pre-application meetings)
- 2) An amendment to the City's Unified Development Code, Section 3, Subdivision Regulations; Subsection 3.04 Construction Plans and Procedures; Section 3.04.06 Inspection, Maintenance, and Acceptance of Public Improvements. (Inspection fees)
- 3) An amendment to the City's Unified Development Code, Section 3, Subdivision Regulations; Subsection 3.05 Subdivision Regulations; Section 3.05.07 Easements and Dedications, Section 3.05.11 Retaining Wall Construction, Section 3.05.12. Sidewalks, Section 3.05.13. Streets, Section 3.05.16. Drainage and Storm Water. (Drainage, Floodplain, Sidewalks, Retaining Walls & Streets)
- 4) An amendment to the City's Unified Development Code, Section 5 Definitions, 5.02 Words and Terms Defined

### **Background Information:**

Staff is proposing changes to the Unified Development Code (UDC) to address several engineering development items. The proposed changes are either in relation to become certified in the integrated Storm Water Management Criteria Manual for Drainage Design from the North Central Texas Council of Governments (NCTCOG) or promote the City's design standards to be more in line with the metroplex. It is important to establish quality engineering standards for both public and private infrastructure to reduce long term maintenance and replacement costs as well as maintain an attractive community for future residents and businesses.

## **Pre-application Meetings**

- 1) 1.03 Universal Submittal and Processing Procedures
  - a. 1.03.02 – Pre-Application Conference - Adding language to the UDC mentioning that at the pre-application conference that staff will be available to discuss the City’s Storm Water Management Plan and the iSWM Standards. This is required for iSWM Silver certification.

## **Inspection Fees**

- 2) 3.04 Construction Plans and Procedures
  - a. 3.04.06 – Inspection, Maintenance, and Acceptance of Public Improvements – Establishing that the inspection fee shall be collected for both public and private infrastructure, moving the fee percentage from the UDC to the master fee schedule, adjusting the inspection hours based on the hours the inspectors work, and clarifying that the maintenance bond is only for the public infrastructure.

## **Drainage, Floodplain, Sidewalks, Retaining Walls & Streets**

- 3) 3.05 Subdivision Regulations:
  - a. 3.05.07 – Easements and Dedications
    - i. Drainage Easements – Shall be designed for the 1% frequency storm. Clarifying the definition and removal of unnecessary information.
    - ii. Floodplain Easements – Defined to the fully developed condition of the watershed. Adding section that floodplain easements and floodplain shall not encroach on single-family residential lots that are less than ½ acre in size. The subdivision could be designed in such a way to prevent homeowners from having floodplain within their lot boundaries.
    - iii. Retaining Wall Easements – Establishing dimension criteria for the no build zone and clarification of the width of an easement shall be in proportion to the wall height including subsurface elements.

- b. 3.05.11 Retaining Wall Construction – allow for retaining walls that are greater than 4 feet but include requirements that the wall be properly engineered and built within appropriate easements
- c. 3.05.12 Sidewalks – require all developments to provide sidewalk. Remove caveat that sidewalks are not required along I-35E. The removal of this language will assist in promoting a walkable community. Sidewalks can be constructed based on ultimate conditions of I-35E. Staff would recommend during site plan approval if a property should not be required to install sidewalk along I-35E.
- d. 3.05.13 Streets – Minimum street grades changed from 0.3% minimum and 0.5% preferred to 0.5% minimum and 0.8% preferred. Will allow for better long-term drainage along street segments with the clay soils found in the region.
- e. 3.05.16 Drainage and Storm Water – clarifying the criteria that drainage improvements shall be collected into an underground system and designed to fully developed conditions. Additionally, grassed swales shall have a side slope of 4:1 as opposed to 3:1.

### **Definitions**

- 4) 5.02 Words and Terms Defined – Clarify Director of Public Works and add Fully developed information to Flood Plain definition.

Furthermore, staff will present a revised Engineering Standards Manual (ESM) and Drainage Design Manual also known as the iSWM Criteria Manual. The changes within the ESM and Drainage Design Manual will put Corinth in line with other municipalities within the region.

### **Supporting Documents:**

- UDC TEXT AMENDMENTS ([following pages](#))
- See <https://www.cityofcorinth.com/engineering/page/2019-engineering-design-standards> for:
  - Revised Engineering Design Manual
  - Comparison of Changes to the Engineering Design Manual
  - Drainage Design Manual (aka iSWM Criteria Manual)

### **Staff Recommendation:**

Staff recommends approval as presented.

## UDC TEXT AMENDMENTS

**That section 1.03.02 “Pre-Application Conference” of Subsection 1.03 “Universal Submittal and Processing Procedures” of Section 1, “Provisions and Procedures” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 1, “Provisions and Procedures” not specifically amended hereby shall remain in full force and effect without amendment:**

### **“1.03.02. - Pre-Application Conference**

- A. Purpose
  - 1. The Pre-Application Conference is intended to allow for the exchange of non-binding information between the Applicant and City Staff to ensure that the Applicant is informed of pertinent City development regulations and processes.
  - 2. The Pre-Application Conference provides an opportunity for the Applicant and City Staff to discuss major development considerations such as utilities, roadways, drainage concerns, Comprehensive Plan elements, specific neighborhood characteristics, and historic information, as well as the City's Storm Water Management Plan (SWMP) requirements and adherence to the iSWM Standards as locally adopted.
  - 3. This exchange of information is intended to promote an efficient and orderly review process.

**That section 3.04.06 “Inspection, Maintenance, and Acceptance of Public Improvements” of Subsection 3.04 “Construction Plans & Procedures” of Section 3, “Subdivision Regulations” of the City of Corinth Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, “Subdivision Regulations” not specifically amended hereby shall remain in full force and effect without amendment:**

### **“3.04.06. - Inspection, Maintenance, and Acceptance of Public Improvements**

- A. Inspection of Public Improvements
  - 1. Timing and Contact.
    - a. The Director of Public Works shall inspect the construction of improvements while in progress, as well as upon completion.
    - b. The Applicant, or his contractor, shall maintain contact with the Director of Public Works during construction of improvements.
  - 2. Conformance with Construction Plans.
    - a. Construction shall be in accordance with the approved Construction Plans.
    - b. Any significant change in design required during construction shall be made by the Applicant's engineer, and shall be subject to approval by the Director of Public Works.
  - 3. Corrections to Improvements. If the Director of Public Works finds, upon inspection, that any of the required Public Improvements have not been constructed properly and in accordance with the approved Construction Plans, the Applicant shall be responsible for completing and/or correcting the Public Improvements to bring such into compliance.
- B. Public Works Inspection Fees
  - 1. Fee Standards for Public and Private Infrastructure.
    - a. The Developer shall be charged an inspection fee in an amount equal to three percent (3%), which shall be established in the City's Master Fee Schedule as a percentage of the total construction cost of the public and private infrastructure, storm drains, water,

wastewater, grading, retaining walls, erosion control and streets in each Subdivision or development.

- b. Inspections shall be conducted during normal the City of Corinth's adopted business hours; 8:00 a.m. to 5:00 p.m., Monday through Friday.
2. Cost for Construction.
    - a. The Developer shall submit to the City a cost for construction of the public infrastructure to be dedicated to the City, a maintenance bond for the full amount of the cost for construction, and an inspection fee as required by subsection B(1)(a) of this Section. The Developer shall also submit to the City a cost for construction of private infrastructure, water, wastewater, storm drains, grading, retaining walls, erosion control, and streets/paving and an inspection fee as required by subsection (B)(1)(a) of this Section. upon which the maintenance bond and inspection fees will be based.
    - b. The cost of construction of both public and private infrastructure shall be reviewed and approved by the Director of Public Works.

...

**That section 3.05.07 "Easements and Dedications" of Subsection 3.05 "Subdivision Design Standards" of Section 3, "Subdivision Regulations" of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, "Subdivision Regulations" not specifically amended hereby shall remain in full force and effect without amendment:**

#### **"3.05.07. - Easements and Dedications**

...

##### D. Drainage Easements

1. Easements for storm drainage facilities shall be provided at locations containing proposed or existing drainage ways.
2. Storm drainage easements of 16 feet minimum width shall be provided for existing and proposed enclosed drainage systems.
  - a. Easements shall be centered over the systems.
  - b. Larger easements, where necessary, shall be provided as directed by the Director of Public Works.
3. Where lot-to-lot drainage occurs, a drainage easement at least 10 feet in width shall be provided along the back and down one side of the downstream property. For information regarding applicable drainage standards see 3.05.16. Drainage and Storm Water, specifically 3.05.16. C.1. Lot to Lot Drainage Standards.
4. Storm drainage easements shall be provided for emergency overflow drainage ways of sufficient width to contain within the easement storm water resulting from a fully developed 100-year one percent (1%) frequency storm less the amount of storm water carried in an enclosed system of a capacity required by the City.
5. Where a Subdivision is bounded by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage Right-of-Way conforming substantially to the lines of such water course, and of such width to provide for increased drainage from anticipated future upstream developments, plus a minimum of 10 feet on each side.
6. As required by the City, drainage easements shall be dedicated up to the full width of easement necessary to construct the ultimate drainage facility (culvert, storm water, channel, etc.) to be constructed within the easement, including provisions for access ingress and egress by crews and equipment for maintenance purposes.

E. Floodplain Easements

1. Floodplain easements shall be provided along natural drainage ways and lakes or reservoirs.
2. Floodplain easements shall be provided in accordance with the recommendation of the Director of Public Works and the Director of Planning to accommodate the one percent (1%) fully developed 100-year storm drainage flows or the flow of the flood of record, whichever is greater.
3. Floodplain easements shall encompass all areas beneath the water surface elevation of the fully developed Base Flood one percent (1%) storm, plus such additional width as may be required to provide ingress and egress to allow maintenance of the banks and for the protection of adjacent property, as determined by the Director of Public Works.
4. The following full statement of structures shall be placed in the dedication instrument of the Plat:  
Floodplain Easement Restriction: Construction within the floodplain may only occur with the written approval of the City. A request for construction within the floodplain easement must be accompanied with detailed engineering plans and studies indicating that no flooding will result, that no obstruction to the natural flow of water will result; and subject to all owners or the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of one (1) foot above the 100-year flood elevation as determined by analyzing the ultimate build-out conditions of the entire drainage basin.
  - a. Existing creeks, lakes, reservoirs, or drainage channels traversing along or across portions of this addition, will remain as an open channel at all times and will be maintained by the individual owners of the lot or lots that are traversed by the drainage courses along or across said lots. The City will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion. Each property owner shall keep the natural drainage channels traversing his property clean and free of debris, silt, or any substance, which would result in unsanitary conditions. The City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions, which may occur.
  - b. The natural drainage channel, as in the case of all natural drainage channels, are subject to storm water overflow and natural bank erosion. The City shall not be liable for damages of any nature resulting from the occurrence of these natural phenomena, nor resulting from a failure of any structure(s) within the natural drainage channels. The natural drainage channel crossing each lot is shown by the floodplain Floodway easement line as shown on the plat. If a Subdivision alters the horizontal or vertical floodplain, a FEMA floodplain Floodway map revision may be required.
5. On residential subdivisions with lots less than ½ acre, the land shall be subdivided such that the fully developed floodplain does not encroach into any of the residential lots but entirely contained within common area lots.

F. Retaining Wall Easements

1. If in the opinion of the Director of Public Works, the grading plans submitted with the Application for approval of a Final Plat indicate a need for the construction of one or more retaining walls, a private retaining wall easement showing the location of the retaining wall(s) and the no-build zone shall be dedicated and shown on the Preliminary Plat and the Final Plat.
2. The width of the retaining wall easement shall be 10 feet or the width of the retaining wall (including subsurface elements), whichever is greater, plus the width of the no-building zone, as established by the Applicant's structural engineer and approved by the Director of Public Works or City Engineer.
3. The retaining wall easement shall include a no-building zone extending from the retaining wall on both sides, within which any additional load from future construction would exceed the design capacity of the retaining wall.
  - a. The no-building zone width shall be a minimum of the clear height of the retaining wall.
  - b. No structure (other than the retaining wall), swimming pool, landscaping, or any other feature which adds load to the retaining wall, shall be constructed within the no-building zone.
4. A retaining wall easement shall be located entirely on one lot and shall not straddle property lines unless the wall is constructed within a retaining wall easement dedicated to the Homeowners' or Property Owners' Association in accordance with 3.05.07. F.5 (below).

5. The property owner, or the Homeowner's Association for the subdivision, as applicable, shall be responsible for maintenance of the retaining wall, and a note shall be included to this effect on the Final Plat.”

...  
**That section 3.05.11 “Retaining Wall Construction” of Subsection 3.05 “Subdivision Design Standards” of Section 3, “Subdivision Regulations” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, “Subdivision Regulations” not specifically amended hereby shall remain in full force and effect without amendment:**

**“3.05.11 - Retaining Wall Construction**

...  
C. Building Permit Required

- ...  
2. A retaining wall shall not be constructed in excess of four feet in height unless accompanied with a signed and sealed engineering design along with site specific geotechnical analysis. The height shall be measured from the top of the wall to the bottom of the footer (below grade).
- a. Retaining walls shall have proper fall protection as defined within the Building Code as adopted by the City.
  - b. Walls that are anticipated to support a fence (or screen wall) either integrally or separately shall be designed to handle the structural forces of the fence imposed onto the wall. This is irrespective of the height of the wall, one foot (1’) high and up.
  - c. Subdivision construction plans shall include the engineering design of walls prior to construction release.
- ~~a. If the wall is to be more than four feet high, the retaining wall system shall be terraced, so as to provide a minimum of four (4) feet of flat ground between the faces of the retaining walls for each four foot section of retaining wall.~~
- ~~b. The flat terrace shall be sloped to a maximum of two (2) percent to allow drainage.~~
- ...



**That section 3.05.12 “Sidewalks” of Subsection 3.05 “Subdivision Design Standards” of Section 3, “Subdivision Regulations” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, “Subdivision Regulations” not specifically amended hereby shall remain in full force and effect without amendment:**

**“3.05.12 – Sidewalks**

...

A. Sidewalks and Pedestrian ways are required as part of Subdivision Plat approval to help the City Achieve the following:

...

5. ~~Properties adjacent to Interstate 35E, shall not be required construct sidewalks adjacent to the frontage road.~~

...

**That section 3.05.13 “Streets” of Subsection 3.05 “Subdivision Design Standards” of Section 3, “Subdivision Regulations” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, “Subdivision Regulations” not specifically amended hereby shall remain in full force and effect without amendment:**

**3.05.13 – Streets**

...

B. Design and Construction

...

5. Street grades shall be established regarding topography, proposed land-use, and the facilities in the area surrounding the land to be subdivided.
  - a. An absolute minimum grade of ~~three~~ five tenths percent (~~0.30~~ 0.50%) is required on concrete streets; however, where it is possible, a grade of ~~five~~ eight tenths percent (~~0.5~~ 0.80%) shall be provided.
6. **Street Name Markers”** . . .

...

**That section 3.05.16 “Drainage and Storm Water” of Subsection 3.05 “Subdivision Design Standards” of Section 3, “Subdivision Regulations” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, “Subdivision Regulations” not specifically amended hereby shall remain in full force and effect without amendment:**

**“3.05.16 – Drainage and Storm Water**

...

B. Planning and Construction

...

2. The Developer shall incur the cost of all drainage improvements connected with development of the Subdivision and acceptance of current upstream flows necessary to safely and adequately drain the Subdivision, including any necessary off-site channels or storm sewers and acquisition of any required easements.
  - a. The 100-year storm must be contained within the street Right-of-Way, underground and/or the drainage easement boundaries. The underground drainage shall conform to the design manual or other ordinance requirements as adopted by the City and contain the fully developed drainage within the storm sewer system.
  - b. Any necessary off-site channel” . . .

...

H. Maintenance

1. All grassed swales should be designed and constructed with four to one (3:1 4:1) side slopes that will be gentle enough to allow for easy mowing.
2. **Mowing and maintenance” . . .**

...

**That section 5.02.114 “Director of Public Works” of Subsection 5.02 “Words and Terms Defined” of Section 5, “Definitions” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 5, “Definitions” not specifically amended hereby shall remain in full force and effect without amendment:**

...

“114. Director of Public Works. The person(s) so designated by the City Manager to provide oversight for and have responsibility of the City’s Public Works Department. This term shall also include any designee of the Director of Public Works (i.e. City Engineer).”

...

**That section 5.02.150 “Flood Plain” of Subsection 5.02 “Words and Terms Defined” of Section 5, “Definitions” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 5, “Definitions” not specifically amended hereby shall remain in full force and effect without amendment:**

...

“150. Flood Plain. The area subject to be inundated by water from the Base Flood one percent (1%) storm event. A fully developed Flood Plain is the area subject to be inundated by water from the one percent (1%) storm event as created from the fully developed land use conditions of the watershed.”

...

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AMENDING THE CITY OF CORINTH UNIFIED DEVELOPMENT CODE BY AMENDING SECTIONS 1.03.02, 3.04.06, 3.05.07, 3.05.11, 3.05.12, 3.05.13, 3.05.16, AND 5.02 OF THE CODE RELATED TO SUBDIVISION DEVELOPMENT AND ENGINEERING STANDARDS; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; AND PROVIDING FOR PUBLICATION AND SETTING AN EFFECTIVE DATE.**

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

**WHEREAS**, the City is authorized to adopt regulations governing the development of land within the City and its extraterritorial jurisdiction in the interest of the public health, safety and welfare of its citizens; and

**WHEREAS**, the City adopted a Unified Development Code which specifies subdivision and engineering standards; and

**WHEREAS**, upon review and consideration of the foregoing factors, the City Council has determined that the Unified Development Code should be amended as set forth below.

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

**SECTION 1**  
**INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

**SECTION 2**  
**AMENDMENTS**

- 2.01 That section 1.03.02 "Pre-Application Conference" of Subsection 1.03 "Universal Submittal and Processing Procedures" of Section 1, "Provisions and Procedures" of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 1, "Provisions and Procedures" not specifically amended hereby shall remain in full force and effect without amendment:

**1.03.02. - Pre-Application Conference**

A. Purpose

- ...”
2. The Pre-Application Conference provides an opportunity for the Applicant and City Staff to discuss major development considerations such as utilities, roadways, drainage concerns, Comprehensive Plan elements, specific neighborhood characteristics, and historic information, as well as the City’s Storm Water Management Plan (SWMP) requirements and adherence to the iSWM Standards as locally adopted.” . . .

**1.03.03. - Comprehensive Plan Adoption or Amendment”**

- 2.02 That section 3.04.06 “Inspection, Maintenance, and Acceptance of Public Improvements” of Subsection 3.04 “Construction Plans & Procedures” of Section 3, “Subdivision Regulations” of the City of Corinth Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, “Subdivision Regulations” not specifically amended hereby shall remain in full force and effect without amendment:

**“3.04.06. - Inspection, Maintenance, and Acceptance of Public Improvements**

...”

B. Public Works Inspection Fees

1. Fee Standards for Public and Private Infrastructure.
  - a. The Developer shall be charged an inspection fee which shall be established in the City’s Master Fee Schedule as a percentage of the total construction cost of the public and private infrastructure, storm drains, water, wastewater, grading, retaining walls, erosion control and streets in each Subdivision or development.
  - b. Inspections shall be conducted during normal business hours, 7:30 a.m. to 5:30 p.m., Monday through Thursday, and 7:30 a.m. to 11:30 a.m. Friday.
2. Cost for Construction.
  - a. The Developer shall submit to the City a cost for construction of the public infrastructure to be dedicated to the City, a maintenance bond for the full amount of the cost for construction, and an inspection fee as required by subsection B(1)(a) of this Section. The Developer shall also submit to the City a cost for construction of private infrastructure, water, wastewater, storm drains, grading, retaining walls, erosion control, and streets/paving and an inspection fee as required by subsection (B)(1)(a) of this Section.
  - b. The cost of construction of both public and private infrastructure shall be reviewed and approved by the Director of Public Works. “

... .

- 2.03 That section 3.05.07 “Easements and Dedications” of Subsection 3.05 “Subdivision Design Standards” of Section 3, “Subdivision Regulations” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, “Subdivision Regulations” not specifically amended hereby shall remain in full force and effect without amendment:

**“3.05.07. - Easements and Dedications**

...”

**D. Drainage Easements**

1. Easements for storm drainage facilities shall be provided at locations containing proposed or existing drainage ways.
2. Storm drainage easements of 16 feet minimum width shall be provided for existing and proposed enclosed drainage systems.
  - a. Easements shall be centered over the systems.
  - b. Larger easements, where necessary, shall be provided as directed by the Director of Public Works.
3. Where lot-to-lot drainage occurs, a drainage easement at least 10 feet in width shall be provided along the back and down one side of the downstream property. For information regarding applicable drainage standards see 3.05.16. Drainage and Storm Water, specifically 3.05.16. C.1. Lot to Lot Drainage Standards.
4. Storm drainage easements shall be provided for emergency overflow drainage ways of sufficient width to contain within the easement storm water resulting from a fully developed one percent (1%) frequency storm.
5. Where a Subdivision is bounded by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage Right-of-Way conforming substantially to the lines of such water course, and of such width to provide for increased drainage from anticipated future upstream developments, plus a minimum of 10 feet on each side.
6. As required by the City, drainage easements shall be dedicated up to the full width of easement necessary to construct the ultimate drainage facility (culvert, storm water, channel, etc.) to be constructed within the easement, including provisions for access ingress and egress by crews and equipment for maintenance purposes.

**E. Floodplain Easements**

1. Floodplain easements shall be provided along natural drainage ways and lakes or reservoirs.
2. Floodplain easements shall be provided in accordance with the recommendation of the Director of Public Works and the Director of Planning to accommodate the one percent (1%) fully developed storm drainage flows or the flow of the flood of record, whichever is greater.
3. Floodplain easements shall encompass all areas beneath the water surface elevation of the fully developed one percent (1%) storm, plus such additional width as may be required to provide ingress and egress to allow maintenance of the banks and for the protection of adjacent property, as determined by the Director of Public Works.
4. The following full statement of structures shall be placed in the dedication instrument of the Plat: Floodplain Easement Restriction: Construction within the floodplain may only occur with the written approval of the City. A request for construction within the floodplain easement must be accompanied with detailed engineering plans and studies indicating that no flooding will result, that no obstruction to the natural flow of water will result; and subject to all owners or the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of one (1) foot above the 100-year flood elevation as determined by analyzing the ultimate build-out conditions of the entire drainage basin.
  - a. Existing creeks, lakes, reservoirs, or drainage channels traversing along or across portions of this addition, will remain as an open channel at all times and will be maintained by the individual owners of the lot or lots that are traversed by the drainage courses along or across said lots. The City will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion. Each property owner shall keep the natural drainage channels traversing his property clean and free of debris, silt, or any substance, which would result in

unsanitary conditions. The City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions, which may occur.

- b. The natural drainage channel, as in the case of all natural drainage channels, are subject to storm water overflow and natural bank erosion. The City shall not be liable for damages of any nature resulting from the occurrence of these natural phenomena, nor resulting from a failure of any structure(s) within the natural drainage channels. The natural drainage channel crossing each lot is shown by the floodplain easement line as shown on the plat. If a Subdivision alters the horizontal or vertical floodplain, a FEMA floodplain map revision may be required.
- 5. On residential subdivisions with lots less than 1/2 acre, the land shall be subdivided such that the fully developed floodplain does not encroach into any of the residential lots but entirely contained within common area lots.

F. Retaining Wall Easements

- 1. If in the opinion of the Director of Public Works, the grading plans submitted with the Application for approval of a Final Plat indicate a need for the construction of one or more retaining walls, a private retaining wall easement showing the location of the retaining wall(s) and the no-build zone shall be dedicated and shown on the Preliminary Plat and the Final Plat.
- 2. The width of the retaining wall easement shall be 10 feet or the width of the retaining wall (including subsurface elements), whichever is greater, plus the width of the no-building zone, as established by the Applicant's structural engineer and approved by the Director of Public Works or City Engineer.
- 3. The retaining wall easement shall include a no-building zone extending from the retaining wall on both sides, within which any additional load from future construction would exceed the design capacity of the retaining wall.
  - a. The no-building zone width shall be a minimum of the clear height of the retaining wall.
  - b. No structure (other than the retaining wall), swimming pool, landscaping, or any other feature which adds load to the retaining wall, shall be constructed within the no-building zone.
- 4. A retaining wall easement shall be located entirely on one lot and shall not straddle property lines unless the wall is constructed within a retaining wall easement dedicated to the Homeowners' or Property Owners' Association in accordance with 3.05.07. F.5 (below).
- 5. The property owner, or the Homeowner's Association for the subdivision, as applicable, shall be responsible for maintenance of the retaining wall, and a note shall be included to this effect on the Final Plat."

...

2.04 That section 3.05.11 "Retaining Wall Construction" of Subsection 3.05 "Subdivision Design Standards" of Section 3, "Subdivision Regulations" of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, "Subdivision Regulations" not specifically amended hereby shall remain in full force and effect without amendment:

**"3.05.11 - Retaining Wall Construction**

...

C. Building Permit Required

...

- 2. A retaining wall shall not be constructed in excess of four feet in height unless accompanied with a signed and sealed engineering design along with site specific geotechnical analysis. The height shall be measured from the top of the wall to the bottom of the footer (below grade).

- a. Retaining walls shall have proper fall protection as defined within the Building Code as adopted by the City.
- b. Walls that are anticipated to support a fence (or screen wall) either integrally or separately shall be designed to handle the structural forces of the fence imposed onto the wall. This is irrespective of the height of the wall, one foot (1') high and up.
- c. Subdivision construction plans shall include the engineering design of walls prior to construction release.

...

2.05 That section 3.05.12 "Sidewalks" of Subsection 3.05 "Subdivision Design Standards" of Section 3, "Subdivision Regulations" of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, "Subdivision Regulations" not specifically amended hereby shall remain in full force and effect without amendment:

**"3.05.12 – Sidewalks**

...

A. Sidewalks and Pedestrian ways are required as part of Subdivision Plat approval to help the City Achieve the following:

...

- 5. Sidewalks shall be constructed at a minimum width of 5' on all streets unless otherwise directed by the City Engineer.

**B. Sidewalk Location and Design" ...**

2.06 That section 3.05.13 "Streets" of Subsection 3.05 "Subdivision Design Standards" of Section 3, "Subdivision Regulations" of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, "Subdivision Regulations" not specifically amended hereby shall remain in full force and effect without amendment:

**3.05.13 – Streets**

...

C. Design and Construction

...

- 5. Street grades shall be established regarding topography, proposed land-use, and the facilities in the area surrounding the land to be subdivided.
  - a. An absolute minimum grade of five tenths percent (0.50%) is required on concrete streets; however, where it is possible, a grade of eight tenths percent (0.80%) shall be provided.
- 6. Street Name Markers" ...

...

2.07 That section 3.05.16 "Drainage and Storm Water" of Subsection 3.05 "Subdivision Design Standards" of Section 3, "Subdivision Regulations" of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, "Subdivision Regulations" not specifically amended hereby shall remain in full force and effect without amendment:

**“3.05.16 – Drainage and Storm Water**

...

**B. Planning and Construction**

...

- 2. The Developer shall incur the cost of all drainage improvements connected with development of the Subdivision and acceptance of current upstream flows necessary to safely and adequately drain the Subdivision, including any necessary off-site channels or storm sewers and acquisition of any required easements.
  - a. The 100-year storm must be contained within the street Right-of-Way, underground and/or the drainage easement boundaries. The underground drainage shall conform to the design manual or other ordinance requirements as adopted by the City and contain the fully developed drainage within the storm sewer system.
  - b. Any necessary off-site channel” . . .

...

**H. Maintenance**

- 1. All grassed swales should be designed and constructed with four to one (4:1) side slopes that will be gentle enough to allow for easy mowing.
- 2. **Mowing and maintenance” . . .**

...

2.08 That section 5.02.114 “Director of Public Works” of Subsection 5.02 “Words and Terms Defined” of Section 5, “Definitions” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 5, “Definitions” not specifically amended hereby shall remain in full force and effect without amendment:

...

“114. Director of Public Works. The person(s) so designated by the City Manager to provide oversight for and have responsibility of the City’s Public Works Department. This term shall also include any designee of the Director of Public Works (*i.e.* City Engineer).”

...

2.10 That section 5.02.150 “Flood Plain” of Subsection 5.02 “Words and Terms Defined” of Section 5, “Definitions” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 5, “Definitions” not specifically amended hereby shall remain in full force and effect without amendment:

...

“150. Flood Plain. The area subject to be inundated by water from the Base Flood one percent (1%) storm event. A fully developed Flood Plain is the area subject to be inundated by water from the one percent (1%) storm event as created from the fully developed land use conditions of the watershed.”

...

**SECTION 3**  
**CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances of the City of Corinth and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance or where expressly repealed hereby. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.



**SECTION 4**  
**SEVERABILITY**

If any section, subsection, clause, phrase, or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void, or unconstitutional, the remaining sections, subsections, clauses, phrases, and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

**SECTION 5**  
**SAVINGS**

In the event of a conflict between the provisions of this Ordinance and any other regulation or rule prescribed by Charter, another ordinance, resolution or other authorization of the City, the provisions of this Ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the City are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion thereof, on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

**SECTION 6**  
**PENALTY**

Any person, firm or corporation who violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving an intentional, knowing, reckless or criminally negligent violation of any provision of this ordinance or Code of Ordinances, as amended hereby, governing public health shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7**  
**PUBLICATION/EFFECTIVE DATE**

This Ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this Ordinance as required by the City Charter and state law.

Ordinance No. \_\_\_\_\_

Page 8 of 8

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
CORINTH, TEXAS on this the \_\_\_\_\_ day of \_\_\_\_\_ 2019.**

**APPROVED:**

\_\_\_\_\_  
Bill Heidemann, Mayor  
City of Corinth, Texas

**ATTEST:**

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

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Patricia A. Adams, City Attorney

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** Magnolia Center Planned Development Ordinance  
**Submitted For:** Helen-Eve Liebman, Director **Submitted By:** Ben Rodriguez, Manager  
**Finance Review:** **Legal Review:**  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Land Development  
Economic Development

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**AGENDA ITEM**

Hold a Public Hearing to consider testimony and act upon an ordinance rezoning a ±2.327 acre tract of land from Mixed-Use Commercial (MX-C) to a Planned Development with a base district of Mixed-Use Commercial (MX-C) The property is legally described as Abstract 0511A E.A. Garrison Survey, Tract 19(Partial), Tract 20(Partial), Tract 21 (Partial), Tract 22, Tract 23(Partial). This property is located at the southwest corner of the intersection of I-35E and Lake Sharon Dr./Meadow Oaks Dr. (Magnolia Center).

- a. Staff Presentation
- b. Applicant Presentation
- c. Public Hearing
- d. Staff Response
- e. Take Action

**AGENDA ITEM SUMMARY/BACKGROUND**

The applicant is requesting a Planned Development district to facilitate the construction of two multi-tenant lease buildings on the property.

The City’s Unified Development Code provides for setbacks from adjacent property lines to ensure appropriate spacing between structures on adjoining lots.

The proposed Planned Development district regulations reduce the front yard setback along Tower Ridge Drive to allow for the use of a larger portion of the property. The property has frontages on three public right of ways and each frontage requires a front yard setback with a minimum depth of forty (40) feet. This would substantially reduce the amount of developable land on this small property and reducing this setback allows for a better use of the property in accordance with the proposed site configuration.

The Planned Development request reduces the setback along Tower Ridge from forty (40) feet in depth to twenty (20) feet in depth.

The applicant has intentions to establish a restaurant at this location and has requested the inclusion of a drive through as a permitted use. At this time, it is unknown if a future restaurant will use this drive through or if it will ultimately be utilized by a different service such as a dry cleaner. Staff has included language into the PD that will ensure that the proposed drive through is not used by a stand-alone pad restaurant such as a typical fast food restaurant by requiring that the drive through only be associated with a multi-tenant building.

**RECOMMENDATION**

The Planning and Zoning Commission unanimously recommended their approval of the item at their November 18, 2019 meeting.

Staff recommends approval as presented.

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**Attachments**

Magnolia Center Planned Development Ordinance

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**ORDINANCE NO. 19-12-05-\_\_**

**MAGNOLIA PLANNED DEVELOPMENT DISTRICT #53**

**AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING THE CITY'S COMPREHENSIVE PLAN, SPECIFICALLY THE COMPREHENSIVE ZONING ORDINANCE AND THE "OFFICIAL ZONING DISTRICT MAP OF THE CITY OF CORINTH, TEXAS," EACH BEING A PART OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CORINTH, BY AMENDING THE ZONING CLASSIFICATION FOR THE PROPERTY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATION HEREIN, FROM MX-C, MIXED USE COMMERCIAL TO PD-PLANNED DEVELOPMENT ZONING DISTRICT WITH A BASE ZONING DESIGNATION OF MX-C, MIXED USE COMMERCIAL ON AN APPROXIMATE 2.627 ACRE TRACT OF LAND 19(PT)(ROW), TRACT 19(PT), TRACT 20(PT)(ROW), TRACT 20(PT), TRACT 21(PT), AND TRACT 23(PT) SITUATED IN THE E.A. GARRISON SURVEY, ABSTRACT A0511A IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS, AND IDENTIFIED AS MAGNOLIA PLANNED DEVELOPMENT DISTRICT NO. 53 ("PD-53"); PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A LEGAL PROPERTY DESCRIPTION; APPROVING A PLANNED DEVELOPMENT CONCEPT PLAN (EXHIBIT "B"); APPROVING PLANNED DEVELOPMENT LAND USE REGULATIONS (EXHIBIT "C"); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 A DAY FOR EACH VIOLATION OF THE ORDINANCE AND A SEPARATE OFFENSE SHALL OCCUR ON EACH DAY THAT A VIOLATION OCCURS ON CONTINUES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth, Texas, adopted Ordinance No. 13-05-02-08, which established a Unified Development Code of the City, including the Comprehensive Zoning Ordinance and the "Official Zoning District Map of the City of Corinth, Texas," (the "Zoning Map"), in accordance with the City's Comprehensive Plan; and

**WHEREAS**, the Property, described in Exhibit "A", is zoned as PD-Planned Development zoning district, more specifically identified as Magnolia Planned Development District No. 53 ("PD-53"), with a base zoning designation of MX-C, Mixed Use Commercial under the City's Unified Development Code and as designated on the Zoning Map; and

**WHEREAS**, an authorized person having a proprietary interest in the Property has requested an Amendment to the Comprehensive Zoning Ordinance and the Zoning Map to change the zoning classification of the Property; and

**WHEREAS**, the City Council and the Planning and Zoning Commission of the City of Corinth gave the requisite notices by publication and otherwise and afforded a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof; and

**WHEREAS**, the City Council has determined that the Property has unique characteristics and that zoning through a planned development district is the most appropriate mechanism for zoning the Property, thus an amendment to the Comprehensive Zoning Ordinance and the Zoning Map of the City's Unified Development Code, in accordance with the Land Use Regulations set forth in Exhibit "C", should be approved; 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 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 neighborhoods; location, and types of signs and relation of signs to traffic control and adjacent property; street size and adequacy of width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood; adequacy of parking as determined by requirements of this ordinance for off-street parking facilities; location of ingress and egress points for parking and off-street loading spaces, and protection of public health by surfacing on all parking areas to control dust; effect on the promotion of health and the general welfare; effect on light and air; effect on the overcrowding of the land; effect on the concentration of population, and effect on transportation, water, sewerage, schools, parks and other public facilities; and

**WHEREAS**, the City Council further considered among other things the character of the proposed district and its peculiar suitability for particular use requested 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 requested Amendment to the Comprehensive Zoning Ordinance and Zoning Map to effect the change in zoning for the Property promotes the health and the general welfare, provides the Property with adequate light and air, prevents overcrowding of land, avoids undue population concentration, and facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; as well as 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 1.  
INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

**SECTION 2  
LEGAL PROPERTY DESCRIPTION; AMENDMENT**

That Ordinance No. 13-05-02-08, adopting the Unified Development Code of the City of Corinth (“UDC”), including the Comprehensive Zoning Ordinance that establishes zoning districts in accordance with the City’s Comprehensive Plan and the Zoning Map of the City of Corinth, is hereby amended to change the zoning classification on an approximate 2.627 acre tract of land described in "Exhibit A" attached hereto and incorporated herein (the “Property”), from MX-C, Mixed Use Commercial to a PD-Planned Development zoning district with a base zoning designation of MX-C, Mixed Use Commercial and identified as Magnolia Planned Development District No. 53 (“PD-53”), and the Zoning Map of the City is also hereby amended to reflect the new zoning classification for the Property.

**SECTION 3.  
PLANNED DEVELOPMENT CONCEPT PLAN**

The Planned Development Concept Plan for the Property as set forth in “Exhibit B”, a copy of which is attached hereto and incorporated herein, is hereby approved.

**SECTION 4.  
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 are hereby adopted and shall be adhered to in their entirety for the purposes of this PD-Planned Development zoning district with a base zoning designation MX-C, Mixed Use Commercial. In the event of conflict between the provisions of “Exhibit C” and provisions of any other City zoning regulations, including without limitation the regulations governing the MX-C, Mixed Use Commercial zoning district, the provisions of “Exhibit C” shall control.
  
- B. That the zoning regulations and district herein established have been adopted 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 overcrowding 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. The Planned Development Concept Plan (Exhibit “B”) and the Land Use Regulations (Exhibit “C”) shall control the use and development of the Property, and all building permits and development requests shall be in accordance with applicable City ordinances,

the PD Concept Plan and Land Use Regulations. The PD Concept Plan and Land Use Regulations shall remain in effect as set forth herein unless amended by the City Council.

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 and shall be subject to City Council approval.

**SECTION 5.  
PENALTY FOR VIOLATIONS**

Any person, firm, or corporation who intentionally, knowingly or recklessly violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving violation of any provision of this Ordinance or Code of Ordinances, as amended hereby, governing the fire safety, zoning, or public health and sanitation shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

**SECTION 6.  
SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

**SECTION 7.  
CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 8.  
SAVINGS**

All rights and remedies of the City of Corinth, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning for the Property which have



secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

**SECTION 9.  
EFFECTIVE DATE**

This ordinance shall become effective after approval and publication as provided by law. The City Secretary is directed to publish the caption and penalty of this ordinance two times.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH THIS 5<sup>th</sup> DAY OF DECEMBER, 2019.**

APPROVED:

---

Bill Heidemann, Mayor

ATTEST:

---

Kimberly Pence, City Secretary

APPROVED AS TO FORM:

---

Patricia Adams, City Attorney

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

WHEREAS SEL Meadows Oak, LLC are the owners of those four tracts of land situated in the E. A. Garrison Survey, Abstract Number 511, City of Corinth, Denton County, Texas, and being all of those tract of land described in deeds to SEL Meadows Oak, LLC, as recorded in Document Numbers 2008-00712, 2008-00713 and 2008-00714 of the Official Public Records of Denton County, Texas (O.P.R.D.C.T), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a cap stamped "PRECISE" found for the southwest corner of said SEL Meadows Oak tract of land recorded in Document Number 2008-00713, said corner being on the east right-of-way line of Tower Ridge Drive (a variable width public right-of-way), and being the northwest corner of that tract of land described in deed to Huffines Children's Trust, as recorded in Document Number 2017-3469, O.P.R.D.C.T.;

THENCE North 00 degrees 00 minutes 47 seconds West, along the common west line of said SEL Meadows Oak tract and said east right-of-way line, a distance of 273.00 feet to a 5/8-inch iron rod with cap stamped "BH&C" found for the south end of a corner clip at the intersection of said east right-of-way line with the south right-of-way line of Lake Sharon Drive (a/ka/ Meadows Oak Drive);

THENCE North 45 degrees 12 minutes 41 seconds East, along said corner clip, a distance of 28.35 feet to 5/8-inch iron rod with cap stamped "BH&C" found for the north end of said corner clip;

THENCE North 89 degrees 50 minutes 53 seconds East, along the common said south right-of-way line and the north line of said SEL Meadows Oak tract, a distance of 108.84 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "GEONAV" (hereinafter referred to as "with cap") set for corner on the north line of said SEL Meadows Oak tract recorded in Document Number 2008-00715;

THENCE North 89 degrees 46 minutes 15 seconds East, along the common north line of said SEL Meadows Oak tract and said south right-of-way line, a distance of 19.58 feet to a 5/8-inch iron rod found for corner;

THENCE South 84 degrees 02 minutes 49 seconds East, continuing along said common line, a distance of 65.00 feet to a 1/2-inch iron rod with cap set for corner;

THENCE North 89 degrees 46 minutes 15 seconds East, continuing along said common line, a distance of 50.00 feet to a 1/2-inch iron rod with cap set for corner;

THENCE South 64 degrees 45 minutes 06 seconds East, continuing along said common line, a distance of 55.00 feet to a 1/2-inch iron rod with cap set for corner on the westerly right-of-way line of South Interstate Highway 35 (a variable width public right-of-way);

THENCE South 39 degrees 22 minutes 50 seconds East, continuing along the common east lines of said SEL Meadows Oak tracts and said westerly right-of-way line, a distance of 120.44 feet to a 1/2-inch iron rod with cap set for corner;

THENCE South 41 degrees 43 minutes 42 seconds East, continuing along said common line, a distance of 192.63 feet to a 1/2-inch iron rod with cap set for the most southeasterly corner of the herein described tract and the most northerly northeast corner of said Huffines Children's Trust tract;

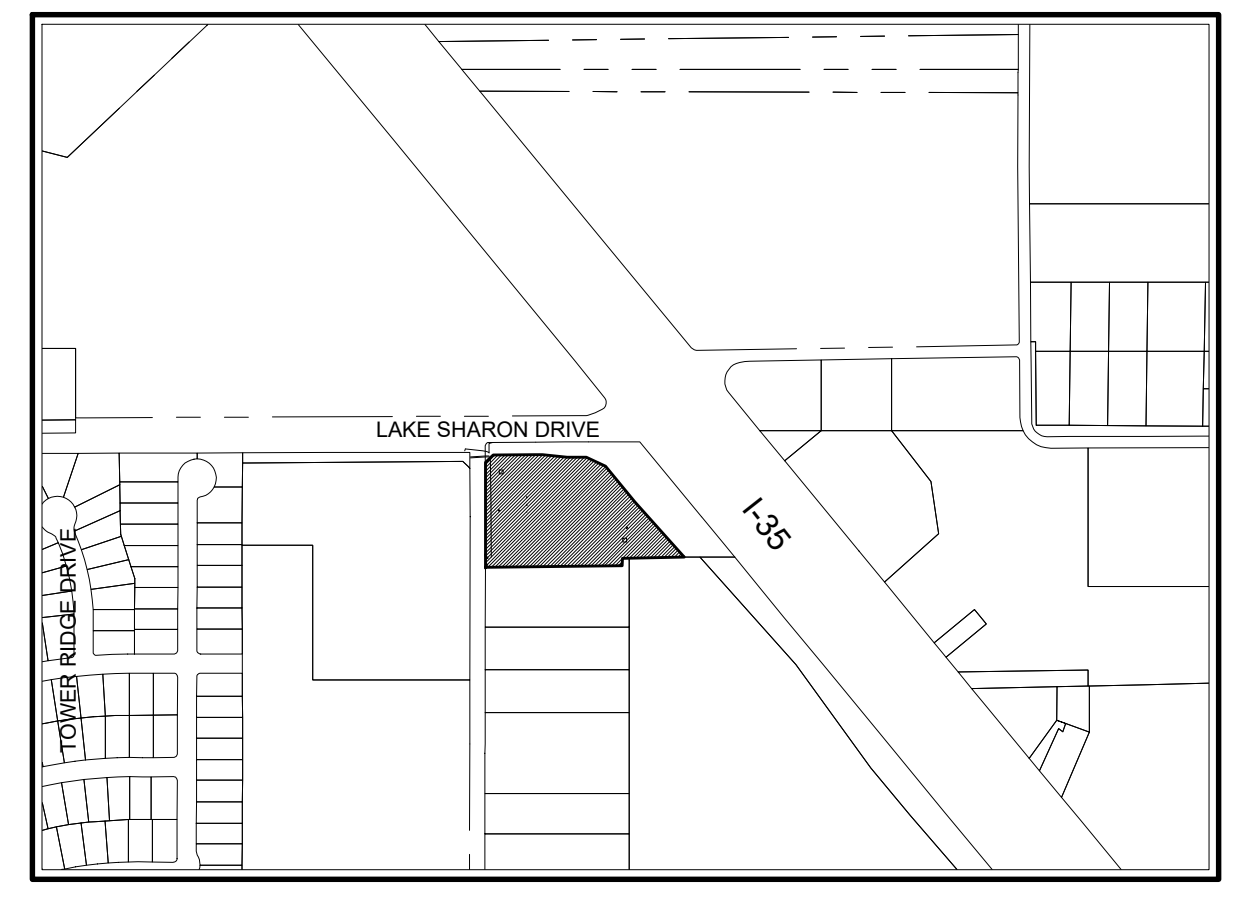
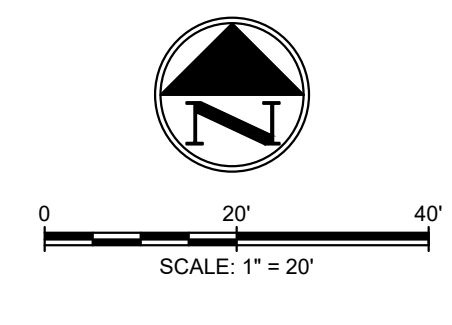
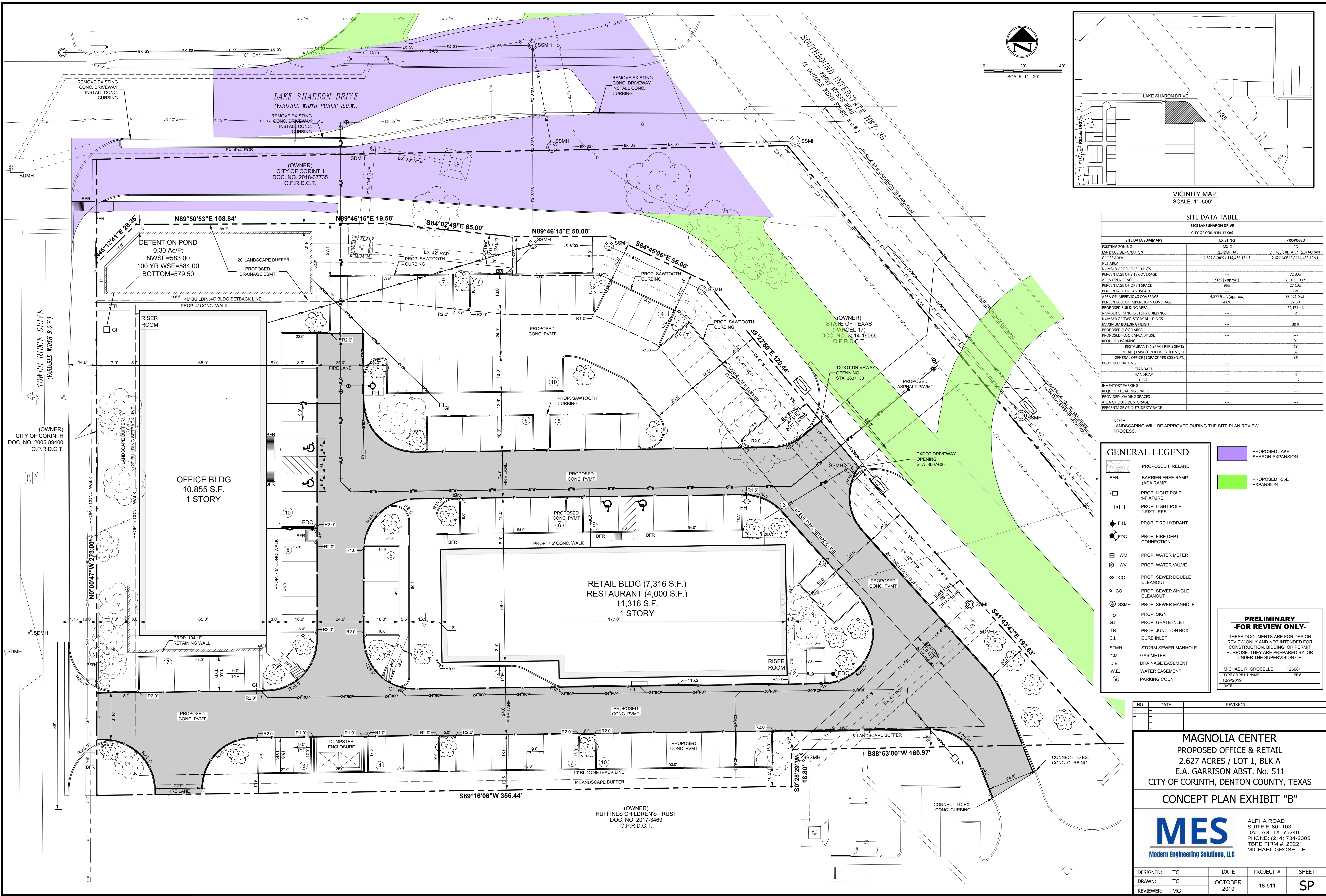
THENCE South 88 degrees 53 minutes 00 seconds West, along the common south lines of said SEL Meadows Oak tracts and the north line of said Huffines Children's Trust tract, a distance of to a 1/2-inch

iron rod with cap set for corner;

THENCE South 00 degrees 28 minutes 29 seconds West, continuing along said common line, a distance of 18.80 feet to a 1/2-inch iron rod with cap set for corner;

THENCE South 89 degrees 16 minutes 06 seconds West, continuing along said common line, a distance of 356.44 feet to the POINT OF BEGINNING AND CONTAINING 114,452 square feet or 2.627 acres of land, more or less.

**EXHIBIT "B"**  
**CONCEPT PLAN**



**SITE DATA TABLE**  
3302 LAKE SHARDON DRIVE  
CITY OF CORINTH, TEXAS

SITE DATA SUMMARY	EXISTING		PROPOSED
	MIX C	PD	OFFICE, RETAIL, RESTAURANT
EXISTING ZONING	RESIDENTIAL	PD	OFFICE, RETAIL, RESTAURANT
LAND USE DESIGNATION	2.627 ACRES / 114,432.12 s.f.	2.627 ACRES / 114,432.12 s.f.	2.627 ACRES / 114,432.12 s.f.
GROSS AREA	...	...	...
NET AREA	...	...	...
NUMBER OF PROPOSED LOTS	...	...	1
PERCENTAGE OF SITE COVERAGE	96% (Approx.)	...	22.30%
AREA OPEN SPACE	...	...	31,013.10 s.f.
PERCENTAGE OF OPEN SPACE	...	...	27.10%
PERCENTAGE OF LANDSCAPE	...	...	22%
AREA OF IMPERVIOUS COVERAGE	4,577 s.f. (approx.)	...	83,421.0 s.f.
PERCENTAGE OF IMPERVIOUS COVERAGE	...	...	22.3%
PROPOSED BUILDING AREA	...	...	24,171 s.f.
NUMBER OF SINGLE-STORY BUILDINGS	...	...	2
NUMBER OF TWO-STORY BUILDINGS	...	...	...
MAXIMUM BUILDING HEIGHT	...	...	30 ft
PROPOSED FLOOR AREA	...	...	...
PROPOSED FLOOR AREA BY USE	...	...	...
REQUIRED PARKING	...	...	91
RESTAURANT (1 SPACE PER 3 SEATS)	...	...	18
RETAIL (1 SPACE PER EVERY 200 SQ. FT.)	...	...	37
GENERAL OFFICE (1 SPACE PER 300 SQ. FT.)	...	...	36
PROVIDED PARKING	...	...	...
STANDARD	...	...	111
HANDICAP	...	...	4
TOTAL	...	...	115
INVENTORY PARKING	...	...	...
REQUIRED LOADING SPACES	...	...	...
PROVIDED LOADING SPACES	...	...	...
AREA OF OUTSIDE STORAGE	...	...	...
PERCENTAGE OF OUTSIDE STORAGE	...	...	...

NOTE: LANDSCAPING WILL BE APPROVED DURING THE SITE PLAN REVIEW PROCESS.

**GENERAL LEGEND**

- PROPOSED FIRELANE
- BARRIER FREE RAMP (ADA RAMP)
- PROP. LIGHT POLE 1-FIXTURE
- PROP. LIGHT POLE 2-FIXTURES
- F.H. PROP. FIRE HYDRANT
- FDC PROP. FIRE DEPT. CONNECTION
- WM PROP. WATER METER
- WV PROP. WATER VALVE
- DCO PROP. SEWER DOUBLE CLEANOUT
- CO PROP. SEWER SINGLE CLEANOUT
- SSMH PROP. SEWER MANHOLE
- PROP. SIGN
- G.I. PROP. GRATE INLET
- J.B. PROP. JUNCTION BOX
- C.I. CURB INLET
- STMH STORM SEWER MANHOLE
- GM GAS METER
- D.E. DRAINAGE EASEMENT
- W.E. WATER EASEMENT
- (9) PARKING COUNT

**PRELIMINARY - FOR REVIEW ONLY -**

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:

MICHAEL R. GROSELLE 125681  
TYPE OR PRINT NAME FE #  
10/9/2019 DATE

NO.	DATE	REVISION

**MAGNOLIA CENTER**  
PROPOSED OFFICE & RETAIL  
2.627 ACRES / LOT 1, BLK A  
E.A. GARRISON ABST. No. 511  
CITY OF CORINTH, DENTON COUNTY, TEXAS

**CONCEPT PLAN EXHIBIT "B"**

**MES**  
Modern Engineering Solutions, LLC

ALPHA ROAD  
SUITE E-80 -103  
DALLAS, TX 75240  
PHONE: (214) 734-2305  
TYPE: FIRM # 20221  
MICHAEL GROSELLE

DESIGNED: TC	DATE: OCTOBER 2019	PROJECT #: 18-511	SHEET: SP
DRAWN: TC	REVIEWER: MG		

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18-511-C-DIM 11/17/2019 8:47 AM

**EXHIBIT "C"**  
**AMENDED LAND USE**  
**REGULATIONS**

**SECTION 1: REGULATIONS**

A. Purpose

The regulations set forth in this Exhibit "C" provide development standards for Commercial designations within this Mixed Use Commercial Planned Development District. The Planned Development (PD) District is identified by metes and bounds on Exhibit "A" and is depicted on the Concept Plan. All uses not authorized herein are expressly prohibited in this Planned Development (PD) District.

B. Base district

In this Planned Development (PD) District, the "MX-C" Mixed Use Commercial District regulations of the Corinth Unified Development Code, shall apply except as altered herein. If a change to the Concept Plan is requested, the request shall be administered in accordance with the development standards in effect at the time the modification is requested for the proposed development, following the procedures outlined within the Unified Development Code.

**SECTION 2: USES AND DIMENSIONAL REGULATIONS**

A. Purpose

This district shall be intended to provide for the development of a mixed-use commercial area featuring a variety of uses, including retail, office, and restaurant(s).

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

In addition to the uses allowed within the Mixed Use Commercial (MX-C) zoning district the following uses in the Planned Development shall also be allowed.:

- a) Restaurant with Drive-In or Drive-through Service shall only be permitted within a multi-tenant building. No single pad restaurant use with drive through will be permitted. Combination restaurants such as KFC/Taco Bell, Schlotzsky's/Cinnabon shall not be considered multi-tenant buildings.

Other land uses requiring a Special Use Permit in the Mixed Use Commercial (MX-C) District, shall follow the standards set forth in the Mixed Use Commercial (MX-C) District, as listed in Subsection 2.07.03 of the Unified Development Code:

C. Dimensional Regulations

The Dimensional Regulations described in Section 2.08.05 of the Unified Development Code, Ordinance No. 13-05-02-08, for the Mixed Use Commercial District shall apply with the following exceptions.

1. Minimum setback adjacent to Tower Ridge Road: Twenty (20) Feet.

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** Engineering and Tree Fees  
**Submitted For:** Helen-Eve Liebman, Director **Submitted By:** Ben Rodriguez, Manager  
**Finance Review:** N/A **Legal Review:** Yes  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Land Development  
Infrastructure Development

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**AGENDA ITEM**

Hold a Public Hearing to consider testimony and act upon an ordinance amending title XVI "Fee Schedule" of the Code of Ordinances and Section 2 "Zoning Regulations" of the Unified Development code to amend the City's engineering inspection and tree replacement fees.

- a. Staff Presentation
- b. Public Hearing
- c. Staff Response
- d. Take Action

**AGENDA ITEM SUMMARY/BACKGROUND**

The City is working on an initiative to move all fees from multiple parts of the City's Code of Ordinances/Unified Development Code to a single section within the Code of Ordinances.

Tree Preservation fee is currently contained within the City's Unified Development Code. City Staff is requesting consideration of its removal so that it can be moved to the Code of Ordinances.

Additionally staff is proposing the inclusion of an inspection fee for civil engineering inspection of 3% of the cost of private infrastructure (drive aisles, parking lots, water/waste water lines etc.) to cover the costs of our inspectors to conduct these inspections. Currently the City collects a 3% fee only on public infrastructure but inspects both private and public infrastructure. This will ensure that the City is being adequately compensated for our inspectors time in the field.

**Attachments:**

- **Fee Comparison**

**RECOMMENDATION**

The Planning and Zoning Commission unanimously recommended their approval of the item at their November 18, 2019 meeting. Staff recommends approval as presented.

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**Attachments**

Inspection Fee Comparison  
Engineering and Tree Fee Amendment

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Comparison of Construction Inspection Fees  
Civil Improvements Only

	Public	Private	Additional
Corinth	3%	0%	If outside review is needed (structural/Flood) 100% pass through. No Engineering Plan Review Fee Charged.
Carrollton	4%	0%	na
Lake Dallas	Developer Pays 100% of all Inspections (Public & Private)		
Lewisville	3.50%	3.50%	na
Shady Shores	4%		Engineering Plan Review Fee 100% pass through.
Little Elm	2.5%	0%	na
Grand Prairie	4%	0%	na
Kennedale	4%	4%	Engineering plan review fee: 20% building permit fee and others.
Trophy Club	5%	5%	Engineering Plan Review Fee 100% pass through.
Coppell	4%	2%	na
Denton	4.5%	0%	na

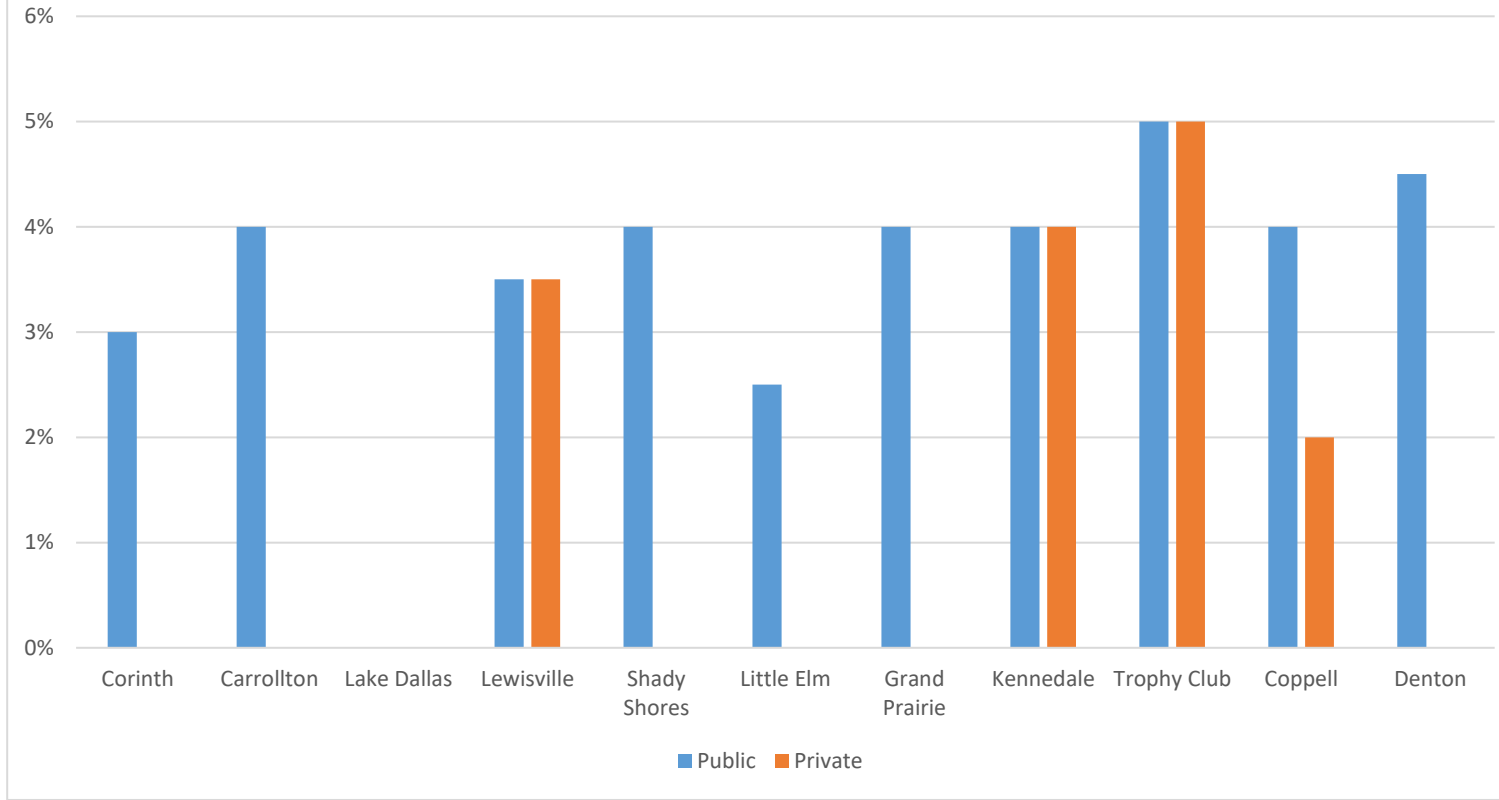
Example:

Retail pad site:  
 Existing Fee: Water service, connect to storm sewer, sewer service, driveway approach  
 Proposed Fee: All of existing plus paving, grading, erosion control.

Subdivision: Water, sewer, paving, grading, drainage  
 Little change due to 90% being public improvements.

Staff Spends roughly 15 min per day per active project at least. Some days more, some less.

### Comparison of Inspection Fees



**ORDINANCE NO. 19-12-05-\_\_\_\_\_**

**PLANNING, ENGINEERING, & BUILDING FEE COMPILATION**

**AN ORDINANCE OF THE CITY OF CORINTH, TEXAS AMENDING THE TITLE XVI “FEE SCHEDULE” OF THE CODE OF ORDINANCES OF THE CITY OF CORINTH AND AMENDING THE CITY OF CORINTH’S COMPREHENSIVE ZONING ORDINANCE, SPECIFICALLY SECTION 2 “ZONING REGULATIONS,” SUBSECTION 2.09 “ZONING DEVELOPMENT REGULATIONS,” SECTION 2.09.02(K)(3) OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CORINTH”; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth, Texas is a home rule municipality located in Denton County, Texas created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City is authorized to adopt regulations governing the development of land within the City and its extraterritorial jurisdiction in the interest of the public health, safety and welfare of its citizens; and

**WHEREAS**, currently as part of the City’s Tree Preservation ordinance codified as part of the Unified Development Code of the City (“UDC”), the City has adopted a fee that may be paid by a developer of land in lieu of planting replacement trees pursuant Section 2, “Zoning Regulations,” Subsection 2.09 “Zoning Development Regulations” of the UDC; and

**WHEREAS**, the City wishes to compile all fees into a unified title of the code of ordinances currently codified as Title XVI – Fee Schedule of the Code of Ordinances, including the fee in lieu of planting replacement trees currently codified in Section 2, of the UDC; and

**WHEREAS**, modification of Title XVI also requires a modification to Section 2, “Zoning Regulations,” Subsection 2.09 “Zoning Development Regulations” of the UDC to reference Title XVI – Fee Schedule; and

**WHEREAS**, the amount of the fee in lieu of planting replacement trees is not being modified, rather it is being added to the Fee Schedule; and

**WHEREAS**, the Planning and Zoning Commission and City Council each conducted a public hearing regarding the proposed amendment to Section 2, Subsection 2.09, of the UDC to receive public input regarding the proposed amendment to Section 2, “Zoning Regulations,” Subsection 2.09 “Zoning Development Regulations,” Section 2.09.02 (K)(3), and at such hearings provided the public an opportunity to provide input; and

**WHEREAS**, upon review and consideration of the foregoing factors, the City Council has determined that the Section 2, “Zoning Regulations” of the Unified Development Code and Title XVI – “Fee Schedule” of the Code of Ordinances of the City should be amended as set forth below;

and

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

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are hereby incorporated into the body of this Ordinance for all purposes.

**SECTION 2.  
AMENDMENTS**

**2.01.** That the City of Corinth, Texas Code of Ordinances, Title XVI: - “Fee Schedule” is hereby amended to add a designation of Chapter 170, entitled “Planning, Engineering and Building Fees” and to add Section 5, “Fee in Lieu of Replacement Fees” to the “Platting” subdivision of the Fee Schedule, to be and read as follows and all other provisions of Title XVI – “Fee Schedule” not expressly amended hereby shall remain in full force and effect without amendment:

**“Title XVI – Fee Schedule.**

**Chapter 170: Planning, Engineering, and Building Fees”**

...

<b>Platting/Engineering:</b>	
1. Subdivision Preliminary Plat	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of engineering costs
2. Subdivision Final Plat	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of engineering costs and county filing fees
3. Subdivision Replat	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of engineering costs and county filing fee
4. Minor Plat	\$100.00 plus 100% of engineering costs and county filing fees
“5. Fee in Lieu of Replacement Trees	\$150 per Caliper Inch”
“6. Engineering Inspections	3% of the valuation of all public and private improvements”

...

**2.02.** That the City of Corinth’s Comprehensive Zoning Ordinance, being a part of the City of Corinth Unified Development Code, Section 2, “Zoning Regulations,” Subsection 2.09 “Zoning Development Regulations,” Section 2.09.02 (K)(3), is hereby amended to be read in its entirety as follows with all other sections of Subsection 2.09, “Zoning Development Regulations” not specifically amended and hereby remaining in full force and effect:

**“2.09.02 Tree Preservation**

...

**K. Approval of Alternative Compliance**

...

3. The fee in lieu of replacement trees may be found in the City’s fee schedule located in Title XVI of the City’s Code of Ordinances.”

**SECTION 3.  
CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 4.  
SAVINGS**

All rights and remedies of the City of Corinth, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting fees which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

**SECTION 5.  
SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority’s decisions or enactment.

**SECTION 6.  
EFFECTIVE DATE**

This Ordinance shall take effect upon its passage and publication as required by law. The City Secretary is directed to publish the caption of this Ordinance as required by the City Charter and state law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
CORINTH, TEXAS ON THIS 5<sup>th</sup> day of December \_\_\_\_\_ 2019.**

APPROVED:

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Bill Heidemann, Mayor

ATTEST:

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Kimberly Pence, City Secretary

APPROVED AS TO FORM:

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Patricia A. Adams, City Attorney

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** Thoroughfare Plan Amendment  
**Submitted For:** Helen-Eve Liebman, Director **Submitted By:** Ben Rodriguez, Manager  
**Finance Review:** N/A **Legal Review:** Yes  
**City Manager Review:** **Approval:** Bob Hart, City Manager  
**Strategic Goals:** Land Development  
Infrastructure Development  
Economic Development

**AGENDA ITEM**

Hold a public hearing to consider testimony and act upon an ordinance amending the City’s Comprehensive Plan “City of Corinth 2010 Comprehensive Plan” by amending the City’s Master Thoroughfare Plan. (Thoroughfare Plan Amendment)

- a. Staff Presentation
- b. Public Hearing
- c. Staff Response
- d. Take Action

**AGENDA ITEM SUMMARY/BACKGROUND**

The City is proposing changes to the City’s Thoroughfare Plan to establish the locations of several roundabouts at intersections throughout to community. The roundabouts are to be located at the intersections of Dobbs Road & Quail Run Drive, Lake Sharon Drive & Parkridge Drive, and North Corinth Street & Walton Drive.

Additionally, the proposed changes designate Old Hwy 77 as a future Collector as well as extending N. Corinth Street by paralleling the DCTA rail line to connect to Corinth Parkway. The portions of N. Corinth Street and Walton Drive that are within DCTA rail line right of way will be abandoned along with the portions of N. Corinth Street that are directly south of the DCTA rail line right of way to accommodate the anticipated rail stop north of Corinth Parkway.

Finally, the proposed changes create a new Collector that will cross the DCTA rail line and connect N. Corinth Street to the northbound IH 35 frontage road.

**RECOMMENDATION**

The Planning and Zoning Commission unanimously recommended their approval of the item at their November 18, 2019 meeting. Staff recommends approval as presented.

**Attachments**

Thoroughfare Plan Amendment Ordinance

**ORDINANCE NO. 19-12-05-\_\_\_\_\_**

**THOROUGHFARE PLAN AMENDMENT**

**AN ORDINANCE OF THE CITY OF CORINTH, TEXAS AMENDING THE “2010 CITY OF CORINTH COMPREHENSIVE PLAN,” OF THE CITY BY ADOPTING AN AMENDMENT TO THE CITY’S MASTER THOROUGHFARE PLAN AS SET FORTH IN EXHIBIT “A” HERETO; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS/CONFLICT CLAUSE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$2,000 A DAY FOR EACH VIOLATION OF THE ORDINANCE AND A SEPARATE OFFENSE SHALL OCCUR ON EACH DAY THAT A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth adopted the 2010 City of Corinth Comprehensive Plan, currently in effect, on May 6, 2010 as Ordinance 10-05-06-12 (“City’s Comprehensive Plan”) which also adopts and incorporates the City’s Master Thoroughfare Plan (“City’s Thoroughfare Plan”); and

**WHEREAS**, Chapter 213 of the Texas Local Government Code allows municipalities to adopt and amend a Comprehensive Plan for the long-range development of the municipality; and

**WHEREAS**, Section 1.03.03 of Section 1, “Provisions and Procedures” of the Unified Development Code of the City of Corinth (“UDC”) requires that both the Planning and Zoning Commission and City Council conduct at least one public hearing prior to amendment of the City’s Comprehensive Plan; and

**WHEREAS**, the proposed Amendment to the City of Corinth Master Thoroughfare Plan as depicted in **Exhibit “A”** hereto is part of the City’s Comprehensive Plan; and

**WHEREAS**, the City of Corinth’s Planning and Zoning Commission, after holding a public hearing regarding the proposed amendment to City’s Thoroughfare Plan, recommended that the City Council adopt the proposed Amendment to the Thoroughfare Plan as set forth in Exhibit “A” hereto; and

**WHEREAS**, the City Council of the City of Corinth has held a public hearing where the public was provided an opportunity to give input on the proposed Amendment to the Comprehensive Plan and finds that the adoption of this Amendment of the City’s Thoroughfare Plan to the City’s Comprehensive Plan is appropriate and serves a public purpose and protects the health, safety, and welfare of citizens of the City of Corinth; and

**WHEREAS**, having reviewed the proposed Amendment to the City’s Thoroughfare Plan (Exhibit “A”), the same being a part of the City’s Comprehensive Plan, the City Council finds and determines that the adoption of this Ordinance incorporating Exhibit “A” provides for the planning and construction of roadways that will facilitate travel and promotes the general health, safety and welfare of the public and therefore should be adopted.



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

**SECTION 1**  
**INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are hereby incorporated into the body of this Ordinance for all purposes.

**SECTION 2**  
**AMENDMENTS**

That Ordinance 10-05-06-12 adopting the 2010 City of Corinth Comprehensive Plan is hereby amended to adopt the Amended Master Thoroughfare Plan of the City of Corinth located in Chapter 3, Plate 3-1 of the City's Comprehensive Plan as depicted in Exhibit "A" of this Ordinance, a copy of Exhibit "A" is attached hereto and incorporated herein, and all other chapters and subsections of Ordinance 10-05-06-12 not specifically amended hereby shall remain in full force and effect without amendment.

**SECTION 3**  
**CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances of the City of Corinth and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance or where expressly repealed hereby. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

**SECTION 4**  
**SEVERABILITY**

If any section, subsection, clause, phrase, or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void, or unconstitutional, the remaining sections, subsections, clauses, phrases, and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

**SECTION 5**  
**SAVINGS/CONFLICT**

In the event of a conflict between the provisions of this Ordinance and any other regulation or rule prescribed by charter, another ordinance, resolution or other authorization of the City, the provisions of this ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the City are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion thereof, on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

**SECTION 6**  
**PENALTY**

Any person, firm or corporation who violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving an intentional, knowing, reckless or criminally negligent violation of any provision of this ordinance or Code of Ordinances, as amended hereby, governing public health shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7**  
**PUBLICATION/EFFECTIVE DATE**

This Ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this Ordinance as required by the City Charter and state law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS ON THIS \_\_\_\_ day of \_\_\_\_\_ 2019.**

**APPROVED:**

\_\_\_\_\_  
Bill Heidemann, Mayor  
City of Corinth, Texas

**ATTEST:**

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

**APPROVED AS TO FORM AND LEGALITY:**

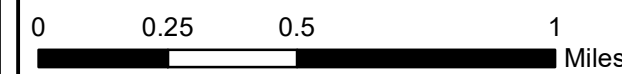
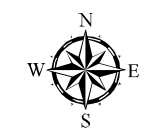
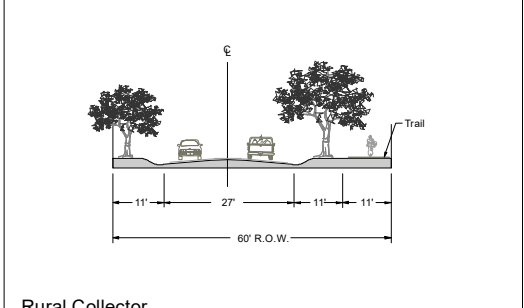
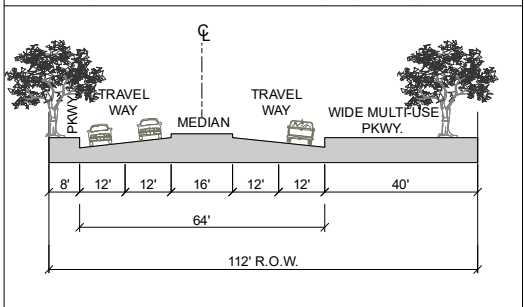
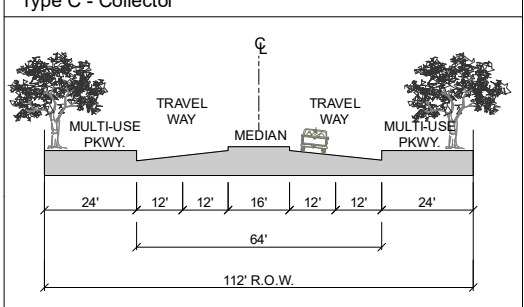
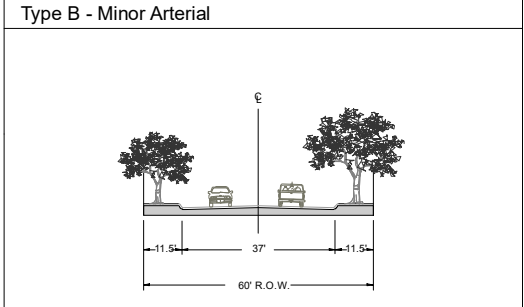
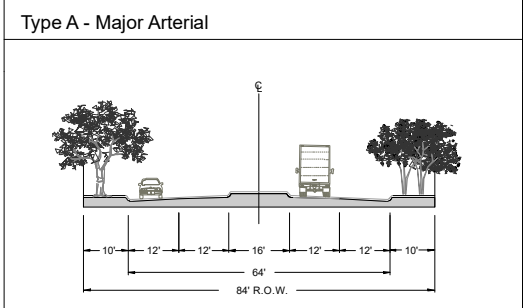
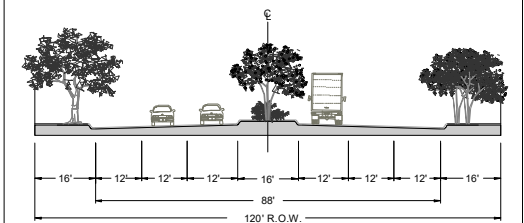
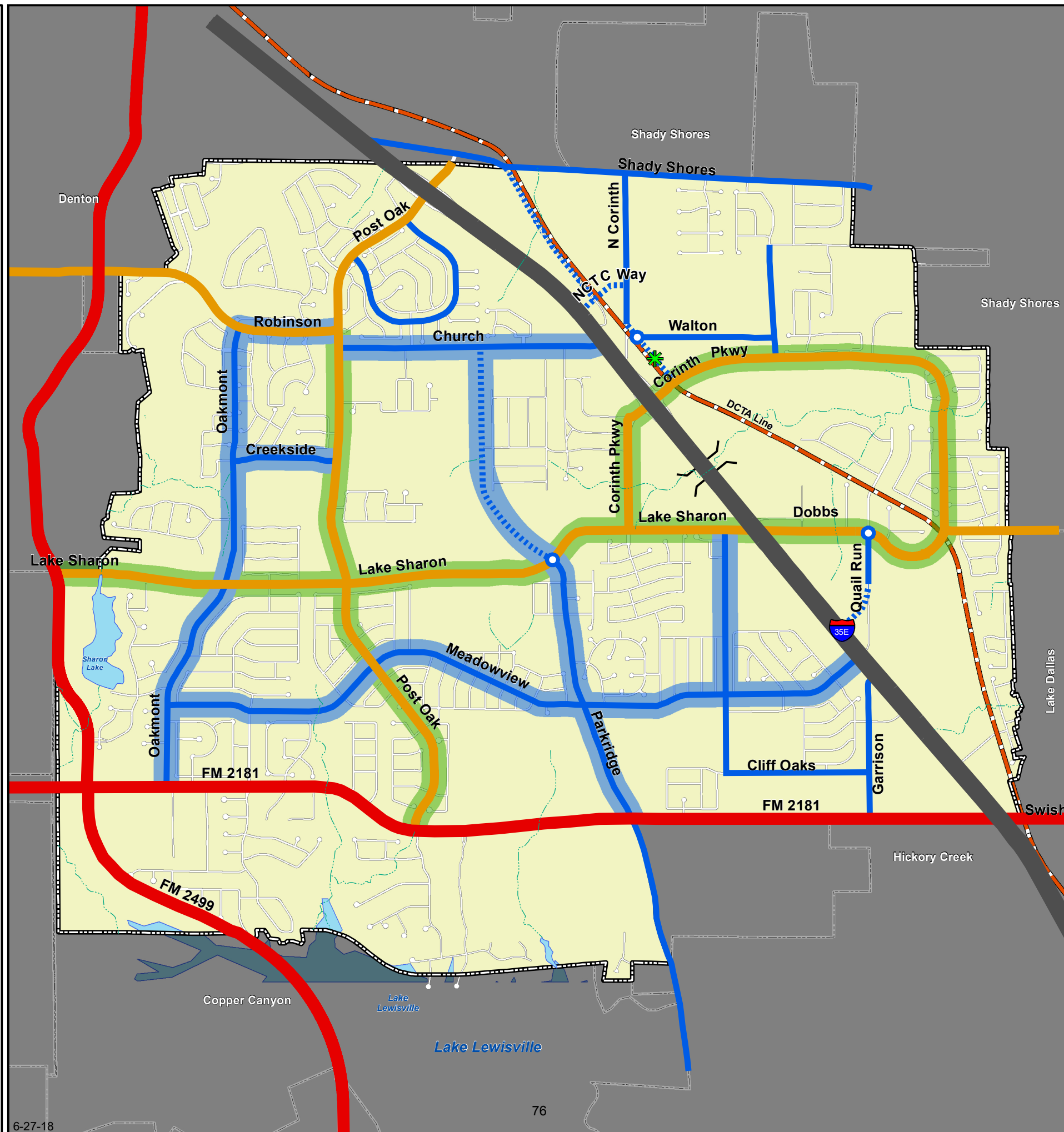
\_\_\_\_\_  
Patricia A. Adams, City Attorney

**EXHIBIT "A"**  
**AMENDMENT TO THE CITY OF CORINTH MASTER THOROUGHFARE PLAN**

# Proposed Thoroughfare Plan

## EXHIBIT "A"

- Multi-Modal Transit Center
- Freeway / Expressway
- Major Arterial
- Major Arterial (Proposed)
- Minor Arterial
- Collector
- Collector (Proposed)
- Future DCTA Rail Line
- Under Pass
- Greenway Corridor
- Bicycle Corridor
- Roundabout Intersection



**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019  
**Title:** Adopt Engineering Standards Manual & Drainage Design Manual (iSWM)  
**Submitted For:** Helen-Eve Liebman, Director **Submitted By:** George Marshall, Engineer  
**Finance Review:** N/A **Legal Review:** Yes  
**City Manager Review:** **Approval:** Bob Hart, City Manager  
**Strategic Goals:** Land Development  
Infrastructure Development  
Economic Development

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**AGENDA ITEM**

Consider and act on an ordinance amending the City of Corinth Code of Ordinances by adopting a new Section 153 “Drainage Design Standards”; adopting the Drainage Design Manual; and adopting a new Section 156 “Engineering Standards”; adopting the revised Engineering Standards Manual.

**AGENDA ITEM SUMMARY/BACKGROUND**

**Action Requested:**

The City Council will consider and act on the adoption of an Engineering Design Manual and a Drainage Design Manual (iSWM Criteria Manual).

**Background Information:**

The City of Corinth began using the current Engineering Design Manual (EDM) in May 2013. The document is referenced within the Unified Development Code however it has not been officially adopted within the codes of the City of Corinth. Based on current legislative environment, staff is recommending adoption of the Engineering Standards Manual within the Code of Ordinances, Section XV Land Usage.

Staff is additionally recommending changes to the EDM based on current standards of practice within the Engineering and Development field. The specific changes are highlighted within the Comparison file located on the provided link below.

Part of the proposed changes within the Engineering Design Manual include removal of the drainage design criteria and reference the North Central Texas Council of Governments (NCTCOG) Integrated Storm Water Management Criteria Manual (iSWM) to be known as the City of Corinth Drainage Design Manual. The iSWM Criteria Manual provides clear and specific engineering design standards related to the development and re-development of properties within Corinth. It includes usage of the most up to date design standards that at least 14 other communities within the Dallas/Fort Worth metroplex. For additional information regarding iSWM please follow the below provided link to NCTCOG iSWM website. It will be staff's desire to request NCTCOG iSWM committee to review our standards to become Silver Certified.

**Supporting Documents:**

- See <https://www.cityofcorinth.com/engineering/page/2019-engineering-design-standards> for:
  - Revised Engineering Design Manual
  - Comparison of Changes to the Engineering Design Manual
  - Drainage Design Manual (aka iSWM Criteria Manual)
- See <http://iswm.nctcog.org/> for additional information regarding the iSWM program.

**RECOMMENDATION**

Staff recommends approval of an ordinance amending the City of Corinth Code of Ordinances by adopting a new Section 153 “Drainage Design Standards”; adopting the Drainage Design Manual; and adopting a new Section 156 “Engineering Standards”; adopting the revised Engineering Standards Manual.

The Planning and Zoning Commission unanimously recommended the item at their November 18, 2019 meeting for approval by City Council.

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**Attachments**

Ordinance - DDM & EDM

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AMENDING THE CITY OF CORINTH'S CODE OF ORDINANCES BY ADOPTING A NEW CHAPTER, "CHAPTER 153: - DRAINAGE DESIGN STANDARDS" OF TITLE XV "LAND USAGE"; ADOPTING THE DRAINAGE DESIGN MANUAL; ADOPTING A NEW CHAPTER, "CHAPTER: - 156 ENGINEERING STANDARDS" OF TITLE XV "LAND USAGE"; ADOPTING THE REVISED ENGINEERING STANDARDS MANUAL; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

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

**WHEREAS**, the City is authorized to adopt regulations governing the development of land within the City and its extraterritorial jurisdiction in the interest of the public health, safety and welfare of its citizens; and

**WHEREAS**, the City adopted a Code of Ordinances which specifies codes and standards for the city; and

**WHEREAS**, upon review and consideration of the foregoing factors, the City Council has determined that the Code of Ordinances should be amended as set forth below.

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

**SECTION 1**  
**INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

**SECTION 2**  
**ADOPTIONS**

**2.01 “Chapter 153: - Drainage Design Standards” of Title XV “Land Usage” of the Code of Ordinances of the City of Corinth is hereby adopted and shall be read in its entirety as follows:**

**“Adoption of Regulatory Codes by Reference**

**153.01 – Adoption of Drainage Design Standards**

The Drainage Design Manual, otherwise known as the iSWM Local Criteria Manual and other necessary iSWM documents, a copy of which is on file with the City Secretary, is hereby adopted by reference as if set forth fully herein. The Drainage Design Manual shall be maintained as a public record in the office of the City Secretary. In the event a conflict is determined to exist between the Drainage Design Manual as adopted and the other provisions of this chapter, the later provisions shall be construed as controlling and taking precedence over the former.”

2.02 Chapter 156, “Engineering Standards” of Title XV, “Land Usage” of the Code of Ordinances of the City of Corinth is hereby adopted and shall read in its entirety as follows:

**“Adoption of Regulatory Codes by Reference**

**156.01 – Adoption of Engineering Standards**

The Engineering Standards Manual as revised, a copy of which is on file in the office of the City Secretary, is hereby adopted by reference as if set forth fully herein. The Engineering Standards Manual shall be maintained as a public record in the office of the City Secretary. In the event a conflict is determined to exist between the Engineering Standards Manual as adopted and the other provisions of this chapter, the later provisions shall be construed as controlling and taking precedence over the former.”

**SECTION 3**  
**CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances of the City of Corinth and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance or where expressly repealed hereby. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

**SECTION 4**  
**SEVERABILITY**

If any section, subsection, clause, phrase, or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void, or unconstitutional, the remaining sections, subsections, clauses,



phrases, and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

**SECTION 5**  
**SAVINGS**

In the event of a conflict between the provisions of this Ordinance and any other regulation or rule prescribed by Charter, another ordinance, resolution or other authorization of the City, the provisions of this Ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the City are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion thereof, on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

**SECTION 6**  
**PENALTY**

Any person, firm or corporation who violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving an intentional, knowing, reckless or criminally negligent violation of any provision of this ordinance or Code of Ordinances, as amended hereby, governing public health shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7**  
**PUBLICATION/EFFECTIVE DATE**

This Ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this Ordinance as required by the City Charter and state law.

Ordinance No. \_\_\_\_\_

Page 4 of 4

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
CORINTH, TEXAS on this the \_\_\_\_ day of \_\_\_\_\_ 2019.**

**APPROVED:**

\_\_\_\_\_  
Bill Heidemann, Mayor  
City of Corinth, Texas

**ATTEST:**

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

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Patricia A. Adams, City Attorney

**BUSINESS ITEM 9.**

**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019

**Title:** Appoint Chair and Vice-Chair to Planning and Zoning Commission

**Submitted For:** Helen-Eve Liebman, Director

**Submitted By:** Ben Rodriguez, Manager

**City Manager Review: Approval:** Bob Hart, City Manager

**Strategic Goals:** Organizational Development

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**AGENDA ITEM**

Appoint Chair and Vice-Chair to the Planning and Zoning Commission per the City Charter procedures.

**AGENDA ITEM SUMMARY/BACKGROUND**

The Planning and Zoning Commission has voted to recommend the Chair and Vice-Chair for their Commission.

The Commission is recommending Brian Rush to the Chair position and Lindsey Baker to the Vice-Chair position.

**RECOMMENDATION**

N/A

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**City Council Regular and Workshop Session**

**Meeting Date:** 12/05/2019

**Title:** Denton Central Appraisal District Board of Directors membership

**Submitted For:** Bob Hart, City Manager

**Submitted By:** Kim Pence, City Secretary

**City Manager Review: Approval:** Bob Hart, City Manager

**Strategic Goals:** Regional Cooperation

**AGENDA ITEM**

Consider and act on a Resolution casting votes for membership to the Board of Directors of the Denton Central Appraisal District.

**AGENDA ITEM SUMMARY/BACKGROUND**

The taxing jurisdictions within Denton County may cast votes appointing individuals to the Denton Central Appraisal District Board of Directors. The distribution of votes to each taxing entity is based on the 2018 tax levy. The City of Corinth has twenty-eight (28) votes. The City may cast all its votes for one candidate or may distribute the votes among any number of candidates. The City may only cast the votes for a person that was nominated and is named on the ballot. Each taxing unit must cast its vote by written Resolution and submit it to the Chief Appraiser before December 15, 2019.

The candidates nominated by the taxing jurisdictions are listed below.

Roy Atwood	City of Lewisville, Lewisville ISD, City of the Colony
Michelle French*	City of Lewisville
Sharon Gentry	Town of Flower Mound
Kate Grote	Town of Flower Mound
Carla Hardeman	Town of Northlake
David Johnson	Lewisville ISD
Danny Mayer	Town of Trophy Club
Joel McGregor	Town of Northlake
Laura McGregor	Town of Northlake
Ashleigh Miller	CFB ISD
Brian Montini	Town of Northlake
George Pryor	City of Lewisville, Denton County, City of the Colony
Michael Savoie	Town of Northlake
Kelly Sayre	Denton County, CFB ISD
Charles Stafford	City of Lewisville, Denton ISD, City of the Colony
Mike Stallings	Town of Flower Mound
David Terre	Frisco ISD, Northwest ISD, Little Elm ISD, City of Frisco, Lewisville ISD, Denton County, Town of Flower Mound, City of the Colony

Tom Washington	Lewisville ISD, Denton County
Bryan Webb	City of Lewisville, Argyle ISD, Lewisville ISD, Town of Flower Mound
Rick Woolfolk	City of Denton

\* Michelle French was nominated by the City of Lewisville as a candidate. Ms. French would like to remain on the Board of Directors as an ExOfficio member. (This would be automatic and would require no votes from the entities.)

**RECOMMENDATION**

Recommendation is at Council's discretion.

**Attachments**

- Resolution
- 2019 Distribution of Votes
- Roy T Atwood
- Katherine Grote
- David Johnson
- Danny Mayer
- Joel McGregor
- Laura McGregor
- George Pryor
- Michael Savoie
- Kelly Sayre
- Charles Stafford
- David Terre
- Tom Washington
- Bryan Webb
- Rick Woolfolk

**RESOLUTION NO. 19-12-05-**

A RESOLUTION CASTING VOTES FOR MEMBERSHIP TO THE BOARD OF DIRECTORS OF THE DENTON CENTRAL APPRAISAL DISTRICT.

THE CITY COUNCIL OF THE CITY OF CORINTH HEREBY RESOLVES:

SECTION 1. The City Council of the City of Corinth, Texas hereby casts \_\_\_\_\_ votes for \_\_\_\_\_ for membership to the Board of Directors of the Denton Central Appraisal District for the County of Denton, Texas.

SECTION 2. This resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this 5th day of December, 2019.

\_\_\_\_\_  
BILL HEIDEMANN, MAYOR

ATTEST:  
KIMBERLY PENCE, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO FORM:  
PATRICIA ADAMS, CITY ATTORNEY

BY: \_\_\_\_\_

DENTON CENTRAL APPRAISAL DISTRICT				
2019 DISTRIBUTION OF VOTES				
JURISDICTIONS		2018 LEVY	% OF TOTAL LEVIES	NUMBER OF VOTES
<b>SCHOOL DISTRICTS:</b>				
S01	ARGYLE ISD	33,186,851.69	1.6261%	81
S02	AUBREY ISD	16,454,142.56	0.8062%	40
S03	CARROLLTON-FB ISD	58,371,523.21	2.8601%	143
S04	CELINA ISD	427,771.79	0.0210%	1
S05	DENTON ISD	274,005,237.83	13.4258%	671
S15	ERA ISD	2,758.30	0.0001%	1
S06	FRISCO ISD	162,397,340.74	7.9572%	397
S07	KRUM ISD	12,853,716.09	0.6298%	31
S08	LAKE DALLAS ISD	31,974,528.89	1.5667%	78
S09	LEWISVILLE ISD	544,364,670.37	26.6730%	1328
S10	LITTLE ELM ISD	73,613,044.88	3.6069%	180
S11	NORTHWEST ISD	124,570,724.15	6.1038%	305
S12	PILOT POINT ISD	8,539,103.29	0.4184%	21
S13	PONDER ISD	10,708,445.18	0.5247%	26
S17	PROSPER ISD	15,533,196.24	0.7611%	38
S14	SANGER ISD	15,181,709.78	0.7439%	37
S16	SLIDELL ISD	561,351.63	0.0275%	1
<b>SCHOOL DISTRICTS TOTALS</b>		<b>\$1,382,746,116.62</b>	<b>67.752%</b>	<b>3382</b>
G01	DENTON COUNTY	\$223,871,430.98	10.97%	548
<b>CITIES:</b>				
C26	TOWN OF ARGYLE	2,687,077.63	0.1317%	7
C01	CITY OF AUBREY	1,412,289.57	0.0692%	3
C31	TOWN OF BARTONVILLE	756,676.91	0.0371%	2
C02	CITY OF CARROLLTON	47,204,556.69	2.3129%	116
C49	CITY OF CELINA	303,038.29	0.0148%	1
C03	CITY OF THE COLONY	30,055,137.17	1.4727%	74
C21	TOWN OF COPPELL	957,483.56	0.0469%	2
C27	TOWN OF COPPER CANYON	753,307.60	0.0369%	2
C04	CITY OF CORINTH	11,500,863.98	0.5635%	28
C20	CITY OF DALLAS	12,488,352.67	0.6119%	31
C05	CITY OF DENTON	71,132,828.80	3.4854%	174
C42	CITY OF DISH	147,732.08	0.0072%	1
C30	TOWN OF DOUBLE OAK	1,103,865.85	0.0541%	3
C47	TOWN OF DRAPER	8,444.96	0.0004%	1
C07	TOWN OF FLOWER MOUND	48,435,715.09	2.3733%	119
C36	CITY OF FORT WORTH	17,141,977.62	0.8399%	42
C32	CITY OF FRISCO	49,660,004.69	2.4333%	122
C39	CITY OF GRAPEVINE	188.15	0.0000%	1
C22	TOWN OF HACKBERRY	150,122.31	0.0074%	1
C38	CITY OF HASLET	5,062.50	0.0002%	1
C19	TOWN OF HICKORY CREEK	1,977,570.79	0.0969%	5
C08	CITY OF HIGHLAND VILLAGE	12,742,563.45	0.6244%	31
C09	CITY OF JUSTIN	2,205,402.21	0.1081%	5
C18	CITY OF KRUGERVILLE	658,781.59	0.0323%	2
C10	CITY OF KRUM	2,285,738.11	0.1120%	6
C11	CITY OF LAKE DALLAS	3,136,074.59	0.1537%	8
C25	CITY OF LAKEWOOD VILLAGE	303,401.51	0.0149%	1
C12	CITY OF LEWISVILLE	47,733,684.70	2.3389%	117
C13	TOWN OF LITTLE ELM	24,921,132.48	1.2211%	61
C33	TOWN OF NORTHLAKE	1,929,896.31	0.0946%	5
C24	CITY OF OAK POINT	2,374,646.59	0.1164%	6
C14	CITY OF PILOT POINT	1,690,503.84	0.0828%	4
C29	CITY OF PLANO	6,012,331.76	0.2946%	15
C15	TOWN OF PONDER	1,101,558.57	0.0540%	3
C48	CITY OF PROSPER	3,076,708.73	0.1508%	8
C51	TOWN OF PROVIDENCE VILL	4,232,566.93	0.2074%	10
C17	CITY OF ROANOKE	7,511,005.83	0.3680%	18
C16	CITY OF SANGER	4,367,008.60	0.2140%	11
C34	TOWN OF SHADY SHORES	970,405.61	0.0475%	2
C37	CITY OF SOUTHLAKE	646,633.20	0.0317%	2
C28	CITY OF TROPHY CLUB	8,477,582.93	0.4154%	21
C44	CITY OF WESTLAKE	6,686.84	0.0003%	1
<b>CITY TOTAL</b>		<b>\$434,266,611.29</b>	<b>21.28%</b>	<b>1069</b>
<b>TOTAL ALL JURISDICTIONS</b>		<b>\$2,040,884,158.89</b>	<b>100.00%</b>	<b>5000</b>







**Nominee Information**  
**Denton Central Appraisal District Board of Directors**

Your name has been submitted as a candidate for the DCAD Board of Directors. The term is for two years beginning January 1, 2020, and ending December 31, 2021. Please complete the following information and feel free to attach any additional information. Please return this form by October 25, 2019, so that a copy can be sent to the jurisdictions with their voting ballot.

David A. Johnson  
Name

3612 San Paula Dr  
Address

Flower Mound 75022  
City Zip

817-675-7693  
Daytime Phone

Same  
Evening Phone

1. Are you a resident of Denton County and have you resided in Denton County for at least two years immediately preceding the beginning of this term?  Yes  No
2. Are you an employee of a taxing unit that participates in the Denton Appraisal District?  Yes  No

Please provide work or personal experiences that would be applicable to serve on the DCAD Board of Directors.

See attached

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Return to:  
Kathy Williams  
Denton Central Appraisal District  
P.O. Box 2816  
Denton, TX 76202

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Dear LISD School Board,

My name is David Johnson. I am a 25-yr resident of Flower Mound and I would like to be nominated as one of LISD's representatives to the Denton Central Appraisal District Board of Directors. I have been fascinated by the property tax valuation process in Texas for several years and feel this position is a good way to get more involved.

I am sending this email since I have a prior commitment on the evening of Monday September 10<sup>th</sup> and cannot attend your Board meeting. I realize most of you know me personally, but I thought it would be important to provide my qualifications for this position.

I have 20+ years of involvement in many community and charity based activities. Some of them are as follows:

- Cross Timbers YMCA Board – 10 yrs, Board Chairman for 3 years
- Wellington HOA Board of Directors – 6 yrs and several Officer Positions
- Flower Mound Planning & Zoning Commissioner – 10 yrs in three different appointments
- Active Rotarian for 10+ years
- Flower Mound Summit Club Member – 10 yrs
- LISD Facilities Advisory Committee 2016-2017
- Active in several area Chambers of Commerce
- Habitat for Humanity of Denton County -3 yrs, Currently Board President

I share all this with you to show that I am committed to the communities of Denton County and enjoy having contacts in many different areas. These are characteristics that exhibit the ability to learn in different situations, work well with a variety of people and lead in different parts of our community.

In addition to my community involvement, I believe my 20+ years of work experience as a banker has given me an appreciation for the valuations of real estate. When financing commercial buildings in the banking world many factors are taken into consideration. I believe this experience will prove beneficial as an LISD DCAD Board Appointee. Combined with my exposure to the vastly different land and residential values from work with Denton County Habitat for Humanity, this will provide me a good foundation for the DCAD Board.

We all know that property values and ad valorem tax rates continue to be in the political spotlight. It will be important to have experienced, community-minded representatives on the Board of Directors to insure fairness and transparency in the appraisal process. I hope you feel that my credentials fulfill that requirement. Please nominate me to one of LISD's DCAD Board of Directors appointments.

Best Regards,

David A. Johnson  
817-675-7693  
[dajintx@verizon.net](mailto:dajintx@verizon.net)

**Nominee Information**  
**Denton Central Appraisal District Board of Directors**

Your name has been submitted as a candidate for the DCAD Board of Directors. The term is for two years beginning January 1, 2020, and ending December 31, 2021. Please complete the following information and feel free to attach any additional information. **Please return this form by October 25, 2019, so that a copy can be sent to the jurisdictions with their voting ballot.**

DANNY MAYER  
Name

2201 PRESTWICK AVE  
Address

TROPHY CLUB                      76262  
City                                              Zip

817-995-5408  
Daytime Phone

817-995-5408  
Evening Phone

1. Are you a resident of Denton County and have you resided in Denton County for at least two years immediately preceding the beginning of this term?      **Yes/No**
  
2. Are you an employee of a taxing unit that participates in the Denton Appraisal District?      **Yes/No**

Please provide work or personal experiences that would be applicable to serve on the DCAD Board of Directors.

SEE ATTACHED

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Return to:  
Kathy Williams  
Denton Central Appraisal District  
P.O. Box 2816  
Denton, TX 76202

## **DANNY R. MAYER**

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I believe that I am a highly qualified candidate that possesses a wealth of knowledge and experience gained from his business experience, public service experience and his life experiences.

I am a 6<sup>th</sup> generation NATIVE TEXAN. My first years were spent on a cotton farm in the Panhandle of Texas before my family moved to Fort Worth when I was seven. Eventually, our family relocated to Smithfield, TX, which is now a part of North Richland Hills. I attended Richland High School prior to enlisting in the US Navy. I served honorably in the Navy, spent 21 months aboard two aircraft carriers, USS Kitty Hawk and USS Hancock, on station in the Gulf of Tonkin during the Vietnam War. The Air Group to which he I attached flew the first air strikes into North Vietnam. My entire enlistment was spent attached to US Navy Aviation Squadron VAW-11.

Following my discharge from the US Navy I became a Peace Officer for the State of Texas. My criminal justice training was received at the University of Texas in Austin. Following this I was commissioned as a Texas State Peace Officer by the Texas Commission on Law Enforcement Standards and Education. As rewarding as being a peace officer was it did not fulfill my desires to enter the business world and so I decided to change careers and pursue my dreams.

In 1970 I found my future when hired as a truck salesman by Hudiburg Chevrolet in North Richland Hills. During the next 41 years I served in many capacities within the Automotive Industry including serving as a Regional Director of Operations and District Vice President for AutoNation USA, the nation's largest automobile retailer. I also have been a Dealer/Operator of several dealerships. My responsibilities have included being totally accountable for producing annual revenues in excess of \$800,000,000, budgets in excess of 700,000,000 and the responsibility of 1,500 employees at 13 locations in 4 different states.

Over the years because of my ability to be innovative and creative I have received many awards and accolades. In addition I have been invited to make presentations to many dealer groups as well as being invited to be a presenter at the annual National Automobile Dealers Association convention. General Motors of Canada contracted me to assist them in designing a Customer Satisfaction Program that was implemented in every dealership in Canada.

**QUALIFICATIONS:** Exceptional ability to analyze data and make sound decisions based on factual and quantifiable input.

Public relations expert with precise and effective communication skills..

Superior organizational, management and financial analysis skills.

Extensive senior management experience.

**WORK HISTORY:**

Retired: 2010

During this time I have established a firearms company which I operate from my home. In 2010 I was issued a Texas Real Estate License (0612504-Currently Inactive)

Self Employed

Automotive Consultant

August 2006 to July 2010

Director of Infiniti Operations

Towbin Automotive Group, Las Vegas, Nevada

January 1, 2006 to August 1, 2006

After leaving Grubbs Infiniti I volunteered the last half of 2005 raising money for wounded soldiers and marines through a national charity. I joined the Towbin Auto Group, in Las Vegas, to take over and turnaround their two Infiniti dealerships that were failing in all departments. Positive results were almost immediate and we posted large increases in all departments at both dealerships. I left Towbin only after it became apparent that each time the profits increased the expense structure of the dealerships was adjusted accordingly. Since a large portion of my income was based on net profit I realized that this was not the organization I had hoped it would be.

General Manager

Grubbs Infiniti, Inc., Euless, Texas

General Manager

April 1999 to August 2005

Was contacted by George Grubbs Jr., my previous employer, and was asked to become the General Manager of his newly built and relocated Infiniti facility in Euless, TX. This dealership has since been the number one dealership in the Dallas District in Customer Satisfaction and has been in the top 5% nationally. In 2002 and 2003 Grubbs Infiniti was also in the top 2% in net profit for the Central Region. In 2004 Grubbs Infiniti was #1 in gross profit per unit and #1 in customer satisfaction in the Central Region. Grubbs was also #1 nationally in accessory sales as a result of a national Internet marketing program that I developed.

AutoNation USA, Ft. Lauderdale, Florida  
Director of Operations, Central and Western Regions  
District Vice President North Texas  
November 1995 to July 2005

Was the first employee hired outside the Florida Corporate Office for retail operations. I was charged with the responsibility of opening the AutoNation USA retail facilities west of the Mississippi. I opened 13 of these facilities including the staffing responsibilities and oversaw their day-to-day operations. I was also involved in the purchase of several new car franchises, primarily in Southern California, during this same period.

Grubbs Enterprises, Bedford, Texas (Nissan, Chrysler, Jeep)  
General Manager  
January, 1991 to November 1995

Assumed the General Manager position of a dealership that had a CSI rating in the bottom 25% in the Dallas Zone, turnover was in excess of 150% a year. In 1993 the dealership set a record for profit, CSI improved and was in the top 10% nationally and, turnover dropped to less than 25%. The dealership has been the recipient of numerous awards for sales, service, and customer satisfaction and in 1994 awarded to the prestigious Masters award for leasing excellence and was the featured dealership at Chrysler Corporation's annual seminar held in Palm Springs in April 1994.

Rodger Meier Cadillac, Dallas, Texas  
General Sales Manager, August 1986 to January 1991

A highly respected dealership with an impeccable reputation. The dealership had been successful in the sale of new Cadillacs since opening in 1968 but had not shown a profit in pre-owned sales for seventeen (17) years. An aggressive marketing plan was put into effect that focused on three elements; sales personnel, advertising and inventory. The success of the program was very rapid and exceeded all expectations. The dealership was one of the premier used car operations in the DFW area. When Cadillac introduced Allante in 1987 an in-house lease program was designed, to take advantage of the Guaranteed Resale Value Plan. This plan was advertised nationally utilizing American Way magazine. Rodger Meier Cadillac delivered more Allantes than any other dealership in the nation up to the time that the car was discontinued.

In 1987 Rodger Meier surpassed Sewell Cadillac in CSI and maintained that position until my departure in 1991.

#### **HONORS AND AWARDS:**

Selected in 1990 by General Motors of Canada to address their dealers on CSI and assist in implementing Partnership 2000.

Number One in CSI, Cadillac Southwest Zone

Number One in Sales, Cadillac Southwest Zone

Number One in Allante Sales, Cadillac National

Pacesetters, Chrysler Corporation

Five Star Service Award, Chrysler Corporation

Service Excellence Award, Chrysler Corporation

Masters Award for Leasing, Chrysler Corporation

Number One in CSI, Infiniti Central Region

Number One in GP JR, Infiniti Central Region

Numerous other factory awards and recognition for achievements in sales, CSI and customer and employee retention

**MILITARY SERVICE:** United States Navy, Honorable Discharge

**EDUCATION:** University of Texas, Austin Criminal Justice  
Commissioned State Peace Officer, Texas Commission on Law Enforcement Standards and Education

**COMMUNITY SERVICE:**

City of Southlake: Zoning Board of Adjustment  
Serve on Board of Colleyville Chamber of Commerce  
Serve as National Advisor for Salute America's Heroes  
Co-founder Salute America's Heroes Texas  
Town of Trophy Club, Town Councilman



**Nominee Information**  
**Denton Central Appraisal District Board of Directors**

Your name has been submitted as a candidate for the DCAD Board of Directors. The term is for two years beginning January 1, 2020, and ending December 31, 2021. Please complete the following information and feel free to attach any additional information. **Please return this form by October 25, 2019, so that a copy can be sent to the jurisdictions with their voting ballot.**

Joel McGregor  
Name

8921 E Sam Lee Ln  
Address

Northlake                      76262  
City                                      Zip

817-994-8600  
Daytime Phone

Evening Phone

1. Are you a resident of Denton County and have you resided in Denton County for at least two years immediately preceding the beginning of this term?      **Yes/No**
  
2. Are you an employee of a taxing unit that participates in the Denton Appraisal District?      **Yes/No**

Please provide work or personal experiences that would be applicable to serve on the DCAD Board of Directors.

Precinct Chair #4035 6 years  
Nominated for this position by Northlake City Council

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Return to:  
Kathy Williams  
Denton Central Appraisal District  
P.O. Box 2816  
Denton, TX 76202

**Nominee Information**  
**Denton Central Appraisal District Board of Directors**

Your name has been submitted as a candidate for the DCAD Board of Directors. The term is for two years beginning January 1, 2020, and ending December 31, 2021. Please complete the following information and feel free to attach any additional information. **Please return this form by October 25, 2019, so that a copy can be sent to the jurisdictions with their voting ballot.**

Laura McGregor  
Name

8921 E Sam Lee Ln  
Address

Northlake                      76262  
City                                      Zip

817-994-9328  
Daytime Phone

\_\_\_\_\_  
Evening Phone

1. Are you a resident of Denton County and have you resided in Denton County for at least two years immediately preceding the beginning of this term?       Yes  No
2. Are you an employee of a taxing unit that participates in the Denton Appraisal District?       Yes  No

Please provide work or personal experiences that would be applicable to serve on the DCAD Board of Directors.

Currently serving Northlake CDC  
Nominated for this position by Northlake City Council  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Return to:  
Kathy Williams  
Denton Central Appraisal District  
P.O. Box 2816  
Denton, TX 76202



**Nominee Information**  
**Denton Central Appraisal District Board of Directors**

Your name has been submitted as a candidate for the DCAD board of Directors. The term is for two years beginning January 1, 2020, and ending December 31, 2021. Please complete the following information and feel free to attach any additional information. **Please return this form by October 25, 2019, so that a copy can be sent to the jurisdictions with their voting ballot.**

Michael Savoie  
Name

Name

8132 Florance Road  
Address

Address

Northlake 76247  
City Zip

City Zip

940-594-6637  
Daytime Phone

Daytime Phone

940-594-6337  
Evening Phone

Evening Phone

1. Are you currently a resident of Denton County and have you resided in Denton County for at least two years immediately preceding the beginning of this term?  Yes  No

2. Are you an employee of a taxing unit that participates in the Denton Appraisal District?  Yes  No

Please provide work or personal experiences that would be applicable to serve on the DCAD Board of Directors.

Currently serve as a non-voting member of the DCTA Board of Directors

Resident of Northlake, Denton County for 24 years

Former 4-term Mayor of Northlake

President & CEO of HyperGrowth Solutions, Inc., a Denton County business since 1998

Current Clinical Professor of Operations, Logistics, and Supply Chain Management at UNT

Appointed by Rick Perry to the TG Board of Directors, 2008-2013

Served as Budget, Finance and Audit Chair of the TG board, with oversight of a \$180M budget and \$700M loan portfolio

Founding member of Northwest Communities Partnership. Served as first Treasurer

Former Board member, Upper Trinity Regional Water District

Former Board member, Trinity River Authority Board of Advisors

Involved in economic development in Denton County including Robson Ranch and Texas Motor Speedway

Return to:  
Kathy Williams  
Denton Central Appraisal District  
PO BO 2816  
Denton, TX 76202

**Michael J. Savoie, Ph.D.**  
[michael@hgsonline.com](mailto:michael@hgsonline.com)  
940-594-6637

Dr. Savoie is President and CEO of HyperGrowth Solutions, Inc., a company specializing in the integration of business and technology for competitive advantage. He is also a Clinical Professor in Operations, Logistics, and Supply Chain Management at the University of North Texas.

Dr. Savoie has over 25 years of experience in Executive Management, Strategic Planning, Cybersecurity/Risk Management, Information Systems & Data Analytics, Engineering, Operations Management, Quality, and Training. He is an internationally recognized public speaker, serves as a consultant to numerous companies, and is an advisor to federal, state, and local governments.

Prior to starting HGS, Dr. Savoie was a co-founder and served as Chief Operating Officer of Integrated Resources Group, Inc., a nuclear power consulting government contractor focusing on strategic positioning, information technology and training. At IRG, Dr. Savoie performed work for a myriad of public and private enterprises and oversaw all in-house functions, including accounting, finance, legal, compliance, and human resources.

Dr. Savoie was appointed by Texas Governor Rick Perry to the Texas Guaranteed Student Loan Corporation Board of Directors in 2008 and reappointed in 2011. While on the board, he served as Chair of the Budget, Finance and Audit (BFA) committee, overseeing roughly \$30 billion in federal student loans, a \$700 million loan portfolio, and an operating budget of \$180 million per year.

Dr. Savoie served 4 terms as Mayor of the Town of Northlake as well as one term on the city council. He was a founding member of the Northwest Communities Partnership and served as its first Treasurer. Dr. Savoie also served on various boards and commissions in Texas including the Upper Trinity Regional Water District Board of Directors, the Trinity River Authority Board of Advisors, various Mayor's councils and road coalitions. He was involved in economic development in Denton County, Texas, including Texas Motor Speedway and Robson Ranch. Dr. Savoie also co-authored the award-winning Northlake Strategic Master Plan.

Dr. Savoie is an award-winning teacher and the author of over 150 articles, chapters, and books on information technology, data security, electronic commerce, quality, operations management, and continuous improvement, among others. His current research and writings explore the role of information technology in organizational transformation. The second edition of his book *Building Successful Information Systems: Five Best Practices to Ensure Organizational Effectiveness and Profitability* was published by Business Expert Press in July 2016. In April 2015, he presented at TEDxUVU on Modularity and the Internet of Things (<https://www.youtube.com/watch?v=gwEvN3fXPP0>).

Dr. Savoie has a bachelor's degree in Mechanical Engineering, an MBA, and a Ph.D. in Operations Management with a Business Computer Information Systems support.

Industry Sector Experience: Cybersecurity, Information Technology/ICT, Energy (traditional and alternative), Engineering, Manufacturing, Quality, Education, Training, E-Commerce, Utilities, Government and Non-Profit





## **Arthur K. (Kelly) Sayre**

Retired Small Business Owner and Commercial Real Estate Investor

1603 Fairway Dr.  
Corinth, Texas 76210  
Tel: 940.368.1707

E-mail: [rto\\_82@yahoo.com](mailto:rto_82@yahoo.com)

Kelly Sayre is a native Texan, born Breckenridge. He and his wife Becky have been married for 49 years and have lived in the same house in Corinth for 23 years. They have 3 children and 5 grandchildren.

Kelly is a 1969 graduate of Mac Arthur High School in Irving and attended the University of Texas at Arlington. He has hundreds of hours of continuing education in his retail specialty. Over his 34 year career he gained broad experience in business negotiations, purchasing, advertising, finance and financial accounting.

Kelly worked and lived the American Dream. He began in business in 1982 as a co-owner of an independent retailer in the furniture and appliance leasing business. In 1996 he helped arrange the sale of the company to a national Fortune 500 company. Shortly thereafter, he founded another company in the same business which grew to 10 Texas locations in 9 years. In 2006 Sayre converted his operation to a franchise of a national public company. By 2008, competing with nearly one hundred other franchisees, Kelly was awarded "National Franchisee of the Year." Kelly also served on the industry's National Association's Board of Directors and served as State President and later as Chairman of the Board of the Texas Association of Rental Agents. In April of 2015, Kelly sold his nine Texas stores to retire and dedicate his time to his family and family investments.

Over the years, Kelly has been active outside his business:

Life member and former regional governor of American Business Clubs (AMBUCS)

Commercial real estate investor

Participated in over 100 grassroots lobbying sessions with legislators in Austin and Washington D.C.

Candidate for county-wide office in 2016

Member or associate member of 5 Denton County Republican clubs

Former First Vice-Chair of Finance for the Denton County Republican Party

Current GOP Precinct Chair and Area Leader for Corinth

Attends St. Mark Catholic Church in Argyle

**Nominee Information**  
**Denton Central Appraisal District Board of Directors**

Your name has been submitted as a candidate for the DCAD Board of Directors. The term is for two years beginning January 1, 2020, and ending December 31, 2021. Please complete the following information and feel free to attach any additional information. **Please return this form by October 25, 2019, so that a copy can be sent to the jurisdictions with their voting ballot.**

Charles Stafford

\_\_\_\_\_  
Name

1903 Williamsburg Row

\_\_\_\_\_  
Address

Denton

76209

\_\_\_\_\_  
City

\_\_\_\_\_  
Zip

940-595-7253

\_\_\_\_\_  
Daytime Phone

\_\_\_\_\_  
Evening Phone

1. Are you a resident of Denton County and have you resided in Denton County for at least two years immediately preceding the beginning of this term? **Yes**
2. Are you an employee of a taxing unit that participates in the Denton Appraisal District? **No**

Please provide work or personal experiences that would be applicable to serve on the DCAD Board of Directors.

\_\_\_\_\_  
I currently serve on the Denton ISD's Board of Trustees.

\_\_\_\_\_  
I have a real estate broker's license.

\_\_\_\_\_  
I have served on the CAD's Board of Directors for 16 years.

\_\_\_\_\_  
I'd be delighted to answer any questions. My cell phone is 940-595-7253.

Return to:  
Kathy Williams  
Denton Central Appraisal District  
P.O. Box 2816  
Denton, TX 76202



**Nominee Information**  
**Denton Central Appraisal District Board of Directors**

Your name has been submitted as a candidate for the DCAD Board of Directors. The term is for two years beginning January 1, 2020, and ending December 31, 2021. Please complete the following information and feel free to attach any additional information. **Please return this form by October 25, 2019, so that a copy can be sent to the jurisdictions with their voting ballot.**

David Terre  
Name

3941 Teal Cove Lane  
Address

The Colony                      75056  
City                                              Zip

972-740-4526  
Daytime Phone

same  
Evening Phone

1. Are you a resident of Denton County and have you resided in Denton County for at least two years immediately preceding the beginning of this term?       Yes  No
2. Are you an employee of a taxing unit that participates in the Denton Appraisal District?      Yes  No

Please provide work or personal experiences that would be applicable to serve on the DCAD Board of Directors.

\* Please see attached resume \*

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Return to:  
Kathy Williams  
Denton Central Appraisal District  
P.O. Box 2816  
Denton, TX 76202

# David Terre

3941 Teal Cove  
The Colony, Texas 75056  
972-740-4526  
terre.david@yahoo.com



## OBJECTIVE

If elected to a fourth term, I will continue to work hard, be organized, use common sense, and always apply the golden rule. This approach has enabled me to make significant contributions during my previous three terms.

## EDUCATION

**Drake University/ Moberly Community College**  
BS-Business Administration and a Minor in economics

## EMPLOYMENT HISTORY

**Vice President of Sales | Wilson Sporting Goods**  
Retired

46 Year Career

**Successfully retired after a wonderful 46 year career where I rose through the ranks to become Vice President of Sales responsible for all domestic sales.**

- Directed European Sales Operations while living in Germany
- Experience in Marketing
- Achieved successful coordination of new product introductions
- Managed West Coast Distribution Operations

## LEADERSHIP

**The Colony City Council**

2011-Present

- 2011 - Received the honor of being elected Mayor Pro Tem during my first term on City Council
- 2012 - Appointed to the Local Development Corporation Board of Directors to oversee new Grandscape (Nebraska Furniture Mart) Development
- 2013 - First Council Member from The Colony, Texas to be elected and serve on the Denton County Tax Appraisal District Board of Directors
- 2017 - Reelected to an uncontested 3<sup>rd</sup> term on City Council

**The Colony Planning & Zoning Commission**

2008-2011

- Served as Vice Chair

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See reverse

## **HONORS**

- 1982 – Drake University Basketball Hall of Fame
- 1994 – Moberly Community College Basketball Hall of Fame
- 1995-2003 – Three-time Senior Olympics Gold Medal Winner for USA Basketball Team
- 1999 – Wilson Wall of Fame Honor
- 2007- Moberly Community College Outstanding Alumni of the year
- 2013 –Washington High School Hall of Fame
- 2018 –Roaring Lambs Hall of Fame

## **DCAD ACCOMPLISHMENTS**

I have worked with my fellow Board Members to achieve the following meaningful results:

- Ensure a Quorum is established by being present at each meeting while achieving perfect attendance record.
- Make informed decisions doing the necessary preparation prior to each meeting
- Assisted in developing an Annual Operating Budget to ensure spending stays within budgeted funds while always looking for opportunities to reduce expenses
- Participate in the development and evaluation of the Chief Appraisal Officer each year
- To better serve Denton County Property owners, opened a convenient offsite location in the Lewisville Career Center to handle property tax protests
- Launched an online service permitting property owners to file property tax protests electronically
- Implemented a successful, structured flex work schedule as a benefit and morale Booster for ALL employees

**Nominee Information  
Denton Central Appraisal District Board of Directors**

Your name has been submitted as a candidate for the DCAD Board of Directors. The term is for two years beginning January 1, 2020, and ending December 31, 2021. Please complete the following information and feel free to attach any additional information. **Please return this form by October 25, 2019, so that a copy can be sent to the jurisdictions with their voting ballot.**

Tom Washington  
Name

1805 Countryside  
Address

Carrollton                      75007  
City                                      Zip

972-849-6907  
Daytime Phone

972-849-6907  
Evening Phone

1. Are you a resident of Denton County and have you resided in Denton County for at least two years immediately preceding the beginning of this term?  Yes  No
2. Are you an employee of a taxing unit that participates in the Denton Appraisal District?  Yes  No

Please provide work or personal experiences that would be applicable to serve on the DCAD Board of Directors.

Director and Secretary: DCAD Board of Directors (2011-2013)

Trustee and Secretary: Denton County MHAR Board of Trustees

Denton County Special Condemnation Commissioner

Treasurer, Republican Party of Texas

National Treasurer, National Society of Washington Family Descendants

National Auditor, B2B CFO

Past-HSD Bond Issue Campaigns Co-Chair & Treasurer

Certified Public Accountant - Current Lic. ASPE

Texas Real Estate Broker - Current Lic. 522

Return to:  
Kathy Williams  
Denton Central Appraisal District  
P.O. Box 2816  
Denton, TX 76202

# BRYAN C WEBB

[bcwebb57@gmail.com](mailto:bcwebb57@gmail.com)

972.816.5661

4112 High Rd

Flower Mound, TX 75022

October 16, 2019

CV/Resume in support of a seat on the Denton County Central Appraisal District's Board of Directors

## **Corporate Experience: Retired, 28 Years Nissan Motor Acceptance Corp.**

### **Strategy and Planning Manager – Remarketing Department.**

- Developed strategies and monitored execution plan performance for the sale of 29,000 off-lease vehicles every month.
- The asset value carried on the company's balance sheet averaged \$400 to \$450 million.

### **Manager – Credit Risk Management.**

- Developed and implemented credit decision automation and risk assessment algorithms for 1.2 million credit applications and \$12-15 billion worth loan and lease contract originations annually.
- Monitored loss and delinquency rates against budgeted objectives and historical performance.
- Communicated to executive team current performance, anticipated trends, and broader economic issues that could impact the company's \$50 billion portfolio of consumer contracts.

## **Municipal Experience – 21 Years appointed and elected positions**

### **City of Lewisville**

- Transportation Commission, Board of Adjustment, Planning and Zoning, and Chair Blue Ribbon Bond Committee

### **Town of Flower Mound**

- Transportation Commission, Board of Adjustment, Planning and Zoning
- Elected to Town Council in 2012. Served three terms, fulfilling the charter established term limitation in 2018

## **Civic Engagement**

### **Flower Mound Summit Club – The oldest civic organization in Flower Mound for twelve years.**

- Academic Excellence Awards for 5<sup>th</sup> and 8<sup>th</sup> grade students
- Robotic Club Sponsorships for Middle and High School teams
- Boy Scout Troop Sponsorships
- Community Events – Prepared 5,400 hotdogs for Lewisville ISD's Back to School Fair.
- Financial and activity support for other community based organizations including WTF-Winning the Fight, the Flower Mound Police and Fire Associations, Communities in Schools, Keep Flower Mound Beautiful and High School Football booster clubs.

Personal and Professional References available upon request.

**Nominee Information**  
**Denton Central Appraisal District Board of Directors**

Name Rick Woolfolk

Address 115 West College

City Denton Zip 76201

Daytime Phone 940-382-5500

Evening Phone 940-391-3728

1. **Are you a resident of Denton County and have you resided in Denton County for at least two years immediately preceding January 1, 2020?**  (June 1980)
2. **Are you an employee of a taxing unit that participates in the Denton Appraisal District?**   
(I am an Independent Contractor for Raymond James Financial Services, Inc.) (I have no family members or clients who work for the Denton Appraisal District)

**List below work or personal experiences that would be applicable to proposed service on the DCAD Board of Directors. Feel free to attach additional information if needed.**

I have been in the financial business here in Denton for over 39 years. (Arrived in June 1980)

I have served on many boards and commissions in Denton, to include the Denton Enterprise Airport Board for over 25 years, and was the Chair for most of those years. It was a time when massive growth was experienced at the Airport. Other Boards include Denton Meals on Wheels/Span Board; I was chair for over 4 years. I have been a member of the Denton Rotary Club since October 1980, and have been Secretary, Vice President and President in 1987-1988. Other Boards include Denton Civic Ballet, St Andrews Presbyterian Organ Committee, North Texas State Fair Commercial Exhibits Committee Chair for five years.

I was elected to the Denton Independent School Board in May 1997 and served until May 2006; I was Secretary, Vice President and President for two years during my tenure. I was a major force in changing the way the school district financed bonds and have been credited as saving the school district over \$200 million dollars since those changes were established in 1999. I was also elected to the Texas Association of School Boards and served for six years. During that time, I was the Chair of the Lone Star Investment Pool, a Money Management Fund. It was 2 billion dollar fund that grew to 6 billion dollars under my leadership as Chair. It was the largest municipal investment pool in

America at the time. I helped move the management of the money to two different providers to achieve better returns for the school districts.

I previously was a member of the Denton Central Appraisal District for 4 or 5 years and instituted several improvements in management during that time. We also reviewed the safety of the retirement plan to insure the public entities would not get a surprise assessment to keep the plan healthy in the future. I asked for a joint meeting between the public entities of all jurisdictions and the CDAB to hear issues the taxing entities might have.

I was also appointed by the City of Denton to be the alternate representative to the Denton County Transportation Authority and served about 18 months.

I own property in the City of Denton and have never filed a protest, when I was a member of the Denton Central Appraisal Board, as I did not feel my case could be considered without pressure on the staff.

I am a member of the Civil Air Patrol, an Auxiliary of the United State Air Force. I have held many positions of leadership over the last 20 years. I was the Incident Commander for CAP's response to Hurricane Harvey, overseeing 70 aircraft from 17 different states that took over 375,500 photographs to access the damage inflicted by the storm. These photographs helped the State of Texas and FEMA respond to the damage that had been inflicted upon Texas. I am currently the Logistics Section Chief for the Hurricane Dorian damage in Florida and other areas. I deal with difficult situations and help solve problems to insure proper response when CAP is called upon to respond.