



## NOTICE OF PUBLIC HEARINGS

The City of Josephine Planning and Zoning Commission will hold a Public Hearing on **Monday, July 6, 2026, at 6:00 p.m.** to consider testimony and act on the item listed below. Should the Planning and Zoning Commission make a recommendation, the City Council of the City of Josephine will hold a Public Hearing on **Monday, July 13, 2026, at 6:00 p.m.** to consider testimony and act on the item listed below:

- A rezoning request to amend the Zoning Ordinance and Zoning Map of the City of Josephine, each being a part of the Code of Ordinances, from LR – Local Retail to a Planned Development with a base zoning of LR - Local Retail on two parcels of land totaling approximately  $\pm 1.48$  acres located at 520 Milton Street.

The public hearings will be held at the Josephine City Hall located at 201 Main Street, Josephine, Texas 75173 and will also be on the **City of Josephine YouTube Channel – live stream available.**

<https://www.youtube.com/@CityofJosephine>

The public is invited to attend the meetings and make comments for or against the request. If you are unable to attend, you may provide written comments to [planning@cityofjosephinetx.com](mailto:planning@cityofjosephinetx.com) for inclusion into the record no later than Monday, May 4, 2026, at 10:00 AM.

If you have any questions regarding the proposed item, you may call 469-717-0056 for assistance.

Attached to this notice are the exhibits associated with the proposed Planned Development Rezoning Request:

1. Exhibit A – Legal Description
2. Exhibit B – Planned Development Standards
3. Exhibit C – Concept Plan
4. Exhibit D – Preliminary Landscape Plan

STATE OF TEXAS:

COUNTY OF COLLIN:

Being that certain lot, tract or parcel of land situated in the Samuel Rush Survey, Abstract No. 686,, Collin County, Texas, same being a portion of Lots 6, all of Lots 7 and 8, a portion of Lots 9 and 10, of Luper's Addition, an addition to the Town of Josephine, according to the Plat thereof recorded in Volume 170, Page 517, Plat Records, Collin County Texas, (P.R.C.C.T.) same being a tract of land described in deed to Wesley Mark Ireland, recorded in Volume 4753, Page 384, Deed Records, Collin County, Texas (D.R.C.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found stamped "CBG" in the Northwest line of Milton Street, at the Southwest corner of Lot 2, of Cruz Realty Addition, an addition to the Town of Josephine, according to the Plat thereof recorded in Volume 2018, Page 842, (P.R.C.C.T.), same being at the Southeast corner of that tract herein described;

THENCE South 55 deg. 38 min. 34 sec. West, with the Northwest line of said Milton Street, a distance of 118.92 feet to a 1/2 inch yellow capped iron rod set stamped "BURNS SURVEYING";

THENCE South 55 deg. 38 min. 34 sec. West, with the Heathen line of said Milton Street, a distance of 192.97 feet to a 1/2 inch pink capped iron rod found stamped "TXDOT"

THENCE South 72 deg. 31 min. 58 sec. West, with the Heathen line of said Milton Street, a distance of 117.69 feet to a 1/2 inch yellow capped iron rod set stamped "BURNS SURVEYING";

THENCE South 69 deg. 48 min. 36 sec. West, with the Heathen line of said Milton Street, a distance of 23.94 feet to a fence post for corner at the Southeast corner of a tract of land described in deed to the City of Josephine, recorded in Volume 5991, Page 2081, (D.R.C.C.T.) from which 1/2 inch iron rod found for reference bears North 56 deg. 48 min. 43 sec. East, 0.55 feet;

THENCE North 34 deg. 24 min. 57 sec. West, with the Northeast line of said Josephine tract, a distance of 105.14 feet to a 1/2 inch iron rod found in the Southeast line of a tract of land described in deed to Northeast Texas Rural Rail Transportation District, recorded under Instrument Number 20111012001094420, (D.R.C.C.T.);

THENCE North 55 deg. 36 min. 59 sec. East, with the Southeast line of said Northeast Texas Rural tract, a distance of 328.65 feet to a 1/2 inch yellow capped iron rod set stamped "BURNS SURVEYING";

THENCE North 55 deg. 36 min. 59 sec. East, with the Southeast line of said Northeast Texas Rural tract, a distance of 118.92 feet to a 1/2 inch yellow capped iron rod set stamped "BURNS SURVEYING" at the Northwest corner of the aforesaid Lot 2;

THENCE South 34 deg. 27 min. 31 sec. East, with the Southwest line of said Lot 2, a distance of 145.40 feet to the PLACE OF BEGINNING and containing 62,252 square feet or 1.42 acres of land.

## **EXHIBIT B PLANNED DEVELOPMENT STANDARDS**

### **SECTION 1: BASE DISTRICTS**

#### **A. Purpose**

The regulations set forth in this **Exhibit B** provide development standards for commercial designations the Planned Development District No. 10 (“PD-10”). The boundaries of PD-10 are identified by metes and bounds on the Legal Description, **Exhibit A** to this Ordinance, and the Property shall be developed in accordance with these regulations and the PD Concept Plan as depicted in **Exhibits C, D, and E**. A use that is not expressly authorized herein is expressly prohibited in this PD-10.

#### **B. Base District**

In this PD-10, the LR – Local Retail zoning district regulations, and all other applicable regulations of the City of Josephine Code of Ordinances, as amended, shall apply except as modified herein. If a change to the Concept Plan, and/or associated Landscape and Other Ancillary Plans is requested, the request shall be processed in accordance with the development standards in effect at the time the change is requested for the proposed development.

### **SECTION 2: USE AND AREA REGULATIONS**

The following regulations shall govern the development of the subject property of Planned Development No. 10. In the event of a conflict between the provisions contained herein and the Concept Plan and Ancillary Concept Plans or the Code of Ordinances, the more restrictive requirement shall apply.

#### **I. Purpose**

PD-10 is intended to permit the development of a 14,880 SF retail building. All buildings constructed in this tract shall be laid out in a manner to optimize the use of the land and in furtherance of the Comprehensive Plan’s principles as part of the FM 6 corridor.

#### **II. Development Standards**

The Code of Ordinances of the City of Josephine, as well as all other applicable ordinances and regulations, as may be amended, shall apply to this PD-10, subject to the modifications outlined below.

**Chapter 14A, Zoning Ordinance**, as amended, shall apply in its entirety, subject to modifications outlined below:

**A. Section 16 Local Retail** shall apply, except as modified below:

- 1. Section 16.1 General Purpose and Description** shall apply, except that Section 16.1.1 shall be modified to clarify that outdoor patio or seating areas enclosed by a fence or other physical barrier (such as planters) may be considered part of the enclosed building.
- 2. Section 16.2 Permitted Uses for Local Retail** shall apply, with the following stipulations listed below:
  - i. Additional Uses:** the following additional uses shall be permitted by right within this Planned Development No. 10:
    - Dine-In Restaurant w/ Bar (On Site Alcohol Sales and Consumption)
    - Dine-In Restaurant w/o Bar (On Site Alcohol Sales and Consumption)
- 3. Section 16.4 Height and Area Regulations**, which refers to Appendix 1 (Area, Setback, Height, and Coverage Regulations) of the Zoning Ordinance, shall apply, except as modified below:

Modifications to Appendix 1 District Regulations:

| Regulation               | Base LR District | PD-10 Dimensional Standards/Modifications |
|--------------------------|------------------|-------------------------------------------|
| Maximum Height (feet)    | 35               | 35 (NO CHANGE)                            |
| Side yard width (feet)   | 15               | 15 (NO CHANGE)                            |
| Rear yard (feet)         | None Required    | 0 (NO CHANGE)                             |
| Front yard (feet)        | 45               | 45 (NO CHANGE)                            |
| Lot area (square feet)   | None Required    | None Required (NO CHANGE)                 |
| Minimum lot width (feet) | 75               | 75 (NO CHANGE)                            |
| Minimum lot depth (feet) | 120              | <b>100</b>                                |
| Maximum lot coverage*    | 35%              | 35% (NO CHANGE)                           |

\*For this PD-10, Maximum Lot Coverage shall be defined as the building footprint of the retail building only.

Modifications to Appendix 1 Notes:

- Note “c” shall apply, except as modified below:

The requirement to build screening on the north (rear) property line and western property line (adjacent to the City's water tower) is hereby waived by this PD-10. In-lieu of required screening on these two property lines, the property shall include a row of headlight screening shrubs on the western property boundary and a row of decorative shrubs on the rear property line adjacent to the Rail Right-of-Way, as defined in the Landscape Section of this PD-10.

The required screening between residentially zoned properties on the eastern property line shall consist of an eight (8) foot tall masonry screening wall. The fenced area shall also include a row of ornamental shrubs as described in the Landscape Section of this PD-10 and as depicted in Exhibit D – Preliminary Landscape Plan. Double fencing is prohibited.

At their expense, the Developer/Property Owner of this Planned Development shall arrange with adjacent property owners to replace any existing fences/walls. The City Council, on the recommendation of the City Planner, may permit the required screening wall to be constructed within the PD-10 property away from the property line if there is a demonstrated hardship that prevents the construction of the required screening wall at the property line. If the screening wall is constructed away from the property line within the PD-10 boundaries, Developer/Property Owner shall be responsible for maintaining the gap at their property between the screening wall and the property line.

Screening consistent with the provisions above shall be depicted in Exhibit D – Preliminary Landscape Plan and submitted with the required Detailed Site Plan and Engineering Construction Plans. The screening in the Detailed Site Plan submittal shall be generally consistent with the provisions above.

**B. Section 20 PD - Planned Development District** shall apply, except as modified below:

- 1. Section 20.4.3.1 (c)** shall apply, with the City Council hereby waiving the public hearing requirement for the approval of a Detailed Site Plan for this PD-10. This does not remove the approval authority of the City Council for a Detailed Site Plan for this PD-10.

**C. Section 26 Off-Street Parking and Loading Requirements** shall apply, except as modified below:

- 1. Section 26.3 Size of Space** shall apply with the additional stipulation below:

- i. Vehicle overhangs shall be prohibited when the sidewalk – public or private – is immediately adjacent to the curb. Wheel stops shall be provided at all parking spaces located immediately adjacent to sidewalks (public or private). Wheel stops shall not be required if a minimum three foot (3') wide landscaped strip is installed between the curb and the sidewalk in accordance with the standards described in the Landscaping section of this PD-10, or if the sidewalk exceeds eight feet (8') in width.

**2. Section 26.6 Schedule of Parking Requirements Based on Use** shall apply, except as modified below:

- i. **Section 26.6.37.a Shopping Center**, which requires one (1) space for each two hundred (200) square feet of floor area, shall be modified to remove the requirement for additional parking for restaurants exceeding ten percent (10%) of the shopping center floor area.

**Chapter 10A, Subdivision Ordinance**, as amended, shall apply in its entirety, subject to the modifications outlined below:

- A. Section 3.1.B.4 Approach Roads and Access** shall be modified to permit one (1) point of access to serve this PD-10 due to the proximity to intersections limiting the spacing required for additional points of access.
- B. Section 3.1.O Points of Access** shall be modified to permit one (1) point of access to serve this PD-10 due to the proximity to intersections limiting the spacing required for additional points of access.

**Chapter 3, Building Regulations**, as amended, shall apply in its entirety, subject to modifications outlined below:

**A. Article 7 – Signs** shall apply, except as modified below:

**1. Section 3.07.013(i) Monument Sign**, shall apply, except as modified below:

- i. **Subsection (1)(C)(ii) Location, Single tenant/multi-tenant monument sign** shall be modified to reduce the minimum fifteen feet (15') setback from all property lines to a minimum three feet (3') setback to account for property layout and to allow a reasonable location to install a monument sign. The location of the proposed multi-tenant monument sign shall be shown on the Detailed Site Plan and meet the minimum required setback established by this PD-10.

**Landscaping**

The Detailed Site Plan submittal, which shall include a Landscape Plan, shall comply with the standards listed below:

**A. Parking Lot Landscaping**

1. Parking areas shall be planted with one (1) shade tree per ten (10) parking spaces. Parking islands shall be planted with one (1) shade tree that will count towards meeting the provision of one (1) shade tree per ten (10) parking spaces. Required trees may be clustered in areas adjacent to parking area if space is not available on the proposed parking islands or corners of buildings.
2. If any sidewalk between parking space curbs and the building is not a minimum of five feet (5') in width, a minimum three foot (3') wide planting area shall be provided between the curb and the sidewalk. This planting area shall be planted at a rate of one (1) ornamental shrub per five linear feet (5'). This requirement shall not apply if wheel stops are provided.
3. A headlight screening buffer shall be provided on the parking lot spaces facing the west or south of the property. This buffer shall measure three (3) feet in width shall consist of a row of ornamental screening shrubs planted every three linear feet (3').

**B. Buffers**

1. A three (3) foot wide landscape buffer shall be required at the northern (rear) and eastern (side) property lines. A row of ornamental screening shrubs planted every three linear feet (3') shall be planted on this buffer.

**C. Drainage Pond Landscaping**

1. The required detention pond, if not converted into a retention (wet) pond at the time of detailed site plan, shall be planted at a minimum with three (3) shade trees and six (6) ornamental trees as depicted in Exhibit D – Preliminary Landscape Plan. Additional trees may be planted by the developer, if acceptable by the City Engineer, so as to not diminish the performance of the pond or create safety risks.

**D. Landscaping Material**

1. All landscaping material shall be of species listed in the North Texas Council of Governments' Texas SmartScape website.
2. All permeable areas not planted shall contain ground cover (grass) or

alternative surface subject to the approval of the Council at the time of Detailed Site Plan review.

3. All shade trees planted shall be a minimum of three caliper inches (3") at the time of planting.
4. All ornamental trees planted shall be a minimum of two caliper inches (2") at the time of planting.
5. All ornamental shrubs shall be a minimum of three feet (3') tall at the time of planting.

**E. Landscape Maintenance**

1. Developer/Property Owner shall replace damaged or dead vegetation for any reason in accordance with the Landscape Plan submitted to and approved as part of the Detailed Site Plan. All replacements must comply with the approved plan to ensure consistency with established landscaping requirements. Replacement shall occur within 30 days of notification by City Staff.
2. Developer/Property Owner shall install and maintain an underground automatic irrigation system in the landscaped areas of the site.

**Lighting**

A Photometric Plan detailing proposed light fixtures and light distribution curve shall be submitted for review as an attachment to the Detailed Site Plan.

**A. Lighting shall conform to the following standards:**

1. Mercury vapor lighting shall be prohibited.
2. Site lighting features used along driveways and in parking areas shall be no taller than fifteen feet (15') and the fixtures shall be of a contiguous and coordinated design. The pattern of lighting from each fixture shall provide smooth and even lighting of driveways and parking lots while eliminating undesirable glare or light intrusion onto adjacent building sites. Lighting fixtures shall be hooded and direct light downwards. Lighting fixtures adjacent to residential uses shall be angled towards the parking lot and not facing straight to the ground.
3. Pedestrian walkways, entrance areas, & parking lot shall be illuminated to enhance the pedestrian safety and qualities of the development. Light fixtures



attached to the buildings shall complement the architectural design and focus on quality lighting that will enhance the development.

4. Exterior building lights shall be used to illuminate building signage. Building identification graphics and signs that are illuminated shall be lit internally, or from another light source either attached to the building or lit from the ground. If ground-mounted, light fixtures shall be in front of the sign incorporated into landscaping. Ground mounted lights may also be used to illuminate building signage attached to the buildings. All lighting must be lit during dark hours.
5. Illumination of all lighting must commence at least 30 minutes prior to sunset and remain on until at least 30 minutes after sunrise. Pedestrian walkways and hallways shall be illuminated during the hours of darkness or when poor weather conditions warrant.
6. Building accent lighting is required. Lighting shall include wall-mounted scones, wall or ground mounted up lighting or down lighting, or other accent lighting that emphasizes building or site elements.
7. Illumination at property line adjacent to single-family residential zoning districts shall not exceed 0.2 horizontal foot-candles and 0.5 vertical foot-candles.
8. Illumination at property line adjacent to all other zoning districts, or right-of-way, shall not exceed 3.0 horizontal foot-candles and 3.0 vertical foot-candles.

### **Other Development Considerations**

#### **A. Solid Waste Container Enclosures**

1. Solid Waste Container (dumpster) enclosures shall be constructed with a minimum six (6) foot high masonry wall and metal closing gate, which shall remain closed and only be opened when emptying the containers.
2. Enclosure design shall meet the standards of the City's provider of solid waste collection services at the time of Detailed Site Plan.
3. Enclosures may encroach on the side building setback provided they do not encroach into required utility easements.

#### **B. Pedestrian Connectivity**

1. At least one internal pedestrian walkway connection, no less than 5 feet (5')

in width, shall be provided to the right-of-way of the NETEX Rail District for future connectivity to the planned rail trail. At a minimum, walkways shall connect focal points of user/pedestrian activity, accessible parking, and principal building entrances.

**C. Mechanical Equipment Screening**

Mechanical equipment shall be screened for visibility from public ROW, internal streets or drives, and sidewalks by a row of ornamental shrubs planted at a rate of one (1) shrub per three linear feet (3') with a minimum of three feet (3') in height at the time of planting or a wood fence no less than four feet (4') in height.

**D. Utility Meters**

1. Utility Meters – shall be located in clusters or linear groups and on either end of the building's exterior walls.
2. Screening shall not be required for wall mounted equipment.
3. Water Meters shall be located within water easements for city maintenance.

**E. Underground Utilities**

All new utilities shall be constructed underground. Existing overhead infrastructure shall be replaced by underground infrastructure. In the event that the replacement of existing overhead infrastructure is deemed impractical by the City Council, overhead infrastructure may remain as shown on the Detailed Site Plan.

**F. Thoroughfare Design Manual**

The Thoroughfare Design Manual shall apply, except as modified below:

1. **Section V – Driveway Design Standards**, shall apply, except as modified below:
  - i. **Subsection B (2), Driveway Width, Commercial/Industrial, Two-way operation**, shall be modified to increase the maximum width from thirty (30) feet to thirty six (36) feet to account for the unique lot configuration and proximity to the intersection of FM 6 (Cook Street) and Milton Street.

**G. Special Fire Protection Provisions**

Due to the unique configuration and location of the lot, this PD-10 contains

special provisions for Fire Protection to ensure a minimum development capability for this property.

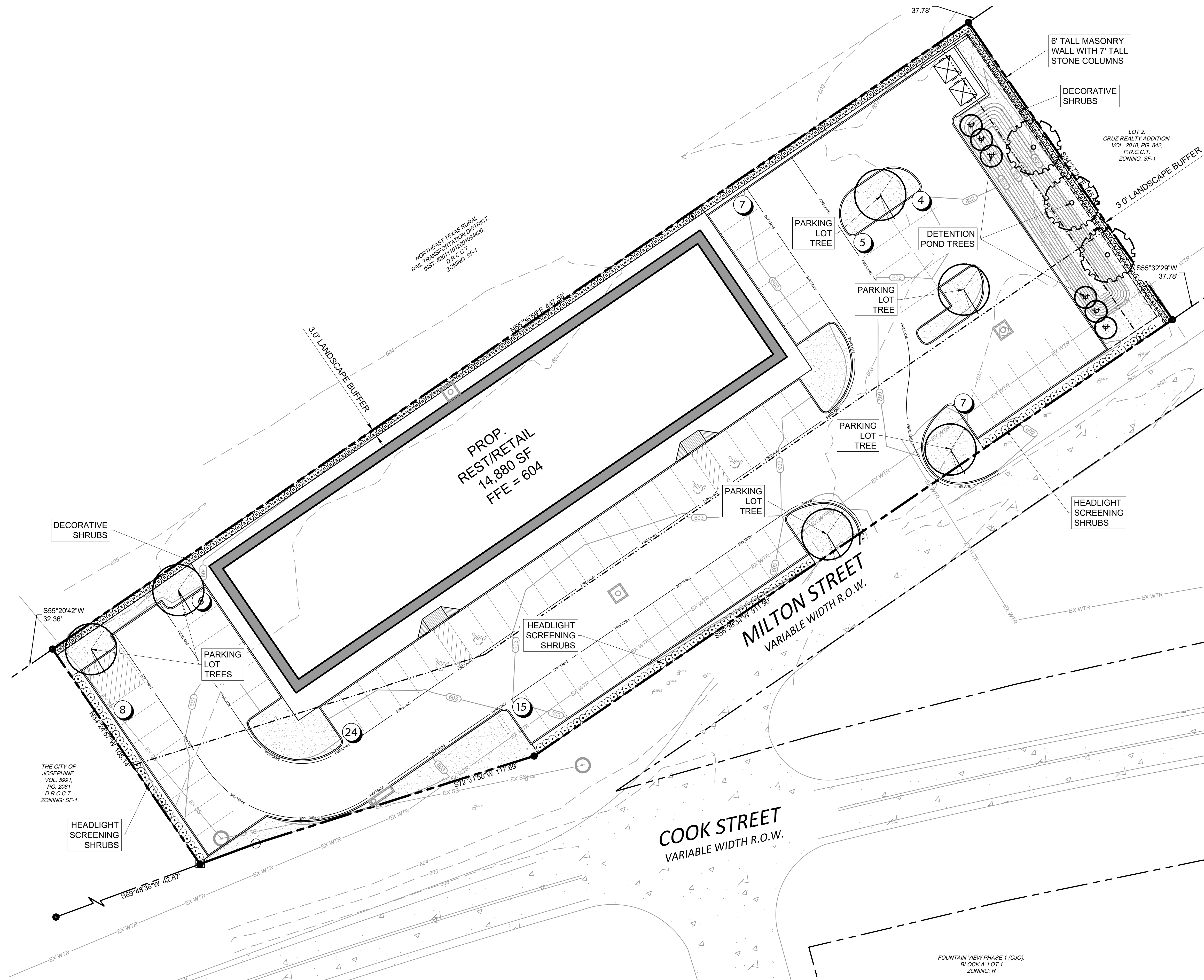
The following special provisions shall apply:

1. The proposed retail building shall provide full fire sprinkler system that meets International Fire Code regulations. This requirement goes beyond the City's current adopted code and is required by this PD-10 to ensure adequate fire protection.
2. The proposed fire lane configuration shown in Exhibit E – Fire Protection Plan has been reviewed and approved by the Fire Chief in his official capacity as the Authority Having Jurisdiction (AHJ). Under the City's adopted 2015 International Fire Code with regional amendments, the fire code official is expressly granted the authority to modify or approve alternative configurations where necessary for fire and rescue operations. Specifically, Section 503.2.2 provides that the fire code official may require or adjust access design based on operational needs, and Section 503.1.1 allows the required fire apparatus access distance to be increased from 150 feet where approved by the fire code official. In this case, the Fire Chief has determined that the proposed layout, combined with the applicant's voluntary installation of a full automatic sprinkler system (which exceeds minimum code requirements), provides an equivalent level of fire protection and life safety. As such, the design is compliant through AHJ-approved alternative means consistent with the authority granted under the adopted fire code.
3. At the time of Detailed Site Plan review, the Fire Chief may require any other additional appurtenances or infrastructure deemed necessary to provide adequate fire protection to the site.
4. Minor modifications to turning radii may be required, and shall not be considered a substantive change, provided that the general layout and spirit of the Exhibit C – Concept Plan are met.
5. The Fire Chief, in his official capacity as the Authority Having Jurisdiction (AHJ), is permitted to approve further modifications or departures from the adopted International Fire Code, as amended, and recommend approval as presented to the Planning & Zoning Commission and City Council at the time of Detailed Site Plan approval.









**MILTON STREET  
RETAIL**

ABS A0686 SAMUEL PUGH  
SURVEY, SHEET 1, TRACT 38  
CITY OF JOSEPHINE  
COLLIN COUNTY, TEXAS

[illegible]

KIRKMAN ENGINEERING, LLC  
5200 STATE HIGHWAY 121  
COLLEYVILLE, TX 76034  
TEXAS FIRM NO. 15874

|             |                    |
|-------------|--------------------|
| JOB NUMBER: | JAG26001_JOSEPHINE |
| ISSUE DATE: | 5/7/26             |

EXHIBIT D -  
PRELIMINARY  
LANDSCAPE PLAN

SHEET:  
**L1.00**



