

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS REGARDING A REQUEST FOR A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A MAJOR AUTOMOTIVE REPAIR SHOP USE ON APPROXIMATELY 2.02 ACRES OF LAND, GENERALLY LOCATED ON THE SOUTH CORNER OF THE INTERSECTION OF FORT WORTH DRIVE (US 377) AND CENTRAL VILLAGE DRIVE IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE. (S25-0018)

WHEREAS, Ken Dinh, representing the property owner, KD Dinh Investment Group LLC, has applied for a new Specific Use Permit (“SUP”) to allow for a Major Automotive Repair Shop use on an approximately 2.02-acre lot, within the General Office (GO) zoning district and use classification, as described in **Exhibit “A”** (hereinafter, “the Property”); and

WHEREAS, on May 27, 2026, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, and having afforded full and fair hearings and to all property owners interested in this regard, has recommended ____ [xx – xx] of the requested SUP, subject to conditions; and

WHEREAS, on ____ the City Council likewise conducted a public hearing as required by law to consider the SUP request. Upon consideration, the City Council hereby finds that the request is consistent with the Denton 2040 Comprehensive Plan and federal, state, and local law, and that the Applicant has agreed to comply with all provisions of the Denton Development Code (“DDC”), and has further agreed to comply with the additional restrictions and conditions set forth herein; and

WHEREAS, the City Council has determined that it will be beneficial to Denton and its citizens to grant the SUP; that such grant will not be detrimental to the public welfare, safety, or health; that proposed permit satisfies criteria set forth in Sections 2.4.5E and 2.5.2D of the Denton Development Code; and that the SUP should be granted; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference and found to be true.

SECTION 2. The SUP to allow the Major Automotive Repair Shop use on the Property as shown on the site plan and landscape plan attached and incorporated herein as **Exhibit “C” and Exhibit “D”**, is hereby approved, with the following conditions:

1. The use must abide by all use-specific standards in DDC Subsection 5.3.5V, as may be amended and as applicable to properties within the GO zoning district.
2. The development of the Major Automotive Repair Shop use shall be in accordance with Exhibit “C” and Exhibit “D”. The use shall be limited to the area shown as the Development Impact Area in Exhibit “C”. Modifications and expansions to the existing

buildings may be approved subject to the standards of the DDC; however, the area of the property dedicated to temporary outdoor storage of vehicles shall not be enlarged and shall be opaquely screened from all rights-of-way and adjacent residential properties with a minimum 8-foot high fence or wall.

3. A compatibility landscaped buffer shall be installed and maintained along property lines adjacent to residential uses and in the locations shown on the Site Plan (Exhibit “C”) and Landscape Plan (Exhibit “D”). The buffer shall contain a number of elements equal to a minimum of 30 points from Table 7.F: Buffer Points and Minimum Width Requirements in the 2019 DDC, as amended. The landscape buffer shall include an opaque fence of at least 8 feet in height, and shall be an additional 5 feet in width beyond the required minimum of 15 feet for a total of 20 feet in width as two of the required landscape elements.
4. The existing covered patio is a nonconforming site feature that encroaches into the rear yard setback. The existing covered patio is permitted to remain in its current configuration subject to the limitations in DDC Subsection 1.5.6.
5. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.

SECTION 4. Failure to Comply. Except as otherwise stated above, all terms of the SUP shall be complied with prior to issuance of a Certificate of Occupancy. Failure to comply with any term or condition of the Ordinance will result in the SUP being declared null and void, and of no force and effect. The SUP is issued to the entity named above runs with the land and is assignable and transferable to subsequent owners of the Property.

SECTION 5. SUP Regulations. Upon notice to the property owner and a hearing before the City Council, a SUP may be revoked or modified if: 1. There is one or more of the conditions imposed by this Ordinance that has not been met or has been violated on the Property; or 2. The SUP was obtained or extended by fraud or deception; or 3. As otherwise permitted by law and/or permitted by the Denton Development Code.

SECTION 6. Unlawful use. It shall be unlawful for any person, firm, entity, or corporation to make use of the above-referenced Property in some manner other than as authorized by the Denton’s Codes of Ordinances and this Ordinance.

SECTION 7. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 9. Penalty. Any person, firm, entity or corporation violating any provision of this ordinance shall, upon conviction, be fined a sum not exceeding \$2,000.00 for each violation. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense. The penal provisions imposed under this Ordinance shall not preclude Denton from filing suit to enjoin the violation and it retains all legal rights and remedies available to it under local, state and federal law.

SECTION 10. In compliance with Section 2.09(c) of the Denton Charter, this ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is

hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

The motion to approve this ordinance was made by _____ and seconded by _____, the ordinance was passed and approved by the following vote [__ - __]:

	Aye	Nay	Abstain	Absent
Mayor _____:	_____	_____	_____	_____
Jordan Villarreal, District 1:	_____	_____	_____	_____
Nick Stevens, District 2:	_____	_____	_____	_____
Suzi Rumohr, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
_____, At Large Place 5:	_____	_____	_____	_____
Jill Jester, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2026.

_____, MAYOR

ATTEST:
_____, INTERM CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

EXHIBIT A

Legal Description

Lot 23, Block E, of Central Village Estates, an Addition to the City of Denton, Denton County, Texas, according to the Plat thereof recorded in the County Clerk's Document No. 2006-88043, Plat Records of Denton County, Texas.

EXHIBIT B

Site Location Map

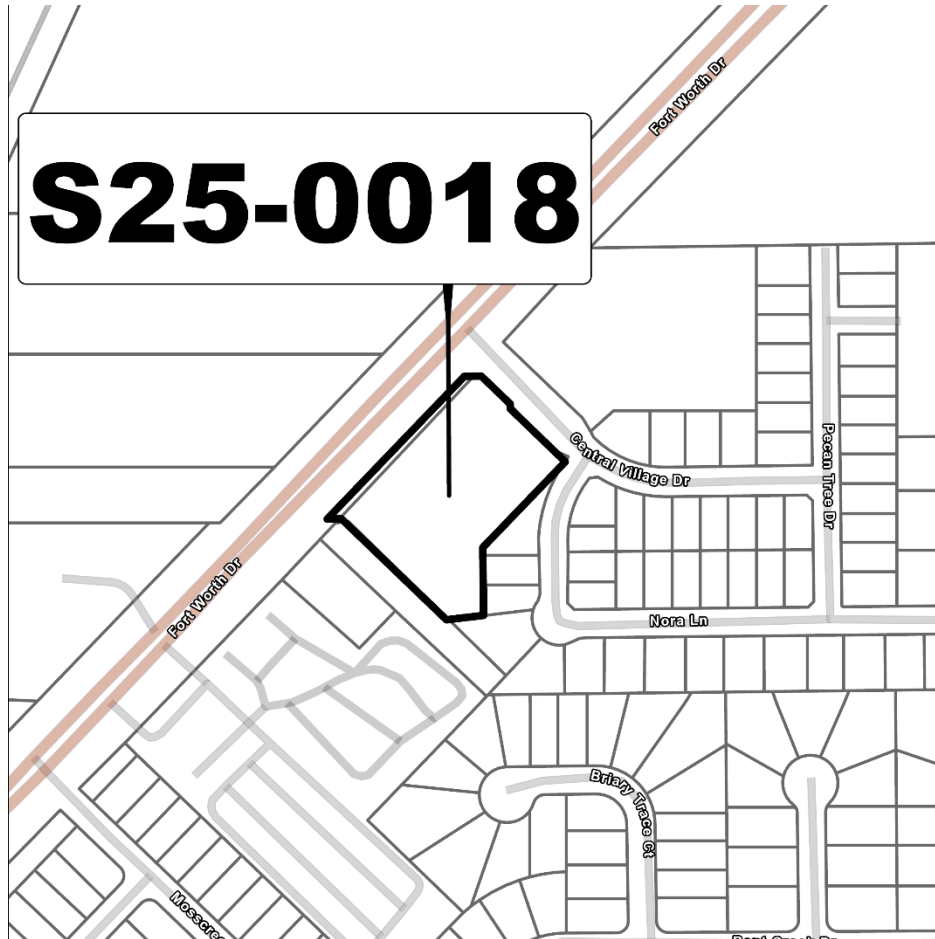
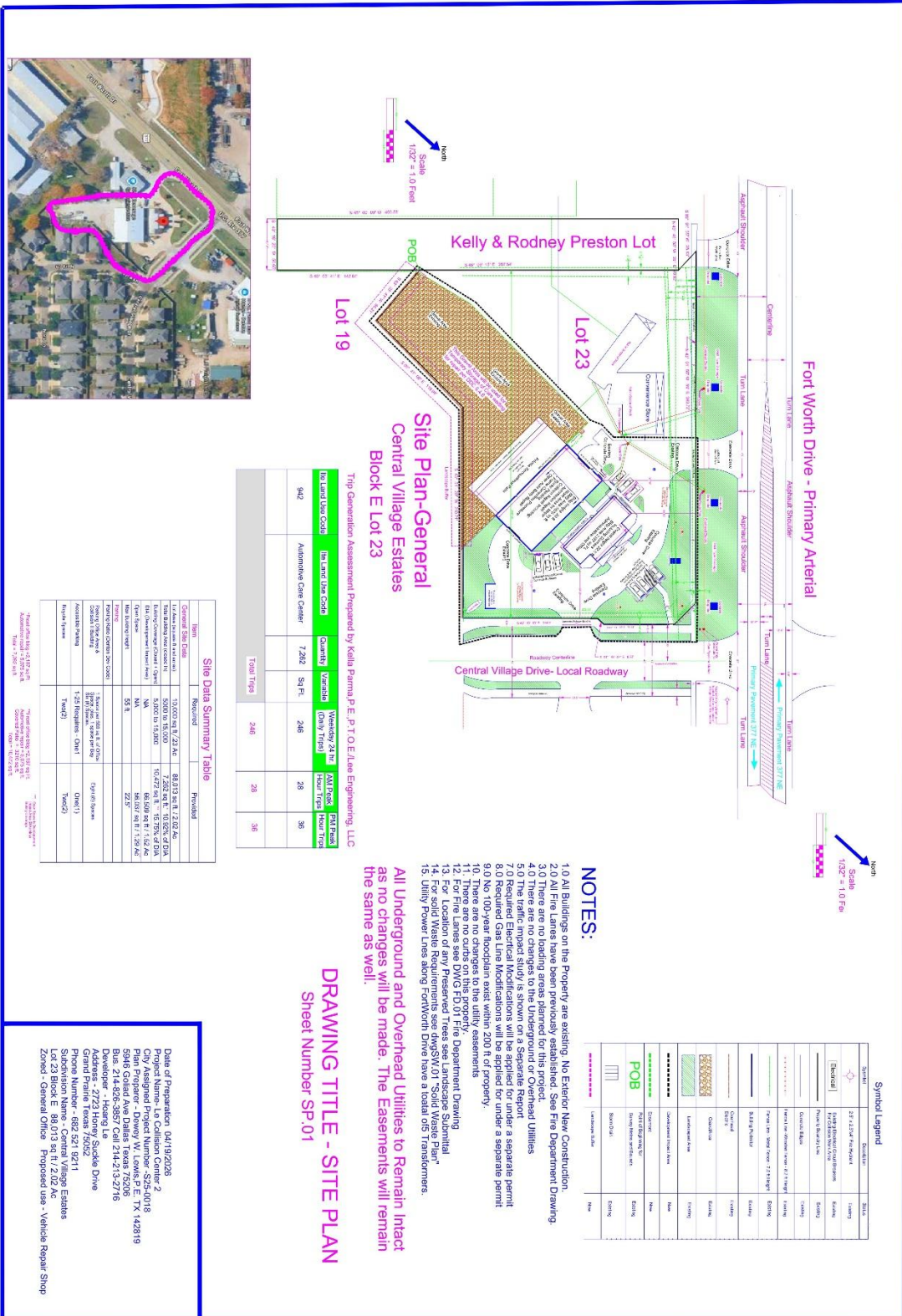


EXHIBIT C

Site Plan



Trip Generation Assessment Prepared by Kellia Palma, P.E., P.T.O. E-Lake Engineering, LLC

Use	Quantity	Vehicle (0.95x Trip)	ATV/Truck (0.05x Trip)	EQ/Trailer (0.05x Trip)
Automotive Care Center	7,262	246	28	36
Total Trips		246	28	36

Site Data Summary Table

Category	Received	Provided
Lot Area	13,000 sq. ft. / 2.9 AC	88,313 sq. ft. / 2.02 AC
Lot Area to be Excavated	5,000 sq. ft. / 1.13 AC	7,262 sq. ft. / 1.65 AC
Lot Area to be Retained	8,000 sq. ft. / 1.83 AC	17,051 sq. ft. / 3.89 AC
Lot Area to be Excavated and Retained	0	0
Lot Area to be Excavated and Retained (with 10% Buffer)	0	0
Lot Area to be Excavated and Retained (with 20% Buffer)	0	0
Lot Area to be Excavated and Retained (with 30% Buffer)	0	0
Lot Area to be Excavated and Retained (with 40% Buffer)	0	0
Lot Area to be Excavated and Retained (with 50% Buffer)	0	0
Lot Area to be Excavated and Retained (with 60% Buffer)	0	0
Lot Area to be Excavated and Retained (with 70% Buffer)	0	0
Lot Area to be Excavated and Retained (with 80% Buffer)	0	0
Lot Area to be Excavated and Retained (with 90% Buffer)	0	0
Lot Area to be Excavated and Retained (with 100% Buffer)	0	0
Lot Area to be Excavated and Retained (with 110% Buffer)	0	0
Lot Area to be Excavated and Retained (with 120% Buffer)	0	0
Lot Area to be Excavated and Retained (with 130% Buffer)	0	0
Lot Area to be Excavated and Retained (with 140% Buffer)	0	0
Lot Area to be Excavated and Retained (with 150% Buffer)	0	0
Lot Area to be Excavated and Retained (with 160% Buffer)	0	0
Lot Area to be Excavated and Retained (with 170% Buffer)	0	0
Lot Area to be Excavated and Retained (with 180% Buffer)	0	0
Lot Area to be Excavated and Retained (with 190% Buffer)	0	0
Lot Area to be Excavated and Retained (with 200% Buffer)	0	0
Lot Area to be Excavated and Retained (with 210% Buffer)	0	0
Lot Area to be Excavated and Retained (with 220% Buffer)	0	0
Lot Area to be Excavated and Retained (with 230% Buffer)	0	0
Lot Area to be Excavated and Retained (with 240% Buffer)	0	0
Lot Area to be Excavated and Retained (with 250% Buffer)	0	0
Lot Area to be Excavated and Retained (with 260% Buffer)	0	0
Lot Area to be Excavated and Retained (with 270% Buffer)	0	0
Lot Area to be Excavated and Retained (with 280% Buffer)	0	0
Lot Area to be Excavated and Retained (with 290% Buffer)	0	0
Lot Area to be Excavated and Retained (with 300% Buffer)	0	0
Lot Area to be Excavated and Retained (with 310% Buffer)	0	0
Lot Area to be Excavated and Retained (with 320% Buffer)	0	0
Lot Area to be Excavated and Retained (with 330% Buffer)	0	0
Lot Area to be Excavated and Retained (with 340% Buffer)	0	0
Lot Area to be Excavated and Retained (with 350% Buffer)	0	0
Lot Area to be Excavated and Retained (with 360% Buffer)	0	0
Lot Area to be Excavated and Retained (with 370% Buffer)	0	0
Lot Area to be Excavated and Retained (with 380% Buffer)	0	0
Lot Area to be Excavated and Retained (with 390% Buffer)	0	0
Lot Area to be Excavated and Retained (with 400% Buffer)	0	0
Lot Area to be Excavated and Retained (with 410% Buffer)	0	0
Lot Area to be Excavated and Retained (with 420% Buffer)	0	0
Lot Area to be Excavated and Retained (with 430% Buffer)	0	0
Lot Area to be Excavated and Retained (with 440% Buffer)	0	0
Lot Area to be Excavated and Retained (with 450% Buffer)	0	0
Lot Area to be Excavated and Retained (with 460% Buffer)	0	0
Lot Area to be Excavated and Retained (with 470% Buffer)	0	0
Lot Area to be Excavated and Retained (with 480% Buffer)	0	0
Lot Area to be Excavated and Retained (with 490% Buffer)	0	0
Lot Area to be Excavated and Retained (with 500% Buffer)	0	0

NOTES:

- 1.0 All Buildings on the Property are existing. No Exterior New Construction.
- 2.0 All Fire Lanes have been previously established. See Fire Department Drawing.
- 3.0 There are no building areas planned for this project.
- 4.0 There are no changes to the Underground or Overhead Utilities.
- 5.0 There are no changes to the Existing Site.
- 6.0 Required Electrical Modifications will be applied for under a separate permit.
- 7.0 Required Gas Line Modifications will be applied for under a separate permit.
- 8.0 No 100-year floodplain exists within 200 ft of property.
- 9.0 There are no changes to the utility easements.
10. For Fire Lanes see DWG FD-01 Fire Department Drawing.
11. For Fire Lanes see DWG FD-01 Fire Department Drawing.
12. For Location of any Preserved Trees see Landscape Submittal.
13. For Solid Waste Requirements see DWG SW-01 "Solid Waste Plans".
14. For Utility Power Lines along Fort Worth Drive have a total of 50' of easement.
15. All Underground and Overhead Utilities to Remain Intact as no changes will be made. The Easements will remain the same as well.

DRAWING TITLE - SITE PLAN

Sheet Number SP.01

Date of Preparation: 04/19/2028
 Project Name: Kelly & Rodney Preston Lot
 Project Address: 2825 S. Cooper Street, Suite 200, Dallas, TX 75226
 Plan Preparer: DeWay W. Lewis, P.E., TX 142819
 5916 Collier Ave Dallas Texas 75206
 Date: 2/14/2028
 Drawn By: DeWay W. Lewis, P.E., TX 142819
 Address: 2723 Honey Suckle Drive
 Grand Prairie Texas 75052
 Phone Number: 982.521.9211
 Fax Number: 982.521.9211
 Lot: 23 Block: E 86.013 sq ft / 2.02 AC
 Zoned: General Office - Proposed use - Vehicle Repair Shop

EXHIBIT D

Landscape Plan

