



COSERV
PLANNED DEVELOPMENT NO. 46
BASE ZONING DISTRICT: INDUSTRIAL
ORDINANCE NO. 16-09-15-28
(ADOPTED 9-15-2016)

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

ORDINANCE NO. 16-09-15-28

CoServ Planned Development Industrial (PD I) District

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE, ORDINANCE NO. 13-05-02-08 BY AMENDING THE ZONING CLASSIFICATION FOR A ZONING CHANGE FROM I, INDUSTRIAL TO PLANNED DEVELOPMENT I, INDUSTRIAL (PD I) ON PROPERTY LEGALLY DESCRIBED AS COSERV ADDITION LOT 2R BEING 47.847 ACRES IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS.; PROVIDING FOR A PD DESIGN STATEMENT AND PD DESIGN MAP; APPROVING A PLANNED DEVELOPMENT MASTER PLAN; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

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

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

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

SECTION I - LEGAL PROPERTY DESCRIPTION; AMENDMENT

That in accordance with the Unified Development Code, the Zoning Map of the City of Corinth is hereby amended on 47.847 acres of land being CoServ Addition, Lot 2R from I, Industrial to Planned Development I, Industrial (PD I) described in "Exhibit A" in the City of Corinth, Denton County, Texas,.

SECTION II – PLANNED DEVELOPMENT ZONING EXHIBIT

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

SECTION III – LAND USE REGULATIONS

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

SECTION IV – SITE PLAN

The Site Plan, presented as “Exhibit D”, designates the authorized/intended areas of the new/modified uses; “outside storage”, “Tower/Antenna”, “covered storage accessory structure”, “truck sheds” and “meter building”.

SECTION V – PENALTY FOR VIOLATIONS

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

SECTION VI– SEVERABILITY CLAUSE

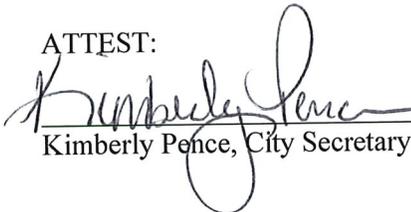
If any section, paragraph, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION VII – EFFECTIVE DATE

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

PASSED AND APPROVED THIS 15th DAY OF September, 2016.

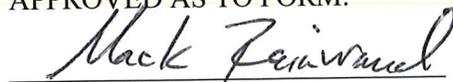
ATTEST:


Kimberly Pence, City Secretary



APPROVED: 
Bill Heidemann, Mayor

APPROVED AS TO FORM:


City Attorney

“EXHIBIT A”

METES AND BOUNDS LEGAL DESCRIPTION

PROPOSED ZONING PD I – 47.847 ACRES

BEING all that certain lot, tract or parcel of land, situated in the T. White Survey, Abstract Number 1375 and the T. White Survey, Abstract Number 1376, Denton County, Texas, and being all of Lot 2 and part of Lot 5, CoServ Addition, an addition to the City of Corinth, Denton County, Texas, according to the plat thereof, recorded in Document Number 2012-201, Plat Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2” capped rebar found (G&A Consultants) at the northeast corner of said Lot 5, and being on the west line of that certain tract of land described in deed to the City of Denton, recorded in Document Number 1993-58486, Real Property Records, Denton County, Texas, (formerly Missouri, Kansas and Texas Railroad), and being on the south line of Corinth Parkway as evidenced by that certain called 3.840 acre tract of land described in deed to the City of Corinth, Texas, recorded in Document Number 2010-41649, Real Property Records, Denton County, Texas;

THENCE Southeasterly with the east line of said Lots 5 and 2, and the west line of said City of Denton Tract, with the arc of a curve to the right, having a radius of 1382.29 feet, a central angle of 23°49’31”, an arc length of 574.79 feet, and whose chord bears S 23°37’06” E, 570.66 feet to a 1/2” rebar found;

THENCE S 11°48’13” E, 550.78 feet with the west line of said City of Denton Tract, and the east line of said Lot 2, to a 1/2” rebar found at the southeast corner thereof, and being the northeast corner of Lot X, of said CoServ Addition;

THENCE S 49°11’57” W, with the south line of said Lot 2, and the north line of said Lot X, passing at 645.94 feet the northwest corner thereof, and being the northeast corner of Lot 1, of said CoServ Addition, continuing with the north line thereof, a total distance of 1955.56 feet to a 1/2” rebar found at the northwest corner thereof, and being the southerly southwest corner of said Lot 2, and being on the easterly line of that certain tract of land, described in deed to the State of Texas, recorded in Volume 400, Page 503, Deed Records, Denton County, Texas, and being on the easterly line of Interstate Highway 35E;

THENCE N 40°42’22” W, 277.96 feet with the west line of said Lot 2, and the east line of said Interstate Highway 35E and said State of Texas Tract, to a 1/2” capped rebar found (G&A Consultants) at the westerly southwest corner of said Lot 2, and being the southeast corner of a 30 foot right-of-way dedication for Quail Run Road, as shown on plat of Quail Run Industrial Park, an addition to the City of Corinth, Denton County, Texas, according to the plat thereof, recorded in Cabinet Q, Page 343, Plat Records, Denton County, Texas;

THENCE N 01°04’45” W, 1045.69 feet with the east line of said Quail Run Road, and the west line of said Lot 2, to a 1/2” capped rebar found (G&A Consultants) at the northwest corner

thereof, and being the northeast corner of said 30 foot right-of-way dedication, and being on the south line of that certain called 1.656 acre tract of land described in deed to Glenn A. and Fontaine Laughlin, recorded in Document Number 1999-108629, Real Property Records, Denton County, Texas;

THENCE N 85°52'25" E, 253.80 feet with the north line of said Lot 2, and the south line of said 1.656 acre tract, to a PK nail found in fence post at the southeast corner thereof;

THENCE N 04°54'00" E, 97.16 feet with the east line of said 1.656 acre tract, and the west line of said Lot 2, to a 1/2" capped rebar found (G&A Consultants) at the southerly corner of Lot 3, of said CoServ Addition;

THENCE N 49°18'00" E, 401.23 feet with the west line of said Lot 2, and the south line of said Lot 3, to a "+" set in concrete;

THENCE N 00°21'34" W, 68.12 feet with the west line of said Lot 2, and the east line of said Lot 3, to a "+" set in concrete at the northeast corner thereof, being the northwest corner of said Lot 2, and being on the south line of said Lot 5;

THENCE S 89°38'26" W, 55.00 with the south line of said Lot 5, and the north line of said Lot 3;

THENCE over across and through said Lot 5, the following:

Northeasterly with the arc of a curve to the left, having a radius of 25.00 feet, a central angle of 90°00'00", an arc length of 39.27 feet and whose chord bears N 44°38'26" E, 35.36 feet;

N 00°21'34" W, 239.50 feet to a point of curvature of a curve to the right;

Northeasterly with the arc of said curve, having a radius of 130.00 feet, a central angle of 19°13'14", an arc length of 43.61 feet and whose chord bears N 09°15'03" E, 43.41 feet;

N 18°51'41" E, 29.26 feet to the south line of said 3.840 acre tract and the south line of said Corinth Parkway;

THENCE Northeasterly with the arc of a curve to the left, having a radius of 642.00 feet, a central angle of 82°29'06", an arc length of 924.25 feet and whose chord bears N 68°57'27" E, 846.47 feet to the POINT OF BEGINNING and containing approximately 47.847 acres of land.

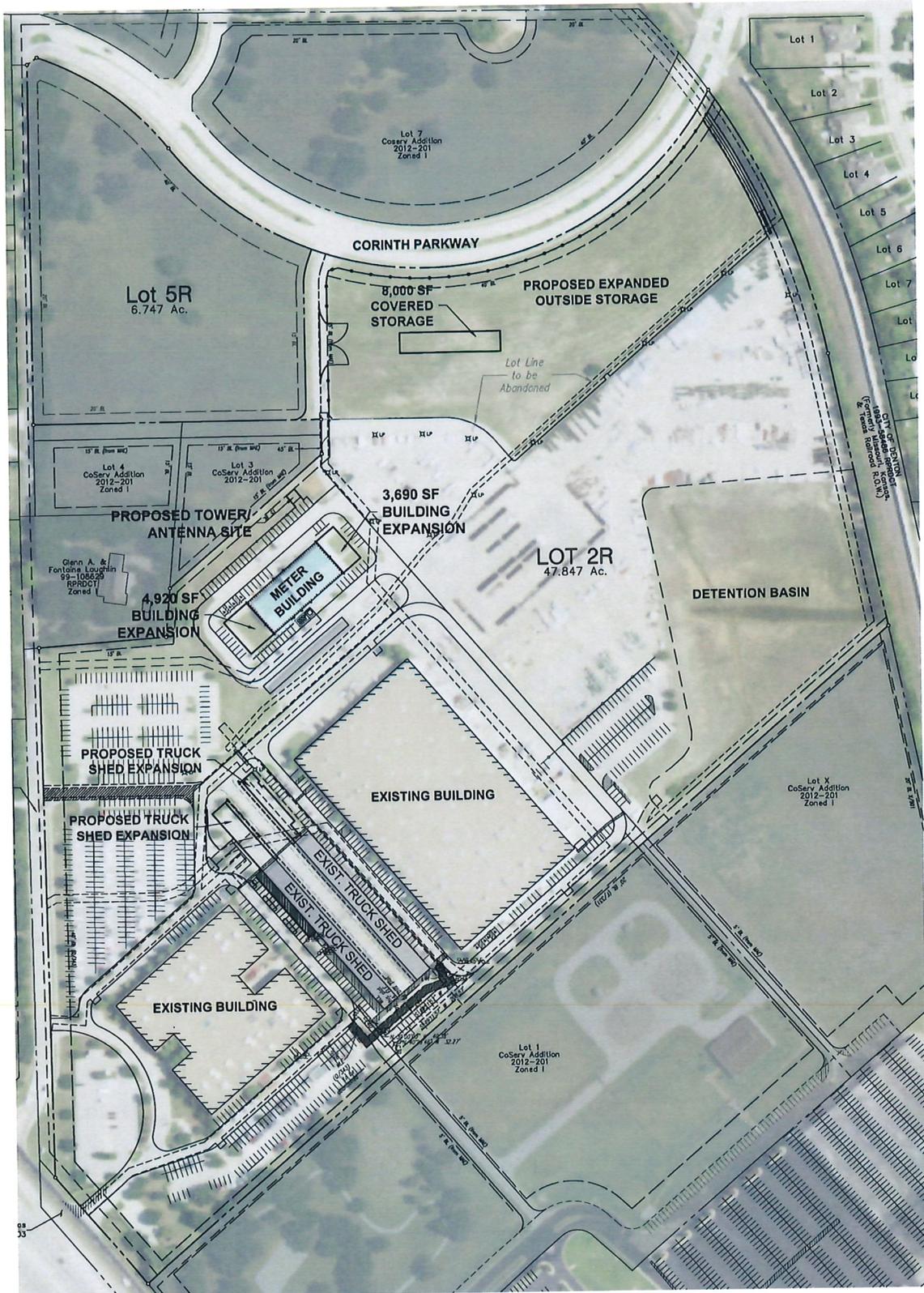
**“EXHIBIT B”
PD CONCEPT DESIGN STATEMENT**

Since 1938, CoServ has been distributing energy to the North Texas region. Originally headquartered in Denton, CoServ moved their offices to Corinth in 1984, and to their current location in 1999. Since then, the number of customers serviced by CoServ has more than doubled. This requires the current site to grow to accommodate the increase in the amount of equipment CoServ has had to obtain to keep up with demand. CoServ is mostly operating out of their headquarters facility but they currently have some operations in an offsite location. This Planned Development (PD) is created in order for CoServ to relocate their operations from their offsite location to their headquarters facility. This PD establishes a unique set of regulations that will allow CoServ to function as efficiently as possible, in order to better serve the citizens of Corinth and Denton County.

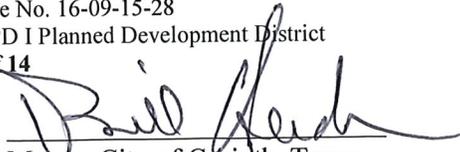
The CoServ headquarters site is located off of I-35 E North, southeast of the intersection of Quail Run Drive and Corinth Parkway. On the east it is adjacent to the DCTA rail right-of-way. The immediately adjacent properties are zoned I-Industrial, with property zoned MX-C across Quail Run Drive and two residential Planned Developments across the railroad right-of-way. The site drains to a detention pond on the southeast portion of the property; if any additional drainage capacity is required, the existing detention pond will be expanded to accommodate the increase.

Proposed improvements include expanding the outdoor storage area with open and covered storage, expanding the existing truck sheds, constructing a communications tower to facilitate Coserv’s private radio and communications network, and expanding the existing meter building. These improvements will enable CoServ to continue to provide a high-quality level of energy service to the citizens of Corinth and throughout North Texas, and to remain a long-standing, valuable corporate citizen of Corinth.

**“EXHIBIT B”
PD CONCEPT DESIGN MAP**



CERTIFICATE OF APPROVAL – PD DESIGN MAP

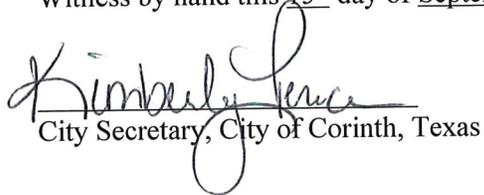


Mayor, City of Corinth, Texas

9/21/16
Date

The undersigned, the City Secretary of the City of Corinth, Texas, hereby certifies that the foregoing Design Map for CoServ Addition Lot 2R Master Planned Development was submitted to the City Council on the 15th day of September, 2016 and the Council by formal action, then and there accepted the PD Design Map, and said Council further authorizes the Mayor to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness by hand this 15th day of September, 2016.



City Secretary, City of Corinth, Texas

September 21, 2016
Date

**“EXHIBIT C”
LAND USE REGULATIONS**

SECTION 1: REGULATIONS

A. Purpose

The regulations set forth in this Exhibit provide development standards for I, Industrial designations within this CoServ Headquarters PD. The Planned Development (PD) District is identified by metes and bounds on Exhibit A and is depicted on Exhibit B. Every use not authorized herein is expressly prohibited in this Planned Development (PD) District.

B. Base Districts

In this Planned Development (PD) District, the I, Industrial regulations of the Corinth Unified Development Code, Ordinance No. 13-05-02-08, as amended, shall apply except as modified herein.

SECTION 2: USES AND AREA REGULATIONS

A. Purpose

The purpose of this Planned Development Ordinance is to allow the expansion of the CoServ facilities in Corinth. The proposed expansion of the storage area will accommodate the growing needs of the company, and the proposed tower will facilitate communications between the headquarters and the employees.

B. Permitted Uses and Use Regulations

In the Planned Development (PD) District, no building or land shall be used and no building shall be hereafter erected, reconstructed, enlarged or converted, unless permitted by the I, Industrial District regulations of the Unified Development Code except as otherwise included in the PD.

The Permitted Uses in Section 2.05.04 of the Unified Development Code, Ordinance No. 13-05-02-08, for the I, Industrial District shall apply, except the following uses are permitted:

1. 125' Tower/Antenna: TV, Radio, Microwave, Telephone, or Cellular
2. Outside Storage

C. Dimensional Regulations

The Dimensional Regulations described in Section 2.05.04 of the Unified Development Code, Ordinance No. 13-05-02-08, for the I, Industrial District shall apply.

D. Development Standards

The Development Standards described in Section 2.05.04 of the Unified Development Code, Ordinance No. 13-05-02-08, for the I, Industrial District, as amended shall apply except as follows:

1. UDC Section 2.07.04 Conditional Development Standards:

a. Outside Storage: Conditional Development Standards shall apply except for the following:

- i. Outside storage shall be limited to 35% lot coverage of Lot 2R.
- ii. Expanded outside storage shall be screened by an 8 foot masonry screening fence at the north and west property line of Lot 2R. No screening fence is required along the east side of Lot 2R adjacent to the rail.
- iii. Proposed storage may exceed the height of the screening fence at a distance of 70 feet from the north property line but no taller than 10 feet.
- iv. Existing outside storage may be visible from Corinth Parkway but no taller than 20 feet.

b. Tower/Antenna: Conditional Development Standards shall not apply except for the following:

- i. The tower/antenna shall comply with all building codes and safety standards detailed in Section 2.07.04.19.d.i.-iv.
- ii. The tower/antenna shall be set back a distance greater than or equal to the height of the tower (125') from any residentially used or zoned properties, as stated in Section 2.07.04.19.d.v.
- iii. No advertising will be permitted on the tower/antenna, per Section 2.07.04.19.e.i.
- iv. The tower/antenna may be located on the same site as another principal use, but may not be within 25' of the principal use, in compliance with Section 2.07.04.19.e.v.
- v. The tower/antenna shall comply with the regulations in Section 2.07.04.19.f.i.-iii. as it applies to the appearance of the tower/antenna.

2. UDC Section 2.09.01 Landscape Regulations shall apply except:

a. Tower/Antenna: Required landscaping will be substituted with the landscape shown on the Landscape and Screening Exhibit.

3. UDC Section 2.09.02 Tree Preservation Regulations shall apply.

4. UDC Section 2.09.03 Vehicle Parking Regulations shall apply.

5. UDC Section 2.09.04 Building Façade Material Standards shall apply.

6. UDC Section 2.07.07 Accessory Buildings and Uses and B. Nonresidential Accessory Building shall apply except:
 - a. Building façade material standards shall not apply to the truck sheds and covered storage structure.
7. UDC Section 2.09.05 Residential Adjacency Standards shall apply.
8. UDC Section 2.09.06 Nonresidential Architectural Standards shall apply.
9. UDC Section 2.09.07 Lighting and Glare Regulations shall apply.
10. UDC Section 4.01 Sign Regulations shall apply.
11. UDC Section 4.02 Fence and Screening Regulations shall apply, except:
 - a. Tower/Antenna: Required screening will be substituted with the retaining wall as shown on the Site Plan documents
12. UDC Section 2.10.08 Site Plans; the Tower/Antenna Site Plan will require City Council approval.
13. Any additional Towers/Antennas shall be required to process a PD Amendment through the planned development amendment process.

**“EXHIBIT D”
SITE PLAN**

