



**AGENDA
PLANNING & ZONING COMMISSION
REGULAR MEETING/PUBLIC HEARING**

JULY 18, 2024, @ 6:00 P.M.

JOSEPHINE CITY HALL, 201 MAIN STREET, JOSEPHINE, TEXAS

Join Zoom Meeting

<https://us02web.zoom.us/j/85645869481?pwd=ilvYDv1bF7SfMU04cTbGcfKdLkbnJY.1>

Meeting ID: 856 4586 9481

Passcode: 394470

One tap mobile

+13462487799

Lloyd D. Brown – Chairman

Greg Garcia

Kodi Wallgren

Patrick Cusic

Doug Thomas

Kimberly Salawu – Alternate

Rick Blanton - Alternate

The Planning & Zoning Commission will hold a Regular Meeting/Public Hearing on Thursday, July 18, 2024, @ 6:00 p.m. at the Josephine City Hall located at 201 Main Street, Josephine, Texas. This meeting is open to the public and subject to the Open Meeting Laws of the State of Texas. Pursuant to Section 551.071 of the Texas Government Code, the Commission may convene into Executive Session at any time during the meeting as deemed necessary to obtain advice from the City Attorney regarding any posted agenda item.

A) Call to Order

B) Pledge of Allegiance

C) Invocation

D) Approval of the minutes from the June 20, 2024, Regular Meeting/Public Hearing

June 20, 2024, CIAC Meeting

E) Open Public Hearing – 5.535 acres located in the ABS A0686 Samuel Pugh Survey, Sheet 3, Tract 54 commonly known as 1250 FM 1777, Josephine, Texas.

- 1. Receive public comments regarding a zoning change request for 5.535 acres from A – Agricultural District to PD (Planned Development) C – General Commercial Business other than Retail and LR Local Retail.**
- 2. Close Public Hearing.**
- 3. Discuss, consider, and act on approval to make a recommendation/final report to the City Council regarding amending the zoning for 5.535 acres to PD (Planned Development) C – General Commercial Business other than Retail and LR – Local Retail.**

F) Open Public Hearing – 7.240 acres located in the ABS A0686 Samuel Pugh Survey, Sheet 1, Tract 17, a portion of Lot 13 and all of Lots 14, 15, 16, 17, 18 & 19 of the Josephine Homesite Addition and commonly known as 707 W. Cook St., Josephine, Texas.

- 1. Receive public comments regarding a zoning change request for 7.240 acres from SF-1 (Single Family Residential) to PD (Planned Development) C – General Commercial Business other than Retail and LR – Local Retail.**
- 2. Close Public Hearing.**
- 3. Discuss, consider, and act on approval to make a recommendation/final report to the City Council Regarding amending the zoning for 7.240 acres to PD (Planned Development) C – General Commercial other than Retail and LR – Local Retail.**

G) Adjournment

This facility is wheelchair accessible and handicapped accessible parking spaces are available. Requests for accommodation or interpretive services must be made forth-eight (48) hours prior to this meeting. Please contact the City Secretary's office at 972-843-8282 or FAX 972-843-8377. I, PATTI BROOKS, CITY SECRETARY of the City of Josephine, Texas, do hereby certify that this notice was posted on the city website at: www.cityofjosephinetx.com, the front window of the City Hall and the Bulletin Board in the City Park on the 15th day of May 2024 and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Approved By: Lloyd D. Brown, Chairman

Attest: Patti Brooks, City Secretary

**MINUTES
PLANNING AND ZONING COMMISSION
REGULAR MEETING/PUBLIC HEARING &
CAPITAL IMPROVEMENT ADVISORY COMMITTEE (CIAC)
JUNE 20, 2024**

Chairman Lloyd D. Brown called the meeting to order at 6:01 p.m.

Board members present: Lloyd D. Brown, Kodi Wallgren, Patrick Cusic and Doug Thomas.

Board members absent: Greg Garcia

Pledge of Allegiance led by Chairman Brown.

Kodi Wallgren made a motion to approve the minutes from the May 16, 2024, Regular Meeting/Public Hearing. Seconded by Doug Thomas. All in favor, the motion passed.

Open Public Hearing at 6:03 p.m. 1.034 acres located in the ABS A0686 Samuel Pugh Survey, Sheet 1, Tract 91, also known as 832 East St., Josephine, Texas. This will be contingent on annexation approval by City Council on July 15, 2024.

1. Receive public comments regarding the request for a zoning change for 1.034 acres from A – Agricultural District to C – General Commercial Business other than Retail.
No comments made.
2. Close Public Hearing at 6:04 p.m.
3. Kodi Wallgren made a motion to approve the zoning request for 1.034 acres from A – Agricultural District to C – General Commercial Business other than Retail and to recommend approval to the City Council. Seconded by Doug Thomas. All in favor, the motion passed.

Chairman Lloyd D. Brown adjourned the meeting by consent at 6:06 p.m.

Capital Improvement Advisory Committee (CIAC) Meeting

The meeting was called to order at 6:07 p.m.

Members present: Lloyd D. Brown, Kodi Wallgren, Patrick Cusic, Doug Thomas and Bill Wait.

Presentation by Brandon Forsythe and Holly Deters representing Kimley-Horn and Associates, Inc. regarding the progress of the Impact Fee Study. No action was taken.

Chairman Lloyd D. Brown adjourned the meeting by consent at 6:35 p.m.

ATTEST:

APPROVED BY:

Patti Brooks, City Secretary

Lloyd D. Brown, Chairman

Josephine Planning & Zoning Commission

AGENDA REPORT

Subject

Hold a Public Hearing, consider, and act upon, a recommendation to the City Council regarding a change in zoning from Agricultural (A) to Planned Development (PD) for future development at 1250 FM 1777.

Recommendation

Motion to recommend approval, denial.

Discussion

OWNER/APPLICANT: Jag Singh

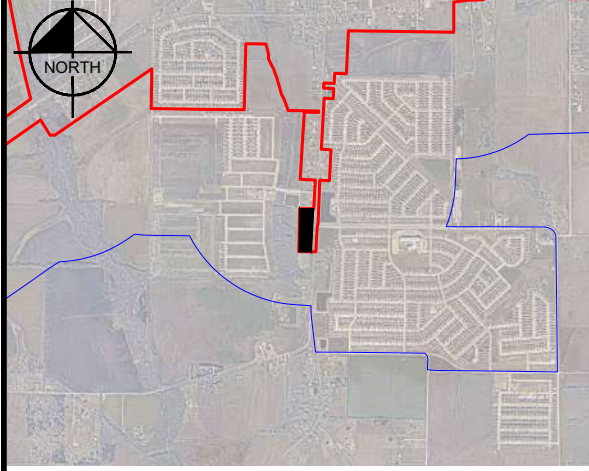
The applicant is requesting to rezone 5.535 acres from A to PD.

The surrounding properties are not within city limits. Properties further north along FM 1777 are zoned SF-1.

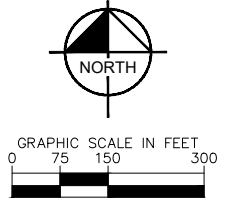
The Future Land Use Map shows Medium Density Residential for the subject property. The surrounding properties to the north, west, and south are also Medium Density Residential. The surrounding property to the east is shown as Neighborhood Services.

Notifications/Responses:





VICINITY MAP
1" = 2,000'



DATE:	JULY 2024
DESIGN:	JTR
DRAWN:	JTR
CHECKED:	BBB
KHA NO.:	064611449

1250 FM 1777

ZONING CHANGE EXHIBIT

Kimley»Horn

Texas Board Of Professional Engineers Firm Registration Number: F-928
260 EAST DAVIS STREET, SUITE 100, MCINNEY, TX 75069

No.	Revision	By	Date

The City of Josephine

Development Application

Date of Pre-Application Conference: 6/24/2024

Name of Subdivision or Project: The Shoppes at Josephine

Application Type

- | | |
|---|--|
| <input checked="" type="checkbox"/> Concept Plan | <input type="checkbox"/> Preliminary Plat (Complete Checklist) |
| <input type="checkbox"/> Subdivision Const. Plan Review | <input type="checkbox"/> Final Plat (Complete Checklist) |
| <input type="checkbox"/> Amended/Minor Plat | <input type="checkbox"/> Replat |
| <input type="checkbox"/> Development Plat | <input type="checkbox"/> Specific Use Permit |
| <input checked="" type="checkbox"/> Zoning | <input type="checkbox"/> Conditional Use |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Board of Adjustment |

Fees:

A retainer of \$1,000.00 (unless otherwise agreed upon per Accepted Development Agreement) is required with application submittal. The City of Josephine and the City Engineer will review the plans and all expenses will be billed out as they are incurred. Once the project is completed, we will reconcile the final billed expenses with the retainer fee collected and any remainder will be refunded.

The retainer fee of \$1,000.00 (or otherwise agreed upon \$ _____), to be paid to the City of Josephine is enclosed with this application.

Physical Location of Property: 1250 FM 1777 Josephine, TX 75189 Corner of Double R Rd & FM 1777 by Magnolia
[Address and General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate metes and bounds description):

Attached in Zoning Package

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: 5.535

Existing Zoning: AG

Requested Zoning: PD - LR/C

[Attach a detailed description of requested zoning & development standards if a PD]

Total Number of Lots, by Type: 1, Agricultural

Proposed Use of Property: Planned Development - Local Retail/Commercial



City of Josephine
P.O. Box 99

201 Main Street Josephine, Texas 75164
972-843-8282

Owner's Name: BKP Investments III LLC Phone Number: 972-330-7371

Applicant/Contact Person: Jag Singh Title: President

Company Name: BKP Investments III LLC

Street/Mailing Address: 120 E FM 544 Suite 72 #424 City: Murphy State: TX Zip: 75094

Phone: (972) 330-7371 Fax: () Email Address: Jagsingh19@gmail.com

Engineer/Representative Name: JBI Partners

Applicant/Contact Person: Jerry Sylo Title: Senior VP

Company Name: JBI Partners

Street/Mailing Address: 2121 Midway Rd #300 City: Carrollton State: TX Zip: 75006

Phone: (972) 738-0248 Fax: () Email Address: jsylo@jbipartners.com

It is the applicant's responsibility to be familiar with, and comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that may be obtained from City staff), including the number of plans to be submitted, application fees, etc. Please contact City staff in advance for submittal requirements. Incomplete submittals will not be accepted.

SUBMISSIONS. Submit **one (1) FOLDED** copies of Plans and Surveys 24"x36" Prints [1"=100' scale] + **one (1) 11"x17"**, **one (1) PDF** file to the City Secretary with the submittal.

NOTICE OF PUBLIC RECORDS. The submission of plans/drawings with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings) will be considered consent by the applicant that the general public may view and/or reproduce (i.e., copy) such documents.



City of Josephine
P.O. Box 99
201 Main Street Josephine, Texas 75164
972-843-8282

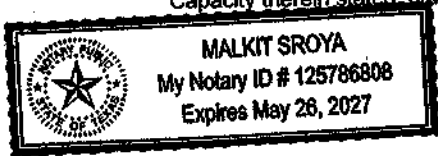
By signing this application, staff is granted access to your property to perform work related to your case.

I waive the statutory time limits in accordance With Section 212 of the Texas Local Government Code.

Signature: [Signature]
(Letter of authorization required if signature is other than property owner)

Print or Type Name: Jag Singh

Known to me to be the person whose name is subscribed to the above and foregoing instrument, and Acknowledged to me that they executed the same for the purposes and consideration expressed and in the 24 Capacity therein stated. Given under my hand and seal of office on this 25th day of June, 2024



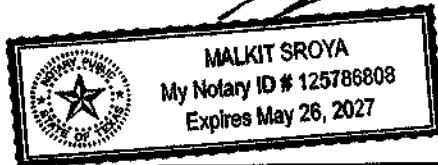
SUBSCRIBED AND SWORN TO before me, this the 25th day of June, 2024
Notary Public in and for the State of Texas: [Signature]

If there should be more than one property owner complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner, a "Power of Attorney" with original, notarized signatures are required. (Notaries are available upon submittal)

STATE OF TEXAS
COUNTY OF COLLIN/HUNT

BEFORE ME, a Notary Public, on this day personally appeared Jag Singh the undersigned applicant, who, under oath, stated the following: "I hereby certify that I am the owner, or duly authorized agent of the owner, (proof attached) for the purposes of this application that all information submitted herein is true and correct. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial."

[Signature]



SUBSCRIBED AND SWORN TO before me, this the 25th day of June, 2024
Notary Public in and for the State of Texas: [Signature]

Applicant Initial Below

[Handwritten Initials]

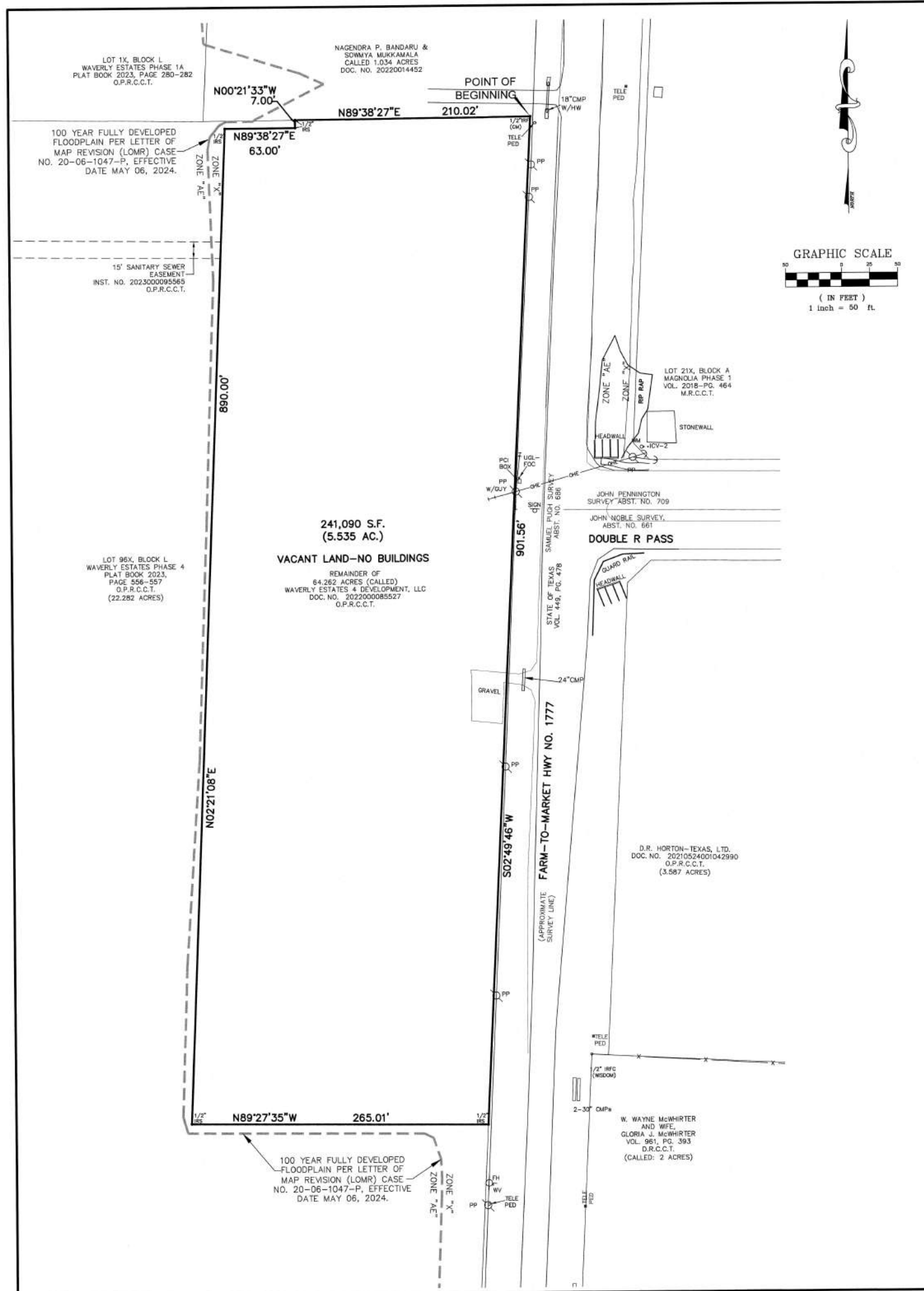
Submittal Check List

- Application:** Signed and Notarized Application with Original Signatures of all property owners and applicant
- Written Verification** such as: Notarized statement or "Power of Attorney" from real property owner authorizing an agent to act on his/her behalf.
- Proof of Ownership** (e.g. General warranty deed; Special warranty deed; Title policy, or document approved by the City Planner)
- Required Exhibits**
- Metes and Bounds Description**
- Boundary/Property Survey**
- Folded** sets of drawings/plans one (1) 24"x36" and one (1) 11"x17", one (1) PDF file

City Use Initial Below

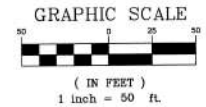
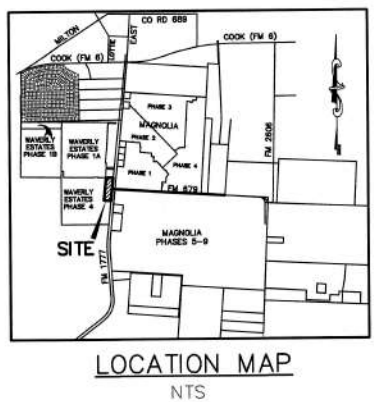


City of Josephine
P.O. Box 99
201 Main Street Josephine, Texas 75164
972-843-8282



LEGEND

1/2" I.R.S.	1/2" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED 'JBI' SET
CLF (CN)	CHAIN-LINK FENCE
D.R.C.C.T.	DEED RECORDS, COLLIN COUNTY, TEXAS
FH	FIRE HYDRANT
I.R.F.	IRON ROD FOUND
NTS	NOT TO SCALE
P.R.C.C.T.	PLAT RECORDS, COLLIN COUNTY, TEXAS
PG.	PAGE
P.O.B.	POINT OF BEGINNING
PP	POWER POLE
R.O.W.	RIGHT-OF-WAY
UGW	UNDERGROUND WATER (MARKER)
VOL.	VOLUME
WF	WOOD FENCE
WV	WATER VALVE



LEGAL DESCRIPTION (5.535 ACRES)

BEING a tract of land located in Collin County, Texas, being part of the Samuel Pugh Survey, Abstract No. 686, being located in the City of Josephine's Extraterritorial Jurisdiction (ETJ), being part of that called 64.262 acre tract of land described in deed to Waverly Estates 4 Development, LLC recorded as Instrument No. 2022000855827, Official Public Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a one-half inch iron rod found for the northeast corner of said 64.262 acre tract, said point also being the southeast corner of a called 1.034 acre tract of land described in deed to Nagendra P. Bandaru and Sowmya Mukkamala as recorded as Document No. 2022000114452, Official Public Records, Collin County, Texas and being in the westerly right-of-way line of Farm-to-Market Highway No. 1777 (called 90 foot wide R.O.W.);

THENCE, along the east line of said 64.262 acre tract and the west right-of-way line of said Farm-to-Market Highway No. 1777, South 02 degrees 49 minutes 46 seconds West, a distance of 901.56 feet to a one-half inch iron rod with cap stamped 'JBI' set for corner, being the most easterly northeast corner of Lot 96X, Block L Waverly Estates Phase 4, an addition to the Collin County recorded in Plat Book 2023, Pages 556-557, Plat Records, Collin County, Texas;

THENCE, departing said west right-of-way line, along the easterly line of said Lot 96X as follows:

- North 89 degrees 27 minutes 35 seconds, West, a distance of 265.01 feet to a one-half inch iron rod with cap stamped 'JBI' set for corner;
- North 02 degrees 21 minutes 08 seconds East, a distance of 890.00 feet to a one-half inch iron rod with cap stamped 'JBI' set for corner;
- North 89 degrees 38 minutes 27 seconds East, a distance of 63.00 feet to a one-half inch iron rod with cap stamped 'JBI' set for corner;
- North 00 degrees 21 minutes 33 seconds West, a distance of 7.00 feet to a one-half inch iron rod with cap stamped 'JBI' set for corner, being the most northerly northeast corner of said Lot 96X, being in the north line of said 64.262 acre tract and south line of said 1.034 acre tract;

THENCE, along the north line of said 64.262 acre tract and the south line of said 1.034 acre tract, North 89 degrees 38 minutes 27 seconds East, 210.02 feet to the POINT OF BEGINNING and containing 241,090 square feet or 5.535 acres.

Bearings shown hereon are based on the Texas State Plane Coordinate System, North Central Zone (4202), NAD 83, based on GPS observations.

SURVEYOR'S CERTIFICATION

I hereby certify to Waverly Estates 4 Development, LLC:

(a) This survey was made on the ground as per the field notes shown on this survey and correctly shows (i) the boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon (if any) and the distance therefrom to the nearest facing exterior property lines of the subject property; (ii) the location of all rights-of-way, easements and any other matters of record (or of which I have knowledge or have been advised, whether or not of record) affecting the subject property; (iii) all abutting dedicated public streets providing access to the subject property; and (iv) all other visible and apparent items on the subject property including, but not limited to, all creeks, waterways, roads, pathways, fences, power poles, overhanging wires and railroad tracks;

(b) Except as shown on this survey, there are no (i) encroachments upon the subject property by improvements on easements or adjacent property; (ii) protrusions onto adjacent property, easements, streets or alleys by any improvements on the subject property; (iii) party walls; or (iv) boundary line conflicts;

(c) Subject property has direct ingress and egress from Farm-to Market Highway No. 1777, a 90 foot wide paved, dedicated public right-of-way, as shown hereon.

(d) According to the Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel No. 48085C0470J, dated June 2, 2009, as revised by Letter of Map Revision (LOMR) Case No. 23-06-1047P, Effective Date May 06, 2024, which includes the subject property, the subject property shown hereon lies within "Zone X", which is not a Special Flood Hazard Area (SFHA).

(e) The metes and bounds description contained on this survey is correct and the record description of the subject property forms a mathematically closed figure; and

(f) This survey was made in accordance with and satisfies the requirements of the current Texas Society of Professional Surveyors Standards and Specifications (2020 Edition) for a Category 1A, Condition 2 Land Title Survey Survey, and conforms to the current standards promulgated by the Texas Board of Professional Engineers and Land Surveyors.

William J. Johnson
 William J. Johnson
 Registered Professional Land Surveyor,
 Texas Registration No. 5426

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT OR TITLE REPORT, THEREFORE ALL EASEMENTS OF RECORD MAY NOT BE SHOWN.

		2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000	
		BOUNDARY SURVEY-5.535 ACRES SAMUEL PUGH SURVEY, ABST. NO. 686 WAVERLY ESTATES REMAINDER City of Josephine ETJ, Collin County, Texas	
NO.	REVISION	BY	DATE

PROJECT NO.	H0E307
SHEET NO.	1 OF 1
DATE	DECEMBER 28, 2023

Drawing: H:\Projects\H0E307-Josephine\Survey\dwg\5.535 acre Boundary Survey.dwg Saved By: bjohnson Save Time: 12/28/2023 1:27 PM Plotted by: bjohnson Plot Date: 12/28/2023 1:28 PM

Allegiance Title GF # 3016332300044

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

General Warranty Deed

Date: June 20, 2024

Grantor: Waverly Estates 4 Development, LLC, a Texas limited liability company

Grantor's Mailing Address: P.O. Box 271499, Flower Mound, TX 75027

Grantee: BKP Investments III, LLC, a Texas limited liability company

Grantee's Mailing Address: 120 E FM 544 STE 72 # 424 Murphy, TX 75094

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

Property (including any improvements):

See Exhibit "A" attached hereto and made a part hereof.

Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty: Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2024 and subsequent years, which Grantee assumes and agrees to pay.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

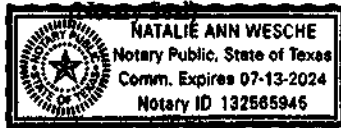
When the context requires, singular nouns and pronouns include the plural.

WAVERLY ESTATES 4 DEVELOPMENT, LLC,
a Texas limited liability company

By: 
Jeffrey P. Miles, Manager

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on June 20, 2024, by Jeffrey P. Miles, as Manager of Waverly Estates 4 Development, LLC, a Texas limited liability company, on behalf of said entity.




Notary Public, State of Texas

Prepared by:
Dawn Enoch Moore, P.C.
6030 Sherry Lane
Dallas, TX 75225
214/373-3500

After recording return to:
BKP Investments III, LLC

EXHIBIT "A"

BEING a tract of land located in Collin County, Texas, being part of the Samuel Pugh Survey, Abstract No. 686, being located in the City of Josephine's Extraterritorial Jurisdiction (ETJ), being part of that called 64.262 acre tract of land described in deed to Waverly Estates Development, LLC recorded as Instrument No. 2022000085527, Official Public Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a one-half inch iron rod found for the northeast corner of said 64.262 acre tract, said point also being the southeast corner of a called 1.034 acre tract of land described in deed to Nagendra P. Bandaru and Sowmya Mukkamala as recorded as Document No. 2022000114452, Official Public Records, Collin County, Texas and being in the westerly right-of-way line of Farm-to-Market Highway no. 1777 (called 90 foot wide R.O.W.);

THENCE, along the east line of said 64.262 acre tract and the west right-of-way line of said Farm-to-Market Highway NO. 1777, South 02 degrees 49 minutes 46 seconds West, a distance of 901.56 feet to a one-half inch iron rod with cap stamped "JBI" set for corner, being the most easterly northeast corner of Lot 96X, Block L, Waverly Estates Phase 4, an addition to the Collin County recorded in Plat Book 2023, Pages 556-557, Plat Records, Collin County, Texas;

THENCE, departing said west right-of-way line, along the easterly line of said Lot 96X as follows:

North 89 degrees 27 minutes 35 seconds, West a distance of 265.01 feet to a one-half inch iron rod with cap stamped "JBI" set for corner;
North 02 degrees 21 minutes 08 seconds East a distance of 890.00 feet to a one-half inch iron rod with cap stamped "JBI" set for corner;
North 89 degrees 38 minutes 27 seconds East a distance of 63.00 feet to a one-half inch iron rod with cap stamped "JBI" set for corner;
North 00 degrees 21 minutes 33 seconds West, a distance of 7.00 feet to a one-half inch iron rod with cap stamped "JBI" set for corner, being the most northerly northeast corner of said Lot 96X, being in the north line of said 64.262 acre tract and south line of said 1.034 acre tract;

THENCE, along the north line of said 64.262 acre tract and the south line of said 1.034 acre tract, North 89 degrees 38 minutes 27 seconds East, 210.02 feet to the POINT OF BEGINNING and containing 241,090 square feet or 5.535 acres.

**Collin County
Honorable Stacey Kemp
Collin County Clerk**

Instrument Number: 2024000074785

eRecording - Real Property

DEED

Recorded On: June 20, 2024 04:14 PM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$33.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2024000074785
Receipt Number: 20240620000593
Recorded Date/Time: June 20, 2024 04:14 PM
User: Kim D
Station: Workstation cck024

Record and Return To:

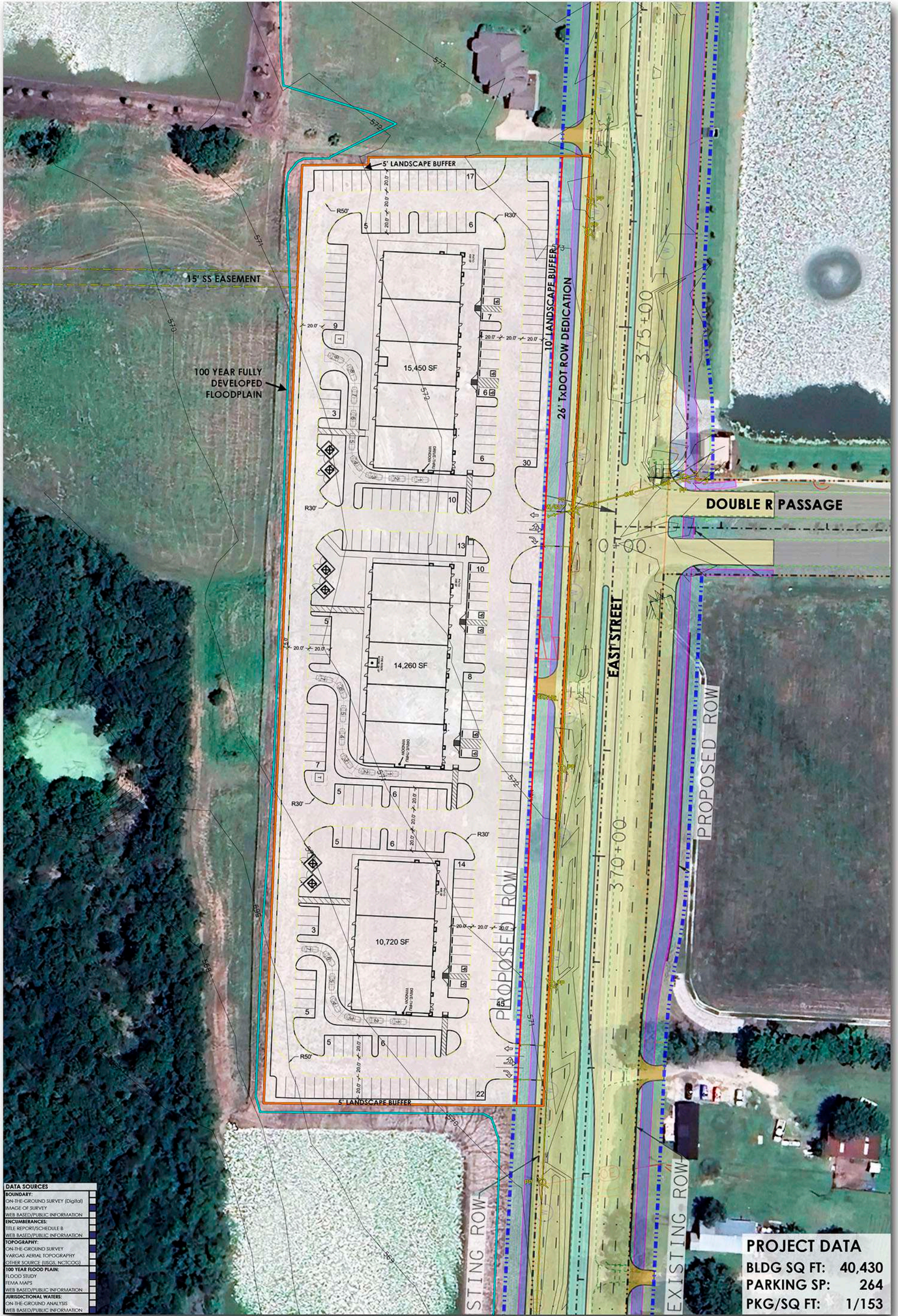
CSC



**STATE OF TEXAS
COUNTY OF COLLIN**

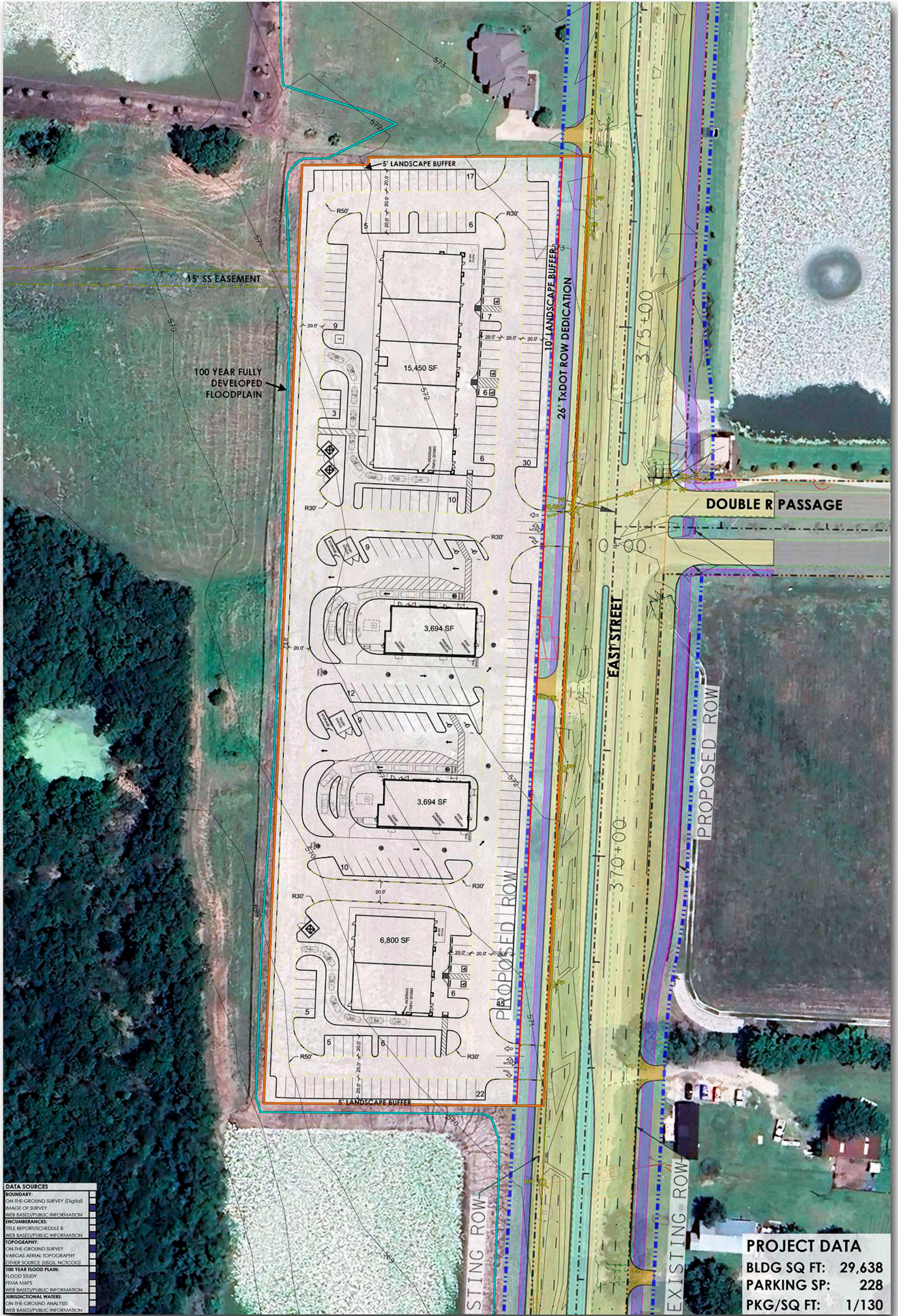
I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Public Records of Collin County, Texas.

Honorable Stacey Kemp
Collin County Clerk
Collin County, TX



DATA SOURCES	
BOUNDARY:	ON-THE-GROUND SURVEY (Digital)
	IMAGE OF SURVEY
	WEB BASED/PUBLIC INFORMATION
ENCUMBRANCES:	TITLE REPORT/SCHEDULE B
	WEB BASED/PUBLIC INFORMATION
TOPOGRAPHY:	ON-THE-GROUND SURVEY
	YARGAS AERIAL TOPOGRAPHY
	OTHER SOURCE (USGS, NCTCOG)
100 YEAR FLOOD PLAIN:	FLOOD STUDY
	FEMA MAPS
	WEB BASED/PUBLIC INFORMATION
JURISDICTIONAL WATERS:	ON-THE-GROUND ANALYSIS
	WEB BASED/PUBLIC INFORMATION

PROJECT DATA	
BLDG SQ FT:	40,430
PARKING SP:	264
PKG/SQ FT:	1/153



DATA SOURCES	
BOUNDARY:	ON-THE-GROUND SURVEY (Digital)
	IMAGE OF SURVEY
	WEB BASED/PUBLIC INFORMATION
ENCUMBRANCES:	
	TITLE REPORT/SCHEDULE B
	WEB BASED/PUBLIC INFORMATION
TOPOGRAPHY:	
	ON-THE-GROUND SURVEY
	VARGAS AERIAL TOPOGRAPHY
	OTHER SOURCE (USGS, NCTCOG)
100 YEAR FLOOD PLAIN:	
	FLOOD STUDY
	FEMA MAPS
	WEB BASED/PUBLIC INFORMATION
JURISDICTIONAL WATERS:	
	ON-THE-GROUND ANALYSIS
	WEB BASED/PUBLIC INFORMATION

PROJECT DATA	
BLDG SQ FT:	29,638
PARKING SP:	228
PKG/SQ FT:	1/130

0 20 40 80 N
 1"=40' ↑ JUNE 25, 2024
 BKP001

THE SHOPPES AT JOSEPHINE

CONCEPT 2 **JB** PARTNERS
 JOSEPHINE, TEXAS



coffee

SABA OUTWEAR



CLARK STRAKE

SULWHEEL



EDWIN WATTS GOLF





HERRERA
HOUSE OF TEX-MEX

HERRERA
HOUSE OF TEX-MEX

CITY
STORE

CARVERS

PIZZA SHOP

LAURENCE

LAURENCE



Coffee

OUTWEAR

CLASSIC DENIM

SULWHEEL

EDWIN WATTS GOLF

DONUTS

PIZZA SHOP

CITY STORE

CARYELLO

FERRERA



coffee

SABA OUTERWEAR

CLARK'S RESTAURANCE

SULWHEEL

EDWIN WAITS GOLF

PIZZA SHOP

CITY MARKET

HAND CRAFTED

EXHIBIT(s)
SHOPPES AT JOSEPHINE
DEVELOPMENT STANDARDS

GENERAL STANDARDS

1. The development of the Shoppes at Josephine shall be in accordance with the standards established for the (LR) Local Retail & (C) Commercial District in the Josephine Zoning Ordinance, unless otherwise provided for below. In the event of any conflict or inconsistency between these standards and the applicable City regulations, the terms and provisions of these standards shall apply.
2. Exhibits 1 and 2, (Concept Plan 1 and 2) which are attached, are intended to be reflective of scenarios that could be developed as a result of complying with the standards established in this Planned Development. These Plans shall serve as Conceptual Plans for the property. Changes of detail which do not alter the basic relationship of the proposed development to adjacent property may be made to the Plans as part of the Detailed Site Plan approval process without the need of having to first amend the Concept Plan(s).

USE REGULATIONS

1. Permitted uses shall be all principal and accessory uses which are allowed by right in the (LR) Local Retail District & (C) Commercial District, in accordance with Article 22, of the Josephine Zoning Ordinance, as amended.
2. A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (LR) Local Retail District & (C) Commercial District, in accordance with Article 22, of the Josephine Zoning Ordinance, as amended.
3. The following additional uses shall be allowed as permitted uses within the Planned Development.
 - A. Nursery school, kindergarten
 - B. Park, playground (public)
 - C. Park, playground (private)
 - D. Electrical substation
 - E. Electric transmission line
 - F. Gas metering station
 - G. Gas transmission line
 - H. Automobile service station (no repair)
 - I. Gymnastic or dance studio
 - J. Handcraft shop
 - K. Laundry and cleaning, self-service/Tailoring
 - L. Metal dealer, crafter precious
 - M. Office (executive)
 - N. Office, prof. or general administrative
 - O. Restaurant without drive-in or drive-through service
 - P. Restaurant, with drive-through service
 - Q. Service, retail/Shopping Center/Strip Mall
 - R. Tanning salon
 - S. Carport, as an accessory and incidental use
 - T. Childcare Center/Daycare/Children's Day Nursery
 - U. Public Community Center/Private Community Center
 - V. Montessori/Pre-School/Childhood Education

- W. Medical Office
- X. Dental Clinic or Laboratory
- Y. Medical Clinic or Laboratory
- Z. Pet Shop/Pet Supply
- AA. Animal Veterinarian or Kennel w/Indoor Treatment
- BB. Sporting Goods Sales
- CC. Swimming School
- DD. Health Spa/Med Spa
- EE. Auto Parts Sales (Inside)
- FF. Car Wash w/ or w/o Detailing Service
- GG. Scientific or Medical Laboratories/Research Facility
- HH. Health and Fitness Center/Gym
- II. Quick Oil Change Facility
- JJ. Arcade
- KK. Convenience Store w/ or w/o Gas Station
- LL. Dine-In Restaurant w/ or w/o Bar (On Site Alcohol Sales & Consumption)
- MM. Hardware Store (Inside Sales)
- NN. Alcohol Sales Store
- OO. Beauty Shops/Salon/Nail Spa
- PP. Service, Retail
- QQ. Bank or Financial Institution
- RR. Bank, Savings & Loan, Credit Union (Automated Teller/Drive Through Branch)
- SS. Pharmacy w/ or w/o Drive Through
- TT. QSR (Quick Service Restaurant) w/ or w/o Drive Through
- UU. Auto Repair (Inside Only)
- VV. Auto Paint & Body Shop
- WW. Automobile Service Station/Repair
- XX. Quick Tune-Up Facility
- YY. Tire Dealer (No Outside Storage)

DEVELOPMENT STANDARDS

1. LANDSCAPING

- A. Landscape Buffer: A landscape buffer of no less than 5' wide shall be planted adjacent to all streets subject to the following:
1. No fewer than 1 canopy tree shall be planted within the buffer per each 50' of street frontage.
 2. No fewer than 1 five-gallon evergreen shrub shall be planted every 3' of street frontage, 24 inches in height at the time of planting. Such plantings shall be in a row if the landscape buffer is adjacent to a parking lot, so as to screen the parking from the street. A minimum 3'-wide planting bed shall be provided for the planting of such shrubs.
 3. In lieu of the above hedge row, a combination of a discontinuous landscaped earthen mound and evergreen shrubs may be planted such that a minimum height of three feet of screening is provided.
 4. Canopy trees are prohibited from being planted under overhead or over underground utilities. All plant material planted under overhead or over underground utility lines shall be of such a stature and/or have such a root system so that they will not interfere with the integrity or operation of the utility facilities.
 5. Where plantings are adjacent to the front or rear of a parking space, a minimum 2'-wide vehicle overhang shall be allowed in the landscape buffer. Said vehicle overhang shall be inclusive of the minimum 5-foot-wide landscape buffer required, such that there are no shrubs or trees planted within the 2' of the vehicle overhang. Low-growing groundcovers are acceptable in this area, however.
- B. Parking Lot Landscaping:
1. A landscape island shall be provided at the end of each parking row. Such island shall be a minimum of eight feet wide and shall extend the length of the adjacent parking space.
 2. Landscape islands within parking lots shall not have more than 50 percent of their combined area planted with turf grass, the remainder shall be planted with approved plant material. Plantings interior to parking lots shall not exceed 36" in height at maturity.
 3. Landscape islands shall be measured from back of curb to back of curb, where curbs exist, otherwise from edge of approved hardscape material.
 4. In lieu of landscape islands, landscape buffer may include the use of shrubs/vegetation. All shrubs/vegetation maybe accounted for landscape area instead of parking islands with or without landscaping.
 5. No maximum requirement on Maximum Impervious Surface Ratio.
- C. Installation and Maintenance:
1. At the time of installation, all plantings shall have indications of normal growth and shall be sound, healthy, vigorous and free of weeds, insect and/or disease infestations, or objectionable disfigurements. All plants should have normally well-developed branching structures and vigorous and fibrous root systems which are not root- or pot-bound. All plants shall be adaptable to the climatic, sun, shade, and soil conditions of the area in which they are to be planted.
 2. All landscape areas, whether required or not, shall have an automatic irrigation system installed meeting all applicable requirements and regulations of the Texas Commission on Environmental Quality (TCEQ). All portions of any irrigation system shall be continuously maintained in a condition such that the intent of the irrigation design is fulfilled. Uncontrolled emission of water from any pipe, valve, head, emitter, or other irrigation device is prohibited by the TCEQ. Landscape elements other than turf grass and irrigation systems extending into right-of- way shall require a landscape license agreement with the City. Landscape irrigation main lines and electronic valves as defined by the TCEQ shall not

be installed in public right-of-way. Lateral lines and heads as defined by the TCEQ may be located within public right-of-way without need for a landscape license agreement.

3. All plantings shall be coordinated with all on-site signage, utility structures, and lighting, both upon installation of the plantings and plant maturation.
4. The property owner shall be responsible for the maintenance of all landscape areas. Said areas shall be regularly watered sufficient to establish and promote vigorous growth of all trees, plants and turf grasses. Said areas shall be maintained in a relatively weed free condition to present a healthy, neat and orderly appearance at all times.
5. Any plant that dies must be replaced with a similar living plant within 30 days after notification by the City.
6. Damages to utility lines and infrastructure resulting from negligence of the property owner or his/her agents in the installation and maintenance of required plant materials in an easement is the responsibility of the property owner.
7. Turf grass areas may be sodded, plugged, sprigged, or "hydro-seeded," except that solid sod shall be used in the landscape buffer and in swales or other areas subject to erosion, based upon accepted horticultural best practices.
8. Steel or other sustainable edging material shall separate planting beds from adjacent turf grass areas and installed with a finished height of no more than two inches above base soil level. Groundcover plants from four-inch pots shall be planted at a maximum of 12" on center. Groundcover plants from one-gallon containers shall be planted at a maximum of 18" on center.





2405



DRIVE THRU

EXIT
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DUTCH BROS
Coffee

605

DUTCH BROS
Coffee



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WHATABURGER

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San Antonio

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We're quick

Whataburger

FAMILY OWNED AND

OPERATED SINCE 1950

2011

2011



McDonald's



McDonald's

Welcome

THANK YOU



DRIVE
THRU



STARBUCKS





FOXIE'S

BFT BODYFIT TRAINING

VC BEAUTY STUDIO

King CHICKEN
KOREA'S FINEST FRIED CHICKEN

Dessert Avenue

MORE THAN JUST A DONUT
MOCHINUT

FENG CHA
TEA · DESSERT · SLUSH



208

FOXIS
RESTAURANT-BAR

BET BETTER BETTER

MC BEAUTY

Cherry

Green

Bank

GRAND OPENING



NO PARKING

JOSEPHINE RETAIL CENTER

1250 FM 1777
JOSEPHINE | TEXAS

DESIGN INSPIRATION



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF JOSEPHINE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF JOSEPHINE, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING FOR THE PROPERTY DESCRIBED AS 5.535 ACRES OF LAND IN THE SAMUEL PUGH SURVEY, ABSTRACT NO. 686, IN THE CITY OF JOSEPHINE, COLLIN COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED AND COMMONLY KNOWN AS 1250 FM 1777, TO PLANNED DEVELOPMENT DISTRICT-LOCAL RETAIL AND GENERAL COMMERCIAL (PD-LR/C); APPROVING A CONCEPTUAL SITE PLAN AS EXHIBIT “B” ATTACHED; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Josephine and the City Council of the City of Josephine, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Josephine is of the opinion and finds that said zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended; **NOW, THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOSEPHINE, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance and Map are hereby amended so as to grant a change in zoning for the property described as 5.535 acres of land being part of the Samuel Pugh Survey, Abstract No. 686, in the City of Josephine, Collin County, Texas, more particularly described in Exhibit “A” attached and made part hereof for all purposes, commonly known as 12250 FM 1777, to Planned Development District-Local Retail and General Commercial (“PD-LR/C”).

SECTION 2. That the conceptual site plan, attached collectively as Exhibit “B”, is hereby approved as the concept site plan for said Planned Development District as required

by Section 20.4.1.2 of the Comprehensive Zoning Ordinance (“CZO”) of the City of Josephine, Texas, subject to the following special conditions:

- a. The detailed site plan (development plan) must be approved as required by Section 20.4.2 CZO, but no additional public hearing will be required by the City Council, and it is therefore waived as authorized by Section 20.4.3 CZO.
- b. The property may be platted, developed, and building permits issued only in conformance with the requirements of this Planned Development District Ordinance and the approved detailed site plan.
- c. The property may be used in the manner and for permitted uses only, as provided by the approved detailed site plan and listed in the Development Regulations in Exhibit “C” attached and made part hereof for all purposes.

SECTION 3. All ordinances of the City of Josephine in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance or the Comprehensive Zoning Ordinance and Map, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. That any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance and Map, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City

of Josephine, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

DULY PASSED by the City Council of the City of Josephine, Texas, on the ____ day of August 2024.

APPROVED:

JASON TURNEY, MAYOR

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY

PATTI BROOKS, CITY SECRETARY

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF JOSEPHINE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF JOSEPHINE, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING FOR THE PROPERTY DESCRIBED AS 5.535 ACRES OF LAND IN THE SAMUEL PUGH SURVEY, ABSTRACT NO. 686, IN THE CITY OF JOSEPHINE, COLLIN COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED AND COMMONLY KNOWN AS 1250 FM 1777, TO PLANNED DEVELOPMENT DISTRICT-LOCAL RETAIL AND GENERAL COMMERCIAL (PD-LR/C); APPROVING A CONCEPTUAL SITE PLAN AS EXHIBIT “B” ATTACHED; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

Duly passed by the City Council of the City of Josephine, Texas, on the ____ day of August 2024.

APPROVED:

JASON TURNEY, MAYOR

ATTEST:

PATTI BROOKS, CITY SECRETARY

EXHIBIT "A"

BEING a tract of land located in Collin County, Texas, being part of the Samuel Pugh Survey, Abstract No. 686, being part of that called 64.262-acre tract of land described in a deed to Waverly Estates 4 Development, LLC recorded as Instrument No. 20220000855827, Official Public Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a one-half inch iron rod found for the northeast corner of said 64.262-acre tract, said point also being the southeast corner of a called 1.034 acre tract of land described in a deed to Nagendra P. Bandaru and Sowmya Mukkamala as recorded as Document No. 2022000114452, Official Public Records, Collin County, Texas and being in the westerly right-of-way line of Farm-to-Market Highway No. 1777 (called 90 foot wide R.O.W.);

THENCE, along the east line of said 64.262-acre tract and west right-of-way line of said Farm-to-Market Highway No. 1777, South 02 degrees 49 minutes 46 seconds West, a distance of 901.56 feet to a one-half inch iron rod with cap stamped "JBI" set for corner, being the most easterly northeast corner of Lot 96X, Block L. Waverly Estates Phase 4, an addition to the Collin County recorded in Plat Book 2023, Pages 556-557, Plat Records, Collin County, Texas;

THENCE, departing said west right-of-way line, along the easterly line of said Lot 96X as follows:

North 89 degrees 27 minutes 35 seconds, West, a distance of 265.01 feet to a one-half inch iron rod with cap stamped "JBI" set for corner;

North 02 degrees 21 minutes 08 seconds East, a distance of 890.00 feet to a one-half inch iron rod with cap stamped "JBI" set for corner;

North 89 degrees 38 minutes 27 seconds East, a distance of 63.00 feet to a one-half inch iron rod with cap stamped "JBI" set for corner;

North 00 degrees 21 minutes 33 seconds West, a distance of 7.00 feet to a one-half inch iron rod with cap stamped "JBI" set for corner, being the most northerly northeast corner of said Lot 96X, being in the north line of said 64.262-acre tract and south line of said 1.034-acre tract.

THENCE, along the north line of said 64.262-acre tract and the south line of said 1.034-acre tract, North 89 degrees 38 minutes 27 seconds East, 210.02 feet to the **POINT OF BEGINNING** and containing 241,090 square feet or 5.535 acres.

Exhibit "B" Concept Site Plan

Exhibit 'C' Development Standards

DEVELOPMENT STANDARDS

GENERAL STANDARDS

1. The development of the Shoppes at Josephine shall be in accordance with the standards established for the (LR) Local Retail & (C) Commercial District in the Josephine Zoning Ordinance, unless otherwise provided for below. In the event of any conflict or inconsistency between these standards and the applicable City regulations, the terms and provisions of these standards shall apply.
2. Exhibits _1_ and _2_, (Concept Plan 1 and 2) which are attached, are intended to be reflective of scenarios that could be developed as a result of complying with the standards established in this Planned Development. These Plans shall serve as Conceptual Plans for the property. Changes of detail which do not alter the basic relationship of the proposed development to adjacent property may be made to the Plans as part of the Detailed Site Plan approval process without the need of having to first amend the Concept Plan(s).

USE REGULATIONS

1. Permitted uses shall be all principal and accessory uses which are allowed by right in the (LR) Local Retail District & (C) Commercial District, in accordance with Article 22, of the Josephine Zoning Ordinance, as amended.
2. A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (LR) Local Retail District & (C) Commercial District, in accordance with Article 22, of the Josephine Zoning Ordinance, as amended.
3. The following additional uses shall be allowed as permitted uses within the Planned Development.
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 - P. Restaurant, with drive-through service
 - Q. Service, retail/Shopping Center/Strip Mall
 - R. Tanning salon
 - S. Carport, as an accessory and incidental use
 - T. Childcare Center/Daycare/Children's Day Nursery

- U. Public Community Center/Private Community Center
- V. Montessori/Pre-School/Childhood Education
- SHOPPES AT JOSEPHINE 061824 P A G E | 2 EXHIBIT(S)
- W. Medical Office
- X. Dental Clinic or Laboratory
- Y. Medical Clinic or Laboratory
- Z. Pet Shop/Pet Supply
- AA. Animal Veterinarian or Kennel w/Indoor Treatment
- BB. Sporting Goods Sales
- CC. Swimming School
- DD. Health Spa/Med Spa
- EE. Auto Parts Sales (Inside)
- FF. Car Wash w/ or w/o Detailing Service
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- WW. Automobile Service Station/Repair
- XX. Quick Tune-Up Facility
- YY. Tire Dealer (No Outside Storage)

SHOPPES AT JOSEPHINE 061824 P A G E | 3 EXHIBIT(S)

DEVELOPMENT STANDARDS

1. LANDSCAPING

A. Landscape Buffer: A landscape buffer of no less than 5’ wide shall be planted adjacent to all streets subject to the following:

1. No fewer than 1 canopy tree shall be planted within the buffer per each 50’ of street frontage.
2. No fewer than 1 five-gallon evergreen shrub shall be planted every 3’ of street frontage, 24 inches in height at the time of planting. Such plantings shall be in a row if the landscape buffer is adjacent to a parking lot, so as to screen the parking from the street. A minimum 3’-wide planting bed shall be provided for the planting of such shrubs.
3. In lieu of the above hedge row, a combination of a discontinuous landscaped earthen mound and evergreen shrubs may be planted such that a minimum height of three feet of screening is provided.
4. Canopy trees are prohibited from being planted under overhead or over underground utilities. All plant material planted under overhead or over underground utility lines shall be

of such a stature and/or have such a root system so that they will not interfere with the integrity or operation of the utility facilities.

5. Where plantings are adjacent to the front or rear of a parking space, a minimum 2'-wide vehicle overhang shall be allowed in the landscape buffer. Said vehicle overhang shall be inclusive of the minimum 5-foot-wide landscape buffer required, such that there are no shrubs or trees planted within the 2' of the vehicle overhang. Low-growing groundcovers are acceptable in this area, however.

B. Parking Lot Landscaping:

1. A landscape island shall be provided at the end of each parking row. Such island shall be a minimum of eight feet wide and shall extend the length of the adjacent parking space.

2. Landscape islands within parking lots shall not have more than 50 percent of their combined area planted with turf grass, the remainder shall be planted with approved plant material. Plantings interior to parking lots shall not exceed 36" in height at maturity.

3. Landscape islands shall be measured from back of curb to back of curb, where curbs exist, otherwise from edge of approved hardscape material.

4. In lieu of landscape islands, landscape buffer may include the use of shrubs/vegetation. All shrubs/vegetation maybe accounted for landscape area instead of parking islands with or without landscaping.

5. No maximum requirement on Maximum Impervious Surface Ratio.

C. Installation and Maintenance:

1. At the time of installation, all plantings shall have indications of normal growth and shall be sound, healthy, vigorous and free of weeds, insect and/or disease infestations, or objectionable disfigurements. All plants should have normally well-developed branching structures and vigorous and fibrous root systems which are not root- or pot-bound. All plants shall be adaptable to the climatic, sun, shade, and soil conditions of the area in which they are to be planted.

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Uncontrolled emission of water from any pipe, valve, head, emitter, or other irrigation device is prohibited by the TCEQ. Landscape elements other than turf grass and irrigation systems extending into right-of-way shall require a landscape license agreement with the City. Landscape irrigation main lines and electronic valves as defined by the TCEQ shall not

SHOPPES AT JOSEPHINE 061824 P A G E | 4 EXHIBIT(S)
be installed in public right-of-way. Lateral lines and heads as defined by the TCEQ may be located within public right-of-way without need for a landscape license agreement.

3. All plantings shall be coordinated with all on-site signage, utility structures, and lighting, both upon installation of the plantings and plant maturation.

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5. Any plant that dies must be replaced with a similar living plant within 30 days after notification by the City.

6. Damages to utility lines and infrastructure resulting from negligence of the property owner or his/her agents in the installation and maintenance of required plant materials in an easement is the responsibility of the property owner.

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8. Steel or other sustainable edging material shall separate planting beds from adjacent turf grass areas and installed with a finished height of no more than two inches above base soil level. Groundcover plants from four-inch pots shall be planted at a maximum of 12” on center. Groundcover plants from one-gallon containers shall be planted at a maximum of 18” on center.

Josephine Planning & Zoning Commission

AGENDA REPORT

Subject

Hold a Public Hearing, consider, and act upon, a recommendation to the City Council regarding a change in zoning from Single Family (SF-1) to Planned Development (PD) for future development at 707 W Cook Street.

Recommendation

Motion to recommend approval, denial.

Discussion

OWNER/APPLICANT: Jag Singh

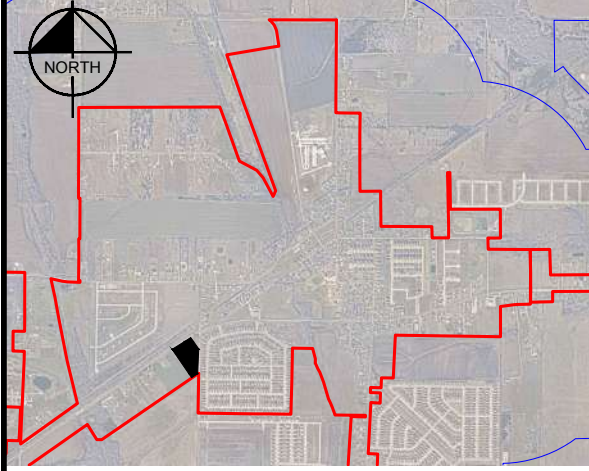
The applicant is requesting to rezone 7.240 acres from SF-1 to PD.

The surrounding properties to the west are zoned PD. The surrounding properties to the north are zoned MF. The properties to the east are zoned SF-2. The property to the south is not within city limits.

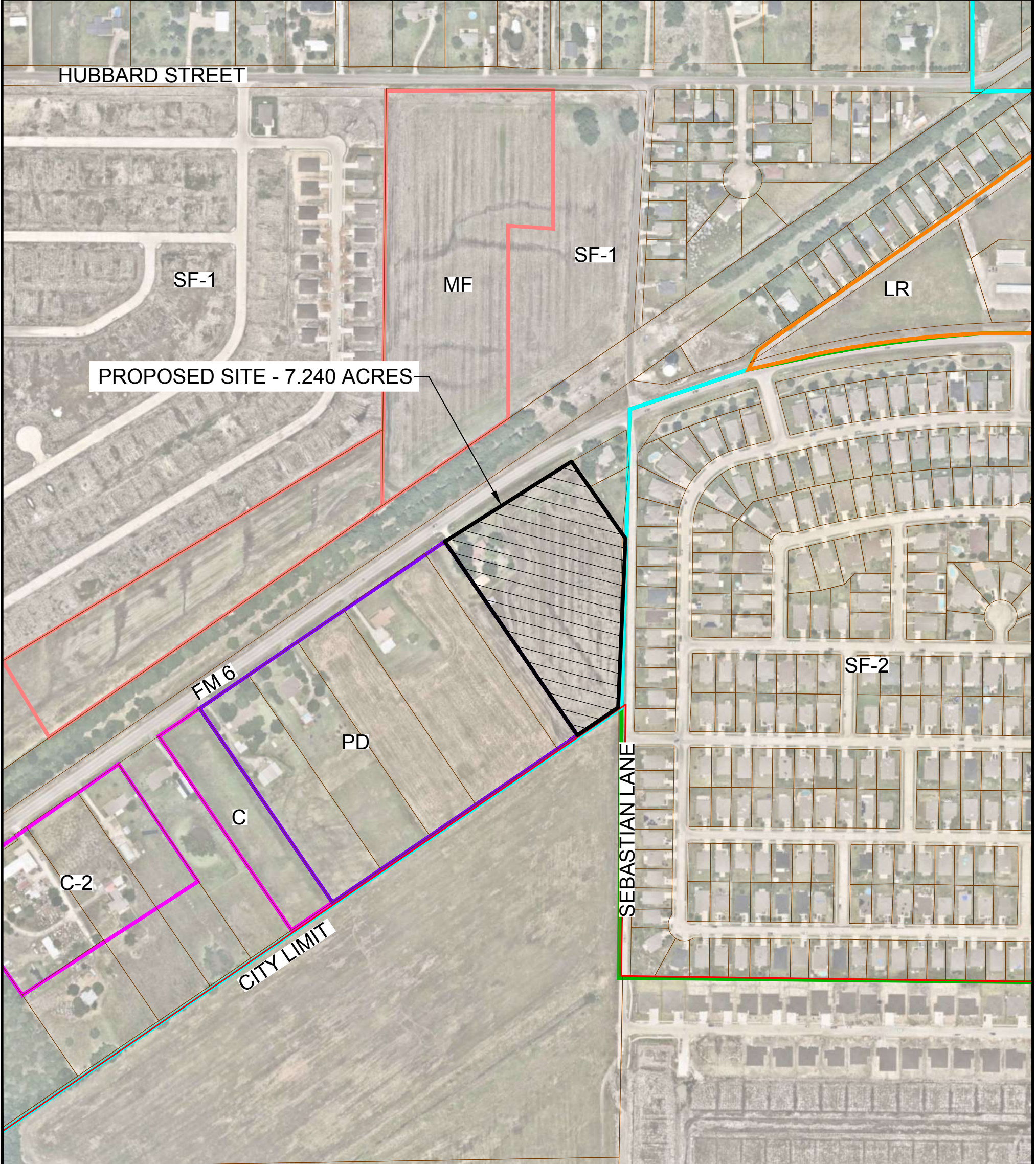
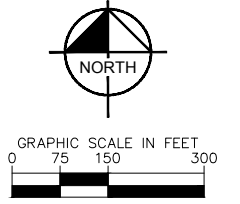
The Future Land Use Map shows Low Density Residential for the subject property. The surrounding property to the north is Parks and Open Space. The surrounding properties to the south, east, and west are Low Density Residential.

Notifications/Responses:





VICINITY MAP
1" = 2,000'



PROPOSED SITE - 7.240 ACRES

HUBBARD STREET

SEBASTIAN LANE

CITY LIMIT

DATE:	JULY 2024
DESIGN:	JTR
DRAWN:	JTR
CHECKED:	BBB
KHA NO.:	064611447

707 W COOK STREET

ZONING CHANGE EXHIBIT

Kimley»Horn

Texas Board Of Professional Engineers Firm Registration Number: F-928
260 EAST DAVIS STREET, SUITE 100, MCORNEY, TX 76066

No.	Revision	By	Date

The City of **Josephine**

Development Application

Date of Pre-Application Conference: 6/24/2024

Name of Subdivision or Project: Josephine Town Square

Application Type

- | | |
|---|--|
| <input checked="" type="checkbox"/> Concept Plan | <input type="checkbox"/> Preliminary Plat (Complete Checklist) |
| <input type="checkbox"/> Subdivision Const. Plan Review | <input type="checkbox"/> Final Plat (Complete Checklist) |
| <input type="checkbox"/> Amended/Minor Plat | <input type="checkbox"/> Replat |
| <input type="checkbox"/> Development Plat | <input type="checkbox"/> Specific Use Permit |
| <input checked="" type="checkbox"/> Zoning | <input type="checkbox"/> Conditional Use |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Board of Adjustment |

Fees:

A retainer of \$1,000.00 (unless otherwise agreed upon per Accepted Development Agreement) is required with application submittal. The City of Josephine and the City Engineer will review the plans and all expenses will be billed out as they are incurred. Once the project is completed, we will reconcile the final billed expenses with the retainer fee collected and any remainder will be refunded.

The retainer fee of \$1,000.00 (or otherwise agreed upon \$ _____), to be paid to the City of Josephine is enclosed with this application.

Physical Location of Property: 707 W Cook St Josephine, TX 75164 Intersection of Sebastian and (Cook St) Hwy 6
[Address and General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate metes and bounds description):

Attached in Zoning Package

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: 7.240 Existing Zoning: AG Requested Zoning: PD - LR/C
[Attach a detailed description of requested zoning & development standards if a PD]

Total Number of Lots, by Type: 1. Agricultural/SF-R

Proposed Use of Property: Planned Development - Local Retail/Commercial



City of Josephine
P.O. Box 99
201 Main Street Josephine, Texas 75164
972-843-8282

Owner's Name: Josephine Town Square LLC Phone Number: 972-330-7371

Applicant/Contact Person: Jag Singh Title: President

Company Name: Josephine Town Square LLC

Street/Mailing Address: 120 E FM 544 Suite 72 #424 City: Murphy State: TX Zip: 75094

Phone: (972) 330-7371 Fax: () Email Address: Jagsingh19@gmail.com

Engineer/Representative Name: JBI Partners

Applicant/Contact Person: Jerry Sylo Title: Senior VP

Company Name: JBI Partners

Street/Mailing Address: 2121 Midway Rd #300 City: Carrollton State: TX Zip: 75006

Phone: (972) 738-0248 Fax: () Email Address: jsylo@jbipartners.com

It is the applicant's responsibility to be familiar with, and comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that may be obtained from City staff), including the number of plans to be submitted, application fees, etc. Please contact City staff in advance for submittal requirements. Incomplete submittals will not be accepted.

SUBMISSIONS. Submit **one (1) FOLDED** copies of Plans and Surveys 24"x36" Prints [1"=100' scale] + **one (1) 11"x17"**, **one (1) PDF** file to the City Secretary with the submittal.

NOTICE OF PUBLIC RECORDS. The submission of plans/drawings with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings) will be considered consent by the applicant that the general public may view and/or reproduce (i.e., copy) such documents.



City of Josephine
P.O. Box 99
201 Main Street Josephine, Texas 75164
972-843-8282

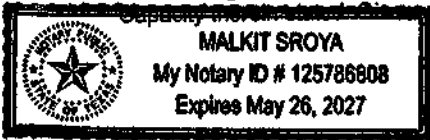
By signing this application, staff is granted access to your property to perform work related to your case.

I waive the statutory time limits in accordance
With Section 212 of the Texas Local Government Code.

Signature: [Signature]
(Letter of authorization required if signature is other than property owner)

Print or Type Name: Jag Singh

Known to me to be the person whose name is subscribed to the above and foregoing instrument, and
Acknowledged to me that they executed the same for the purposes and consideration expressed and in the 24
Capacity of Owner under my hand and seal of office on this 25th day of June, 2024



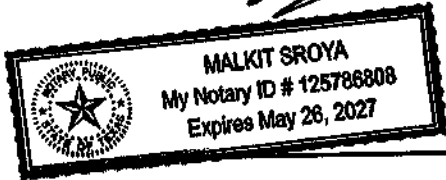
SUBSCRIBED AND SWORN TO before me, this the 25th day of June, 2024
Notary Public in and for the State of Texas: [Signature]

If there should be more than one property owner complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner, a "Power of Attorney" with original, notarized signatures are required. (Notaries are available upon submittal)

STATE OF TEXAS)
COUNTY OF COLLIN/HUNT)

BEFORE ME, a Notary Public, on this day personally appeared Jag Singh the undersigned applicant, who, under oath, stated the following: "I hereby certify that I am the owner, or duly authorized agent of the owner, (proof attached) for the purposes of this application that all information submitted herein is true and correct. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial"

[Signature]



SUBSCRIBED AND SWORN TO before me, this the 25th day of June, 2024
Notary Public in and for the State of Texas: [Signature]
 Owner / Agent (circle one)

Applicant
Initial Below

[Handwritten Initials]

Submittal Check List

- Application:** Signed and Notarized Application with Original Signatures of all property owners and applicant
- Written Verification** such as: Notarized statement or "Power of Attorney" from real property owner authorizing an agent to act on his/her behalf.
- Proof of Ownership** (e.g. General warranty deed; Special warranty deed; Title policy, or document approved by the City Planner)
- Required Exhibits**
- Metes and Bounds Description**
- Boundary/Property Survey**
- Folded** sets of drawings/plans one (1) 24"x36" and one (1) 11"x17", one (1) PDF file

City Use
Initial Below



City of Josephine
P.O. Box 99
201 Main Street Josephine, Texas 75164
972-843-8282

ALTA SURVEY



BRIAN S. RHODES Registered Professional Land Surveyor (972) 475-8940
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 707 W. COOK STREET, in the city of JOSEPHINE, COLLIN COUNTY Texas.

DEED: VOLUME 818, PAGE 425

THOMAS WAYNE PATTERSON and wife, JEANNIE GRAY PATTERSON,
of the County of Collin, State of Texas all that certain
lot, tract or parcel of land described as follows:

SITUATED in the Town of Josephine, Collin County, Texas, and being Lot
14 of the Josephine Homesite Addition, according to the plat thereof
recorded in Volume 7, Page 60 of the Map and Plat Records of Collin
County, Texas.

DEED: VOLUME 1002, PAGE 31

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto
THOMAS WAYNE PATTERSON and wife,
of the County of Collin and State of Texas, all of the following described real
property in Collin County, Texas, to-wit: Situated in Collin County, Texas
a part of the Samuel Pugh Survey, Abstract No. 686, and being part of
the 38.685 acre tract described in a Deed from T. L. Welker, Trustee,
to George H. Jones, dated December 12, 1975, recorded in Volume 979,
Page 883, Deed Records of Collin County, Texas, and described as follows:

*(continued)

BEGINNING at the Northeast corner of the said 38.685 acre tract of land
described in said Deed from T. L. Welker, Trustee to George H. Jones,
a stake in the easterly right-of-way line of F.M. Highway #6 and at
the Northwest corner of Lot # 14, of the Josephine Homesite Addition,
to the Town of Josephine, Collin County, Texas, according to the map
and plat thereof, recorded in Volume 7, Page 60, Map and Plat Records
of Collin County, Texas;
THENCE South 34 deg. 19 min East a distance of 720.0 ft. to the southwest
corner of said Lot No. 14;
THENCE South 54 deg. 20 min. West with the southerly line of said Addition
60.5 feet;
THENCE in a northwesterly direction parallel with the West line of said
Lot # 14, 720 feet to a stake in the South right-of-way line of said
F.M. Highway No. 6;
THENCE North 54 deg. 20 min. East with the right-of-way line of said
Highway, 60.5 feet to the place of beginning, and containing 1 acre of
Land.

DEED: VOLUME 909, PAGE 665

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said THOMAS WAYNE PATTERSON and wife, JEANNIE GRAY PATTERSON,
of the County of Collin, State of Texas all ~~those~~
those certain lots, tracts or parcels of land being all of Lots 15, 16,
17, 18 and 19 in the Josephine Homesite Addition, an addition to Col-
lin County, Texas, and being part of the Samuel Pugh Survey, Abstract
No. 686 in Collin County, Texas, as per the map of said addition re-
corded in Volume 7, Page 60 of the Map and Plat Records of Collin Coun-
ty, Texas.

(This conveyance is made and accepted subject to any and all re-
strictions of record in the Deed Records of Collin County, Texas.)

To (name of insured, if known), (name of lender, if known), (name of insurer, if known), (names of others as negotiated with the client):

This is to certify that this map or plat and the survey on which it is based were made substantially in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1,2,3,4,8,9,13,14,16,17, & 18 of Table A thereof. The fieldwork was completed on 03/12/2024.

Date of Plat or Map: 03/12/2024

Brian Rhodes
Registered Professional Land Surveyor # 5962

1529 E. I-30, STE. 106, GARLAND, TX 75043 – FIRM REGISTRATION NO. 10194052
The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements.

TITLE AND ABSTRACTING WORK FURNISHED BY JAG SINGH
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 100'
Date: 13/12/2024
G. F. No.: 2230265
Job no.: 113045
Drawn by: ABP/CF

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM.
THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR JAG SINGH, JOSEPHINE TOWN SQUARE, LLC, A DELAWARE LIMITED LIABILITY COMPANY, MANAGER JTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, THE WADE LAW FIRM, P.C., AND STEWART TITLE GUARANTY COMPANY.

LEGEND	
WOOD FENCE	--- TEXT
CHAIN LINK	--- IMPROVEMENTS
IRON FENCE	--- BOUNDARY LINE
WIRE FENCE	--- EASEMENT SETBACK
	--- RESIDENCE/BUILDING
MRD	MONUMENTS OF RECORD DIGNITY
3/8"	IRON ROD FOUND
1/2"	YELLOW-CAPPED IRON ROD SET
5/8"	PINK-CAPPED IRON ROD FOUND
CONCRETE	MONUMENT FOUND
5/8"	YELLOW-CAPPED IRON ROD FOUND
POINT FOR CORNER	
CABLE	GUY-WIRE
CLEAN OUT	ELECTRIC
GAS METER	POWER POLE
FIRE HYDRANT	TELEPHONE
LIGHT POLE	WATER METER
MANHOLE	WATER VALVE
(UNLESS OTHERWISE NOTED)	



BEING a portion of Lot 13, and all of Lots 14, 15, 16, 17, 18 & 19, of Josephine Homesite Addition, an addition to the City of Josephine, Collin County, Texas, according to the Map, as recorded in Volume 7, Page 60, of the Map and Plat Records of Collin County, Texas, and being a tract of land conveyed to Thomas Wayne Patterson and Jeannie Gray Patterson, as recorded in Volume 818, Page 425; Volume 1002, Page 31; Volume 909, Page 665 of the Official Public Records of Collin County, Texas, as shown on this survey and being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner, from which a 5/8 inch pink-capped iron rod found for reference bears South 35 degrees 08 minutes 36 seconds East, a distance of 39.86 feet, said corner being the North corner of a tract of land conveyed to Carrie Elayne Norfleet, as recorded in Instrument No. 20170407000447490, of the Official Public Records of Collins County, Texas, being along the Southeast Right-of-Way of W. Cook Street, and being the West corner of said Patterson tract;

THENCE North 54 degrees 21 minutes 27 seconds East, a distance of 190.48 feet, to a Concrete Monument found for corner, said corner being along the Southeast Right-of-Way of W. Cook Street, and being the West corner of said Patterson tract;

THENCE North 54 degrees 21 minutes 27 seconds East, a distance of 190.48 feet, to a Concrete Monument found for corner, said corner being in a curve to the right having a radius of 2,814.90 feet;

THENCE continuing along said curve a chord bearing of North 57 degrees 41 minutes 30 seconds East, a distance of 327.42 feet, an central angle of 06 degrees 40 minutes 05 seconds, an arc length of 327.60 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE South 36 degrees 21 minutes 21 seconds East, a distance of 299.87 feet, to a 5/8 inch yellow-capped iron rod found for corner;

THENCE South 00 degrees 01 minutes 19 seconds East, a distance of 493.66 feet, to a 1/2 inch yellow-capped iron rod set for corner, from which a 1/2 inch yellow-capped iron rod found for reference bears North 32 degrees 05 minutes 30 second East, a distance of 56.56 feet;

THENCE South 54 degrees 20 minutes 59 seconds West, a distance of 185.57 feet, passing a 3/8 inch iron rod found for reference, continuing a total distance of 234.90 feet, to a 5/8 inch yellow-capped iron rod found for corner;

THENCE North 35 degrees 32 minutes 09 seconds West, a distance of 680.35 feet, passing a 5/8 pink-capped iron rod found for reference, continuing a total distance of 720.21 feet, to the PLACE OF BEGINNING and 7.240 acres of land.

TRACT I:

Being all of Lots 14, 15, 16, 17, 18 and 19, in the JOSEPHINE HOMESITE ADDITION , an addition to the City of Josephine, Collin County, Texas, according to the Map or Plat thereof recorded in/under Volume 7, Page 60 of the Plat Records, Collin County, Texas.

TRACT II:

Situated in Collin County, Texas a part of the Samuel Pugh Survey, Abstract No. 686, and being part of the 38.685 acre tract described in a Deed from T. L. Welker, Trustee to George H. Jones, dated December 12, 1975, recorded in Volume 979, Page 883, Deed Records of Collin County, Texas, and described as follows:

BEGINNING at the Northeast corner of the said 38.685 acre tract of land described in said Deed from T. L. Welker, Trustee to George H. Jones, a stake in the easterly right of way line of F. M. Highway No. 6 and at the Northwest corner of Lot No. 14, of the Josephine Homesite Addition, to the Town of Josephine, Collin County, Texas, according to the map and plat thereof, recorded in Volume 7, Page 60, Map and Plat Records of Collin County, Texas;

THENCE South 34 deg. 19 min. East a distance of 720.0 feet to the southwest corner of said Lot 14;

THENCE South 54 deg. 20 min. West with the southerly line of said Addition 60.5 feet;

THENCE in a northwesterly direction parallel with the West line of said Lot 14, 720 feet to a stake in the South right of way line of said F. M. Highway No. 6;

THENCE North 54 deg. 20 min. East with the right of way line of said Highway, 60.5 feet to the PLACE OF BEGINNING, and containing 1 acre of land.

STC/2276662/117/JR

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF COLLIN §

THAT THE UNDERSIGNED, **Jeannie Gray Patterson, also known as Jeannie Fern Gray Patterson**, hereinafter referred to as "Grantor," whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash and other good and valuable consideration in hand paid by the Grantee herein named, the receipt and sufficiency of which is hereby fully acknowledged and confessed, has GRANTED, SOLD, and CONVEYED, and by these presents does hereby GRANT, SELL, and CONVEY unto **Josephine Town Square, LLC, a Delaware limited liability company**, herein referred to as "Grantee," whether one or more, the real property described as follows:

BEING a portion of Lot 13, and all of Lots 14, 15, 16, 17, 18 & 19, of Josephine Homesite Addition, an addition to the City of Josephine, Collin County, Texas, according to the Map, as recorded in Volume 7, Page 60, of the Map and Plat Records of Collin County, Texas, and being a tract of land conveyed to Thomas Wayne Patterson and Jeannie Gray Patterson, as recorded in Volume 818, Page 425; Volume 1002, Page 31; Volume 909, Page 665 of the Official Public Records of Collin County, Texas, as shown on this survey and being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner, from which a 5/8 inch pink-capped iron rod found for reference bears South 35 degrees 08 minutes 36 seconds East, a distance of 39.86 feet, said corner being the North corner of a tract of land conveyed to Carrie Elayne Norfleet, as recorded in Instrument No. 20170407000447490, of the Official Public Records of Collins County, Texas, being along the Southeast Right-of-Way of W. Cook Street, and being the West corner of said Patterson tract;

THENCE North 54 degrees 21 minutes 27 seconds East, a distance of 190.48 feet, to a Concrete Monument found for corner, said corner being in a curve to the right having a radius of 2,814.90 feet;

THENCE continuing along said curve a chord bearing of North 57 degrees 41 minutes 30 seconds East, a distance of 327.42 feet, an central angle of 06 degrees 40 minutes 05 seconds, an arc length of 327.60 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE South 36 degrees 21 minutes 21 seconds East, a distance of 299.87 feet, to a 5/8 inch yellow-capped iron rod found for corner;

THENCE South 00 degrees 01 minutes 19 seconds East, a distance of 493.66 feet, to a 1/2 inch yellow-capped iron rod set for corner, from which a 1/2 inch yellow-capped iron rod found for reference bears North 32 degrees 05 minutes 30 second East, a distance of 56.56 feet;

THENCE South 54 degrees 20 minutes 59 seconds West, a distance of 185.57 feet, passing a 3/8 inch iron rod found for reference, continuing a total distance of 234.90 feet, to a 5/8 inch yellow-capped iron rod found for corner;

THENCE North 35 degrees 32 minutes 09 seconds West, a distance of 680.35 feet, passing a 5/8 pink-capped iron rod found for reference, continuing a total distance of 720.21 feet, to the PLACE OF BEGINNING and 7.240 acres of land.

This conveyance, however, is made and accepted subject to any and all validly existing encumbrances, conditions, and restrictions, relating to the hereinabove described property as now reflected by the records of the County Clerk of Collin County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all the rights and appurtenances lawfully accompanying it, by the Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors, and/or assigns to WARRANT AND FOREVER DEFEND all the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

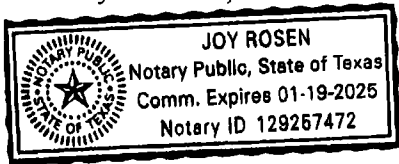
EXECUTED this 21st day of March, 2024.

EFFECTIVE March 21, 2024

GRANTOR: *Jeannie Gray Patterson also*
Known as Jeannie Fern Gray Patterson
Jeannie Gray Patterson, also known as
Jeannie Fern Gray Patterson

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the 21st day of March, 2024, by
Jeannie Gray Patterson, also known as Jeannie Fern Gray Patterson.



[seal of office]

Joy Rosen

NOTARY PUBLIC, STATE OF TEXAS

**Collin County
Honorable Stacey Kemp
Collin County Clerk**

Instrument Number: 2024000032405

eRecording - Real Property

DEED

Recorded On: March 21, 2024 10:58 AM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$37.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2024000032405
Receipt Number: 20240321000294
Recorded Date/Time: March 21, 2024 10:58 AM
User: Patricia B
Station: Station 2

Record and Return To:

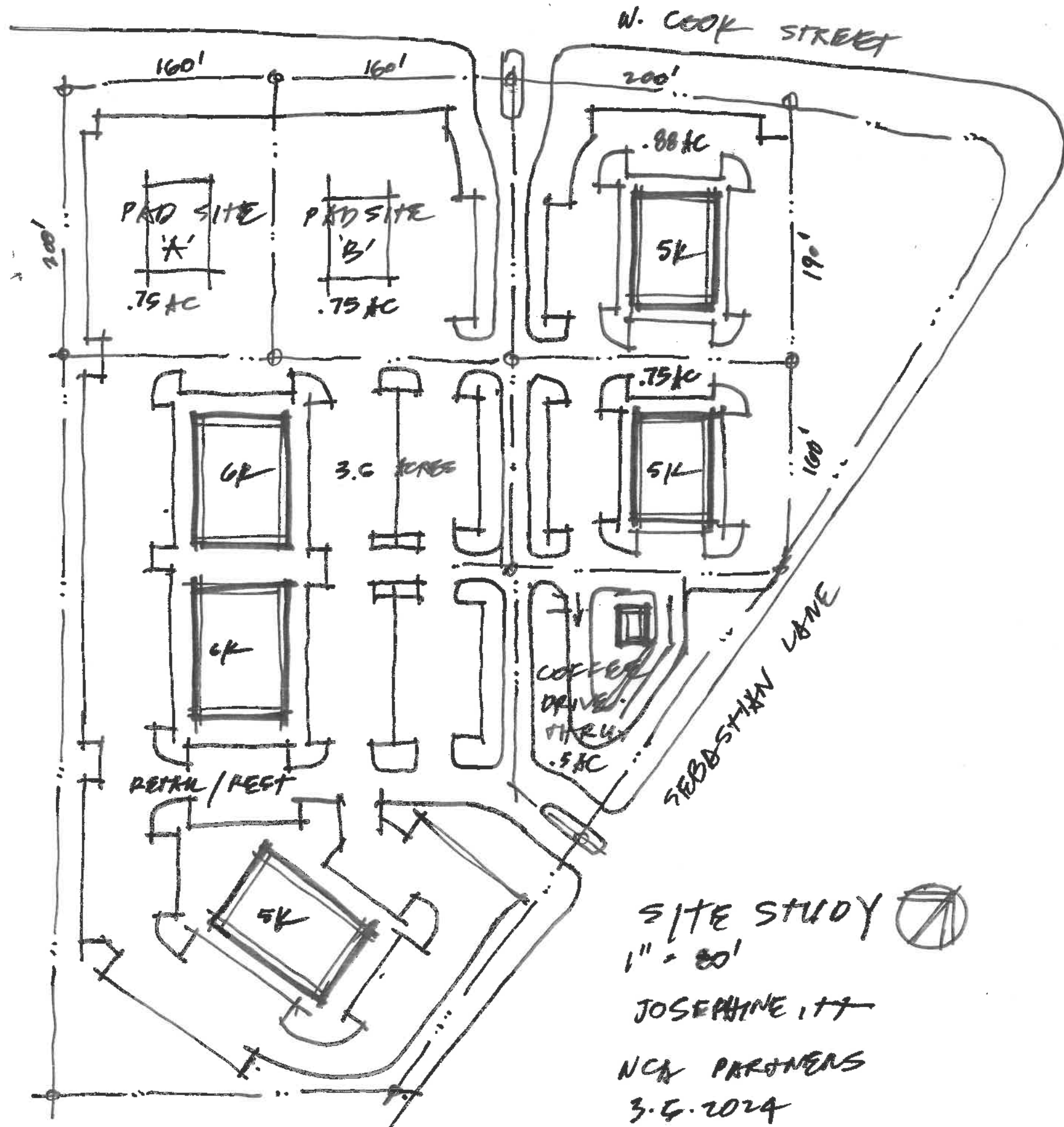
CSC




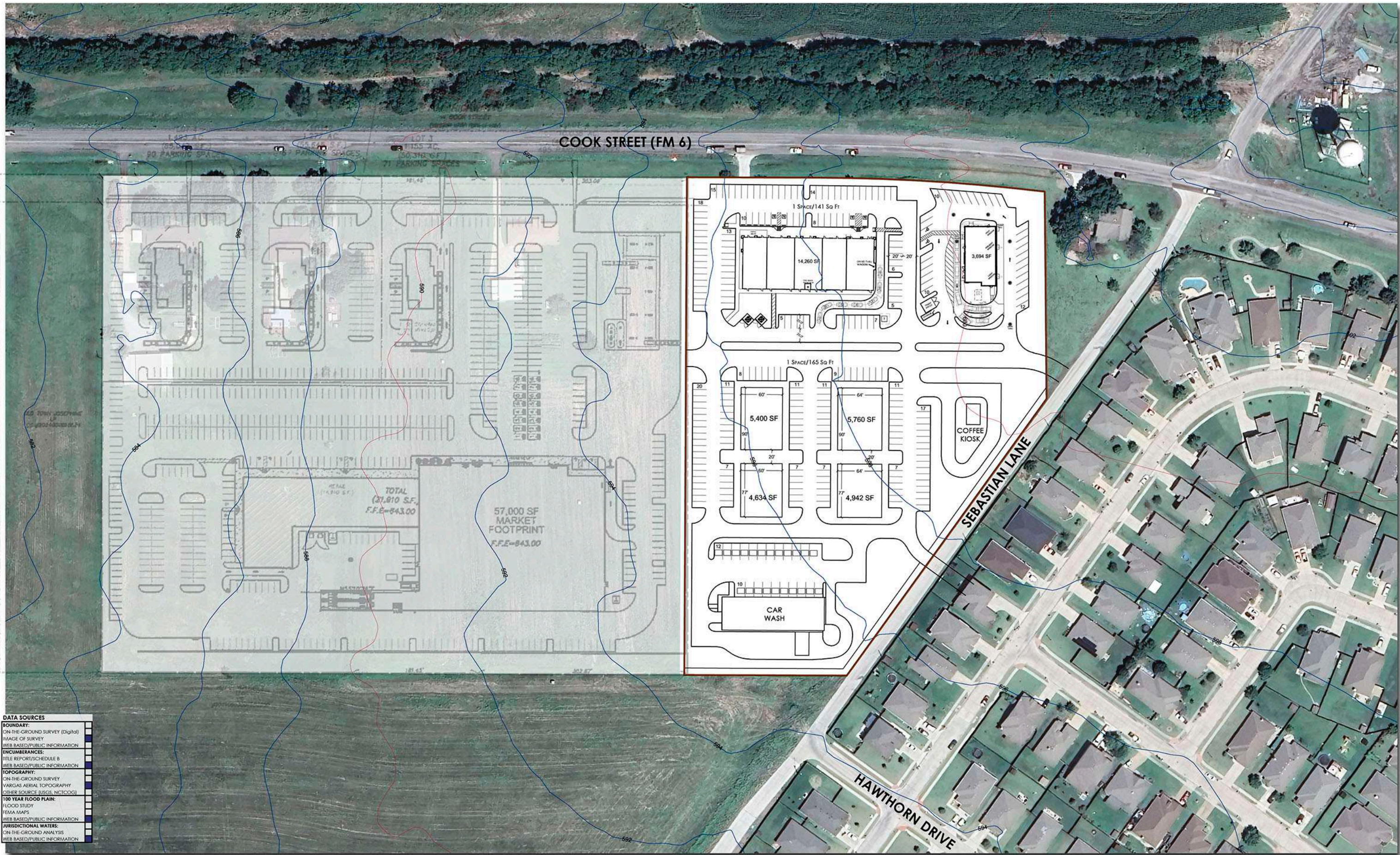
**STATE OF TEXAS
COUNTY OF COLLIN**

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Public Records of Collin County, Texas.

Honorable Stacey Kemp
Collin County Clerk
Collin County, TX



SITE STUDY 
 1" = 80'
 JOSEPHINE ITT
 NCA PARTNERS
 3.4.2024



DATA SOURCES

BOUNDARY:	ON-THE-GROUND SURVEY (Digital)
IMAGE OF SURVEY:	PARCER AERIAL TOPOGRAPHY
ENCUMBRANCES:	TITLE REPORT/SCHEDULE B
TOPOGRAPHY:	ON-THE-GROUND SURVEY PARCER AERIAL TOPOGRAPHY OTHER SOURCE (URGS, NCTCOG)
100 YEAR FLOOD PLAIN:	FLOOD STUDY FEMA MAPS
JURISDICTIONAL WATERS:	ON-THE-GROUND ANALYSIS WEB BASED/PUBLIC INFORMATION

0 30 60 120
 1"=60'
 JUN 27, 2024
 BKP002

JOSEPHINE TOWN SQUARE

EXHIBIT(s)
Josephine Town Square
DEVELOPMENT STANDARDS

GENERAL STANDARDS

1. The development of the Josephine Town Square shall be in accordance with the standards established for the (LR) Local Retail & (C) Commercial District in the Josephine Zoning Ordinance, unless otherwise provided for below. In the event of any conflict or inconsistency between these standards and the applicable City regulations, the terms and provisions of these standards shall apply.
2. Exhibits 1 and 2, (Concept Plan 1 and 2) which are attached, are intended to be reflective of scenarios that could be developed as a result of complying with the standards established in this Planned Development. These Plans shall serve as Conceptual Plans for the property. Changes of detail which do not alter the basic relationship of the proposed development to adjacent property may be made to the Plans as part of the Detailed Site Plan approval process without the need of having to first amend the Concept Plan(s).

USE REGULATIONS

1. Permitted uses shall be all principal and accessory uses which are allowed by right in the (LR) Local Retail District & (C) Commercial District, in accordance with Article 22, of the Josephine Zoning Ordinance, as amended.
2. A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (LR) Local Retail District & (C) Commercial District, in accordance with Article 22, of the Josephine Zoning Ordinance, as amended.
3. The following additional uses shall be allowed as permitted uses within the Planned Development.
 - A. Nursery school, kindergarten
 - B. Park, playground (public)
 - C. Park, playground (private)
 - D. Electrical substation
 - E. Electric transmission line
 - F. Gas metering station
 - G. Gas transmission line
 - H. Automobile service station (no repair)
 - I. Gymnastic or dance studio
 - J. Handcraft shop
 - K. Laundry and cleaning, self-service/Tailoring
 - L. Metal dealer, crafter precious
 - M. Office (executive)
 - N. Office, prof. or general administrative
 - O. Restaurant without drive-in or drive-through service
 - P. Restaurant, with drive-through service
 - Q. Service, retail/Shopping Center/Strip Mall
 - R. Tanning salon
 - S. Carport, as an accessory and incidental use
 - T. Childcare Center/Daycare/Children's Day Nursery
 - U. Public Community Center/Private Community Center

- V. Montessori/Pre-School/Childhood Education
- W. Medical Office
- X. Dental Clinic or Laboratory
- Y. Medical Clinic or Laboratory
- Z. Pet Shop/Pet Supply
- AA. Animal Veterinarian or Kennel w/Indoor Treatment
- BB. Sporting Goods Sales
- CC. Swimming School
- DD. Health Spa/Med Spa
- EE. Auto Parts Sales (Inside)
- FF. Car Wash w/ or w/o Detailing Service
- GG. Scientific or Medical Laboratories/Research Facility
- HH. Health and Fitness Center/Gym
- II. Quick Oil Change Facility
- JJ. Arcade
- KK. Convenience Store w/ or w/o Gas Station
- LL. Dine-In Restaurant w/ or w/o Bar (On Site Alcohol Sales & Consumption)
- MM. Hardware Store (Inside Sales)
- NN. Alcohol Sales Store
- OO. Beauty Shops/Salon/Nail Spa
- PP. Service, Retail
- QQ. Bank or Financial Institution
- RR. Bank, Savings & Loan, Credit Union (Automated Teller/Drive Through Branch)
- SS. Pharmacy w/ or w/o Drive Through
- TT. QSR (Quick Service Restaurant) w/ or w/o Drive Through
- UU. Auto Repair (Inside Only)
- VV. Auto Paint & Body Shop
- WW. Automobile Service Station/Repair
- XX. Quick Tune-Up Facility
- YY. Tire Dealer (No Outside Storage)

4. The following uses shall be prohibited uses within the Planned Development.

- A. Boarding or rooming house.
- B. Single-family dwelling, detached.
- C. Athletic field.
- D. Exhibition area.
- E. Fairgrounds.
- F. Golf course.
- G. Golf driving range.
- H. Greenhouse, commercial.
- I. Prison, jail, place of incarceration.
- J. Stable, commercial.
- K. Stadium or play field, public.
- L. Airport, landing field.
- M. Heliport or helistop.
- N. Liquefied petroleum gas storage, sale (no bulk plants).
- O. Sewage treatment plant.

- P. Automobile and trailer sales area, new.
- Q. Automobile and trailer sales, used.
- R. Tire dealer (with outside storage).
- S. Truck sales.
- T. Amusement, commercial (outdoor).
- U. Bakery and confectionery, commercial.
- V. Boat sales and storage.
- W. Building materials, hardware (outside storage).
- X. Farm equipment, sales & service.
- Y. Feed and farm supply (outside sales/storage).
- Z. Laundry and cleaning, commercial.
- AA. Office-showroom/warehouse.
- BB. Pawnshop.
- CC. Theater (outdoor)
- DD. Trailer, manufactured housing or mobile home display and sales.
- EE. Trailer rental.
- FF. Veterinarian clinic (outside pens).
- GG. Building materials (outside storage).
- HH. Cameras and other photographic equipment manufacture.
- II. Candle manufacture.
- JJ. Food products processing.
- KK. Meat processing/locker plant/frozen food products.
- LL. Metal fabrication.
- MM. Petroleum Products, sales (wholesale).
- NN. Pipe sales and supply.
- OO. Pump sales, repair and maintenance.
- PP. Storage/warehouse, light.
- QQ. Toys and novelty projects manufacture.

DEVELOPMENT STANDARDS

1. LANDSCAPING

- A. Landscape Buffer: A landscape buffer of no less than 5' wide shall be planted adjacent to all streets subject to the following:
1. No fewer than 1 canopy tree shall be planted within the buffer per each 50' of street frontage.
 2. No fewer than 1 five-gallon evergreen shrub shall be planted every 3' of street frontage, 24 inches in height at the time of planting. Such plantings shall be in a row if the landscape buffer is adjacent to a parking lot, so as to screen the parking from the street. A minimum 3'-wide planting bed shall be provided for the planting of such shrubs.
 3. In lieu of the above hedge row, a combination of a discontinuous landscaped earthen mound and evergreen shrubs may be planted such that a minimum height of three feet of screening is provided.
 4. Canopy trees are prohibited from being planted under overhead or over underground utilities. All plant material planted under overhead or over underground utility lines shall be of such a stature and/or have such a root system so that they will not interfere with the integrity or operation of the utility facilities.
 5. Where plantings are adjacent to the front or rear of a parking space, a minimum 2'-wide vehicle overhang shall be allowed in the landscape buffer. Said vehicle overhang shall be inclusive of the minimum 5-foot-wide landscape buffer required, such that there are no shrubs or trees planted within the 2' of the vehicle overhang. Low-growing groundcovers are acceptable in this area, however.
- B. Parking Lot Landscaping:
1. A landscape island shall be provided at the end of each parking row. Such island shall be a minimum of eight feet wide and shall extend the length of the adjacent parking space.
 2. Landscape islands within parking lots shall not have more than 50 percent of their combined area planted with turf grass, the remainder shall be planted with approved plant material. Plantings interior to parking lots shall not exceed 36" in height at maturity.
 3. Landscape islands shall be measured from back of curb to back of curb, where curbs exist, otherwise from edge of approved hardscape material.
 4. In lieu of landscape islands, landscape buffer may include the use of shrubs/vegetation. All shrubs/vegetation maybe accounted for landscape area instead of parking islands with or without landscaping.
 5. No maximum requirement on Maximum Impervious Surface Ratio.
- C. Installation and Maintenance:
1. At the time of installation, all plantings shall have indications of normal growth and shall be sound, healthy, vigorous and free of weeds, insect and/or disease infestations, or objectionable disfigurements. All plants should have normally well-developed branching structures and vigorous and fibrous root systems which are not root- or pot-bound. All plants shall be adaptable to the climatic, sun, shade, and soil conditions of the area in which they are to be planted.
 2. All landscape areas, whether required or not, shall have an automatic irrigation system installed meeting all applicable requirements and regulations of the Texas Commission on Environmental Quality (TCEQ). All portions of any irrigation system shall be continuously maintained in a condition such that the intent of the irrigation design is fulfilled. Uncontrolled emission of water from any pipe, valve, head, emitter, or other irrigation device is prohibited by the TCEQ. Landscape elements other than turf grass and irrigation systems extending into right-of- way shall require a landscape license agreement with the City. Landscape irrigation main lines and electronic valves as defined by the TCEQ shall not

be installed in public right-of-way. Lateral lines and heads as defined by the TCEQ may be located within public right-of-way without need for a landscape license agreement.

3. All plantings shall be coordinated with all on-site signage, utility structures, and lighting, both upon installation of the plantings and plant maturation.
4. The property owner shall be responsible for the maintenance of all landscape areas. Said areas shall be regularly watered sufficient to establish and promote vigorous growth of all trees, plants and turf grasses. Said areas shall be maintained in a relatively weed free condition to present a healthy, neat and orderly appearance at all times.
5. Any plant that dies must be replaced with a similar living plant within 30 days after notification by the City.
6. Damages to utility lines and infrastructure resulting from negligence of the property owner or his/her agents in the installation and maintenance of required plant materials in an easement is the responsibility of the property owner.
7. Turf grass areas may be sodded, plugged, sprigged, or "hydro-seeded," except that solid sod shall be used in the landscape buffer and in swales or other areas subject to erosion, based upon accepted horticultural best practices.
8. Steel or other sustainable edging material shall separate planting beds from adjacent turf grass areas and installed with a finished height of no more than two inches above base soil level. Groundcover plants from four-inch pots shall be planted at a maximum of 12" on center. Groundcover plants from one-gallon containers shall be planted at a maximum of 18" on center.





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JOSEPHINE RETAIL CENTER

707 W COOK ST
JOSEPHINE | TEXAS

DESIGN INSPIRATION













ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF JOSEPHINE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF JOSEPHINE, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING FOR THE PROPERTY DESCRIBED AS 7.240 ACRES OF LAND IN THE JOSEPHINE HOMESITE ADDITION, AN ADDITION TO THE CITY OF JOSEPHINE, COLLIN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED, COMMONLY KNOWN AS 707 W. COOK STREET, TO PLANNED DEVELOPMENT DISTRICT-LOCAL RETAIL AND GENERAL COMMERCIAL (PD-LR/C); APPROVING A CONCEPTUAL SITE PLAN ATTACHED AS EXHIBIT “B”; PROVIDING DEVELOPMENT STANDARDS ATTACHED AS EXHIBIT “C”; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Josephine and the City Council of the City of Josephine, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Josephine is of the opinion and finds that said zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended; **NOW, THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOSEPHINE, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance and Map are hereby amended so as to grant a change in zoning for the property described as 7.240 acres of land, being part of the Josephine Homesite Addition, in the City of Josephine, Collin County, Texas, and being more particularly described in Exhibit “A” attached and made part hereof for all purposes, commonly known as 707 W. Cook Street, to Planned Development District-Local Retail and General Commercial (“PD-LR/C”).

SECTION 2. That the conceptual site plan, attached collectively as Exhibit “B”, is hereby approved as the concept site plan for said Planned Development District as required by Section 20.4.1.2 of the Comprehensive Zoning Ordinance (“CZO”) of the City of Josephine, Texas, subject to the following special conditions:

- a. The detailed site plan (development plan) must be approved as required by Section 20.4.2 CZO, but no additional public hearing will be required by the City Council, and it is therefore waived as authorized by Section 20.4.3 CZO.
- b. The property may be platted, developed, and building permits issued only in conformance with the requirements of this Planned Development District Ordinance and the approved detailed site plan.
- c. The property may be used in the manner and for permitted uses only, as provided by the approved detailed site plan and listed in the Development Standards in Exhibit “C” attached and made part hereof for all purposes.

SECTION 3. All ordinances of the City of Josephine in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance or the Comprehensive Zoning Ordinance and Map, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. That any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance and Map, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Josephine, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

DULY PASSED by the City Council of the City of Josephine, Texas, on the ____ day of August 2024.

APPROVED:

JASON TURNEY, MAYOR

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY

PATTI BROOKS, CITY SECRETARY

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF JOSEPHINE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF JOSEPHINE, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING FOR THE PROPERTY DESCRIBED AS 7.240 ACRES OF LAND IN THE JOSEPHINE HOMESITE ADDITION, AN ADDITION TO THE CITY OF JOSEPHINE, COLLIN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED, COMMONLY KNOWN AS 707 W. COOK STREET, TO PLANNED DEVELOPMENT DISTRICT-LOCAL RETAIL AND GENERAL COMMERCIAL (PD-LR/C); APPROVING A CONCEPTUAL SITE PLAN ATTACHED AS EXHIBIT “B”; PROVIDING DEVELOPMENT STANDARDS ATTACHED AS EXHIBIT “C”; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

Duly passed by the City Council of the City of Josephine, Texas, on the ____ day of August 2024.

APPROVED:

JASON TURNEY, MAYOR

ATTEST:

PATTI BROOKS, CITY SECRETARY

EXHIBIT "A"

BEING a portion of Lot 13, and all of Lots 14, 15, 16, 17, 18 & 19, of Josephine Homesite Addition, an addition to the City of Josephine, Collin County, Texas, according to the Map, as recorded in Volume 7, Page 60, of the Map and Plat Records of Collin County, Texas, and being a tract of land conveyed to Thomas Wayne Patterson and Jeannie Gray Patterson, as recorded in Volume 818, Page 425; Volume 1002, Page 31, Volume 909, Page 665 of the Official Public Records of Collin County, Texas, as shown on this survey and being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner, from which a 5/8-inch pink-capped iron rod found for reference bears South 35 degrees 08 minutes 36 seconds East, a distance of 39.86 feet, and corner being the North corner of a tract of land conveyed to Carrie Elayne Norfleet, as recorded in Instrument No. 20170407000447490, of the Official Public Records of Collin County, Texas, being along the Southeast Right-of-Way of W. Cook Street, and being the West corner of said Patterson tract;

THENCE North 54 degrees 21 minutes 27 seconds East, a distance of 190.48 feet, to a Concrete Monument found for corner, said corner being in a curve to the right having a radius of 2,814.90 feet;

THENCE continuing along said curve a chord bearing of North 57 degrees 41 minutes 30 seconds East, a distance of 327.42 feet, and central angle of 06 degrees 40 minutes 05 seconds, an arc length of 327.60 feet to a ½-inch yellow-capped iron rod set for corner;

THENCE South 36 degrees 21 minutes 21 seconds East, a distance of 299.87 feet, to a 5/8-inch yellow-capped iron rod set for corner;

THENCE South 00 degrees 01 minutes 19 seconds East, a distance of 493.66 feet, to a ½-inch yellow-capped iron rod set for corner, from which a ½-inch yellow-capped iron rod found for reference bears North 32 degrees 05 minutes 30 seconds East, a distance of 56.56 feet;

THENCE South 54 degrees 20 minutes 59 seconds West, a distance of 185.57 feet, passing a 3/8-inch iron rod found for reference, continuing a total distance of 234.90 feet, to a 5/8-inch yellow-capped iron rod found for corner;

THENCE North 35 degrees 32 minutes 09 seconds West, a distance of 680.35 feet, passing a 5/8-inch pink-capped iron rod found for reference, continuing a total distance of 720.21 feet, to the **PLACE OF BEGINNING** and 7.240 acres of land.

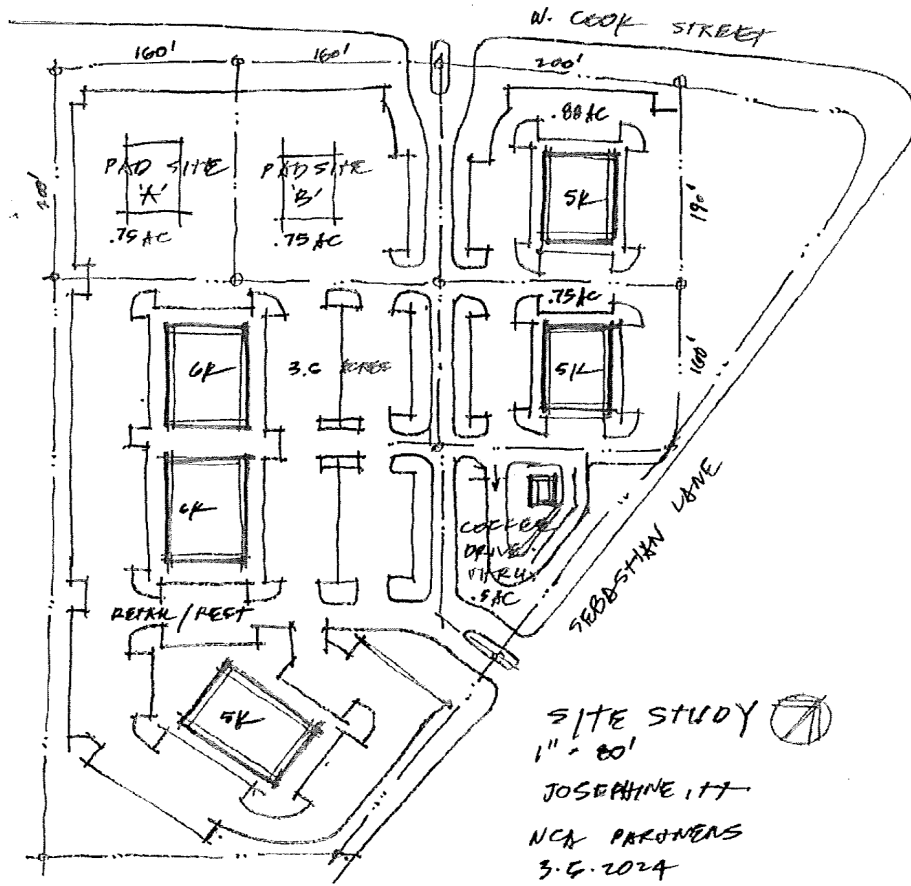


EXHIBIT “C”

Josephine Town Square DEVELOPMENT STANDARDS

GENERAL STANDARDS

1. The development of the Josephine Town Square shall be in accordance with the standards established for the (LR) Local Retail & (C) Commercial District in the Josephine Zoning Ordinance, unless otherwise provided below. In the event of any conflict or inconsistency between these standards and the applicable City regulations, the terms and provisions of these standards shall apply.
2. Exhibits 1 and 2, (Concept Plan 1 and 2) which are attached, are intended to be reflective of scenarios that could be developed as a result of complying with the standards established in this Planned Development. These Plans shall serve as Conceptual Plans for the property. *The applicant has to choose one of these. Changes of detail which do not alter the basic relationship of the proposed development to adjacent property may be made to the Plans as part of the Detailed Site Plan approval process without the need of having to first amend the Concept Plan(s).

USE REGULATIONS

1. Permitted uses shall be all principal and accessory uses which are allowed by right in the (LR) Local Retail District & (C) Commercial District, in accordance with Article 22, of the Josephine Zoning Ordinance, as amended. **this is inconsistent with section 4.
2. A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (LR) Local Retail District & (C) Commercial District, in accordance with Article 22, of the Josephine Zoning Ordinance, as amended.
3. The following additional uses shall be allowed as permitted uses within the Planned Development.
 - A. Nursery school, kindergarten
 - B. Park, playground (public)
 - C. Park, playground (private)
 - D. Electrical substation
 - E. Electric transmission line
 - F. Gas metering station
 - G. Gas transmission line
 - H. Automobile service station (no repair)
 - I. Gymnastic or dance studio
 - J. Handcraft shop
 - K. Laundry and cleaning, self-service/Tailoring
 - L. Metal dealer, crafter precious

- M. Office (executive)
- N. Office, prof. or general administrative
- O. Restaurant without drive-in or drive-through service
- P. Restaurant, with drive-through service
- Q. Service, retail/Shopping Center/Strip Mall
- R. Tanning salon
- S. Carport, as an accessory and incidental use
- T. Childcare Center/Daycare/Children's Day Nursery
- U. Public Community Center/Private Community Center
- V. Montessori/Pre-School/Childhood Education
- W. Medical Office
- X. Dental Clinic or Laboratory
- Y. Medical Clinic or Laboratory
- Z. Pet Shop/Pet Supply
- AA. Animal Veterinarian or Kennel w/Indoor Treatment
- BB. Sporting Goods Sales
- CC. Swimming School
- DD. Health Spa/Med Spa
- EE. Auto Parts Sales (Inside)
- FF. Car Wash w/ or w/o Detailing Service
- GG. Scientific or Medical Laboratories/Research Facility
- HH. Health and Fitness Center/Gym
- II. Quick Oil Change Facility
- JJ. Arcade
- KK. Convenience Store w/ or w/o Gas Station
- LL. Dine-In Restaurant w/ or w/o Bar (On Site Alcohol Sales & Consumption)
- MM. Hardware Store (Inside Sales)
- NN. Alcohol Sales Store
- OO. Beauty Shops/Salon/Nail Spa
- PP. Service, Retail
- QQ. Bank or Financial Institution
- RR. Bank, Savings & Loan, Credit Union (Automated Teller/Drive Through Branch)
- SS. Pharmacy w/ or w/o Drive Through
- TT. QSR (Quick Service Restaurant) w/ or w/o Drive Through
- UU. Auto Repair (Inside Only)
- VV. Auto Paint & Body Shop
- WW. Automobile Service Station/Repair
- XX. Quick Tune-Up Facility
- YY. Tire Dealer (No Outside Storage)

4. The following uses shall be prohibited uses within the Planned Development.

- A. Boarding or rooming house.
- B. Single-family dwelling, detached.
- C. Athletic field.
- D. Exhibition area.
- E. Fairgrounds.
- F. Golf course.
- G. Golf driving range.
- H. Greenhouse, commercial.
- I. Prison, jail, place of incarceration.
- J. Stable, commercial.
- K. Stadium or playing field, public.
- L. Airport, landing field.
- M. Heliport or helistop.
- N. Liquefied petroleum gas storage, sale (no bulk plants).
- O. Sewage treatment plant.
- P. Automobile and trailer sales area, new.
- Q. Automobile and trailer sales, used.
- R. Tire dealer (with outside storage).
- S. Truck sales.
- T. Amusement, commercial (outdoor).
- U. Bakery and confectionery, commercial.
- V. Boat sales and storage.
- W. Building materials, hardware (outside storage).
- X. Farm equipment, sales & service.
- Y. Feed and farm supply (outside sales/storage).
- Z. Laundry and cleaning, commercial.
- AA. Office-showroom/warehouse.
- BB. Pawnshop.
- CC. Theater (outdoor)
- DD. Trailer, manufactured housing or mobile home display and sales.
- EE. Trailer rental.
- FF. Veterinarian clinic (outside pens).
- GG. Building materials (outside storage).
- HH. Cameras and other photographic equipment manufacture.
- II. Candle manufacture.
- JJ. Food products processing.
- KK. Meat processing/locker plant/frozen food products.
- LL. Metal fabrication.
- MM. Petroleum Products, sales (wholesale).
- NN. Pipe sales and supply.
- OO. Pump sales, repair and maintenance.
- PP. Storage/warehouse, light.
- QQ. Toys and novelty projects manufacture.

DEVELOPMENT STANDARDS

1. LANDSCAPING

A. Landscape Buffer: A landscape buffer of no less than 5' wide shall be planted adjacent to all streets subject to the following:

1. No fewer than 1 canopy tree shall be planted within the buffer per each 50 feet of street frontage.
2. No fewer than 1 five-gallon evergreen shrub shall be planted every 3' of street frontage, 24 inches in height at the time of planting. Such plantings shall be in a row if the landscape buffer is adjacent to a parking lot, so as to screen the parking from the street. A minimum 3' wide planting bed shall be provided for the planting of such shrubs.
3. In lieu of the above hedge row, a combination of a discontinuous landscaped earthen mound and evergreen shrubs may be planted such that a minimum height of three feet of screening is provided.
4. Canopy trees are prohibited from being planted under overhead or over underground utilities. All plant material planted under overhead or over underground utility lines shall be of such a stature and/or have such a root system so that they will not interfere with the integrity or operation of the utility facilities.
5. Where plantings are adjacent to the front or rear of a parking space, a minimum 2'-wide vehicle overhang shall be allowed in the landscape buffer. Said vehicle overhang shall be inclusive of the minimum 5-foot-wide landscape buffer required, such that there are no shrubs or trees planted within the 2' of the vehicle overhang. Low-growing groundcovers are acceptable in this area, however.

B. PARKING LOT LANDSCAPING:

1. A landscape island shall be provided at the end of each parking row. Such island shall be a minimum of eight feet wide and shall extend the length of the adjacent parking space.
2. Landscape islands within parking lots shall not have more than 50 percent of their combined area planted with turf grass, the remainder shall be planted with approved plant material. Plantings interior to parking lots shall not exceed 36" in height at maturity.
3. Landscape islands shall be measured from back of curb to back of curb, where curbs exist, otherwise from edge of approved hardscape material.
4. In lieu of landscape islands, landscape buffer may include the use of shrubs/vegetation. All shrubs/vegetation maybe accounted for landscape area instead of parking islands with or without landscaping.

5. No maximum requirement on Maximum Impervious Surface Ratio.

C. INSTALLATION AND MAINTENANCE:

1. At the time of installation, all plantings shall have indications of normal growth and shall be sound, healthy, vigorous and free of weeds, insect and/or disease infestations, or objectionable disfigurements. All plants should have normally well-developed branching structures and vigorous and fibrous root systems which are not root- or pot-bound. All plants shall be adaptable to the climatic, sun, shade, and soil conditions of the area in which they are to be planted.

2. All landscape areas, whether required or not, shall have an automatic irrigation system installed meeting all applicable requirements and regulations of the Texas Commission on Environmental Quality (TCEQ). All portions of any irrigation system shall be continuously maintained in a condition such that the intent of the irrigation design is fulfilled. Uncontrolled emission of water from any pipe, valve, head, emitter, or other irrigation device is prohibited by the TCEQ. Landscape elements other than turf grass and irrigation systems extending into right-of- way shall require a landscape license agreement with the City. Landscape irrigation main lines and electronic valves as defined by the TCEQ shall not be installed in public right-of-way. Lateral lines and heads as defined by the TCEQ may be located within public right-of-way without need for a landscape license agreement.

3. All plantings shall be coordinated with all on-site signage, utility structures, and lighting, both upon installation of the plantings and plant maturation.

4. The property owner shall be responsible for the maintenance of all landscape areas. Said areas shall be regularly watered sufficiently to establish and promote vigorous growth of all trees, plants and turf grasses. Said areas shall be maintained in a relatively weed free condition to present a healthy, neat and orderly appearance at all times.

5. Any plant that dies must be replaced with a similar living plant within 30 days after notification by the City.

6. Damages to utility lines and infrastructure resulting from negligence of the property owner or his/her agents in the installation and maintenance of required plant materials in an easement is the responsibility of the property owner.

7. Turf grass areas may be sodded, plugged, sprigged, or "hydro-seeded," except that solid sod shall be used in the landscape buffer and in swales or other areas subject to erosion, based upon accepted horticultural best practices.

8. Steel or other sustainable edging material shall separate planting beds from adjacent turf grass areas and installed with a finished height of no more than two inches above base soil level. Groundcover plants from four-inch pots shall be planted at a maximum of 12" on center. Groundcover plants from one-gallon containers shall be planted at a maximum of 18" on center.