

ORDINANCE NO. 1174

AN ORDINANCE OF THE CITY OF FORNEY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO AMEND THE CONCEPT PLAN FOR A PART OF MUSTANG CROSSING PLANNED DEVELOPMENT ON THE PROPERTY DESCRIBED AS 5.5279 ACRES OF LAND, MORE OR LESS, IN THE ABSALOM HYER SURVEY, ABSTRACT NUMBER 203, IN THE CITY OF FORNEY, KAUFMAN COUNTY, TEXAS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; APPROVING THE AMENDED CONCEPT PLAN ATTACHED HERETO AS EXHIBIT "B"; 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 Forney and the City Council of the City of Forney, 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 Forney is of the opinion and finds that said zoning change should be granted and that the Comprehensive Zoning Ordinance should be amended. **NOW THEREFORE.**

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Forney, Texas, be, and the same is hereby amended, so as to amend the Concept Plan for the property described as 5.5279 acres, more or less, in the Absalom Hyer Survey, Abstract No. 203, in the City of Forney, Kaufman County, Texas, known as a part of Mustang Crossing Planned Development, and more particularly described in Exhibit "A" attached hereto and made part hereof for all purposes

SECTION 2. That the amended concept plan is attached hereto as Exhibit "B", and the plan is hereby approved for the described portion of said Planned Development District as required by Section 34a.4 of the Comprehensive Zoning Ordinance of the City of Forney, Texas.

SECTION 3. That all ordinances of the City of Forney in conflict with the provisions of this ordinance be and the same are hereby, repealed.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held 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, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Forney, 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 Forney, Texas, on the 16th day of May 2006



CITY OF FORNEY, TEXAS

Danell Moore

MAYOR

ATTENT

Odessa Moore

CITY SECRETARY

LEGAL DESCRIPTION

HERFAS Mustang Crossing, Ltd. is the owner of a tract of land situated in the City of Forney, Kaufman County, Texas as out of the A. Hyer Survey Abstract No. 203 and being part of a 66.366 acre tract of land conveyed to Mustang Crossing, Ltd. according to the deed filed for record in Volume 2219, Pages 589, 601, 613 and 625, Deed Records, Kaufman County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found with plastic cap stamped "J.B.I." in the north right of way line of U.S. Highway 75 at the southeast corner of said 66.366 acre tract, also being the southwest corner of a tract of land conveyed to R & R Reproductions according to the deed filed for record in Volume 962, Page 75, Deed Records, Kaufman County, Texas, the beginning of a curve to the right,

THENCE, along said north right of way line, the south line of said 66.366 acre tract, along said curve to the right through a central angle of 04 degrees, 27 minutes, 12 seconds, a radius of 5,579.58 feet, an arc length of 433.67 feet, a chord bearing of North 86 degrees, 26 minutes, 02 seconds West, a chord distance of 433.56 feet to a 5/8" iron rod found with plastic cap stamped "C.E.I.",

THENCE, departing said common line, North 05 degrees, 47 minutes, 34 seconds East, a distance of 250.00 feet to an iron rod found in concrete, the beginning of a non-tangent curve to the right;

THENCE, along said curve to the right through a central angle of 00 degrees, 58 minutes, 21 seconds, a radius of 1,229.58 feet, an arc length of 90.45 feet, a chord bearing of North 83 degrees, 43 minutes, 16 seconds West, a chord distance of 90.45 feet to a 1/2" iron rod found with plastic cap stamped "J.B.I.", the end of said curve;

THENCE, North 24 degrees, 40 minutes, 30 seconds East, a distance of 314.08 feet to a 1/2" iron rod found with plastic cap stamped "J.B.I."

THENCE, South 89 degrees, 09 minutes, 04 seconds East, a distance of 375.19 feet to a 1/2" iron rod found with plastic cap stamped "J.B.I." in the east line of said 66.366 acre tract, the west line of a tract of land conveyed to Forney Industrial Park, L.P. according to the deed filed for record in Volume 1383, Page 276, Deed Records, Kaufman County, Texas

THENCE, along the east line of said 66.366 acre tract, the west line of said Forney Industrial Park tract and said R & R Reproductions tract, South 00 degrees, 53 minutes, 58 seconds West, a distance of 565.50 feet to the **POINT OF BEGINNING** and containing 240,794 square feet or 5.5279 acres of land, more or less.

NO.	DATE	BY	REVISION
01	01/21/08	JKM	CONCEPT PLAN

CONCEPT PLAN
THE SHOPS AT MUSTANG CROSSING
 CITY OF FORNEY, TEXAS

JKM CONSULTING ENGINEERS, INC.
 1716 E. FARMWAY, SUITE 200
 FORT WORTH, TEXAS 76104
 (817) 342-1234

PRELIMINARY
 FROM REVIEW ONLY
 ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE CITY ENGINEER

DEVELOPER
 1720 East Lake Road, Suite 150
 Lewisville, TX 75044
 P: (972) 948-9905
 F: (972) 948-9905
 AMN SHOP BLDG

ENGINEER
 JKM CONSULTING ENGINEERS, INC.
 1716 E. FARMWAY, SUITE 200
 FORT WORTH, TEXAS 76104
 P: (817) 342-1234
 F: (817) 342-1234
 AMN ROBERT K. HANSEN

ARCHITECT
 MCA ARCHITECTURE
 12180 N. DOW LANE, SUITE 200
 FORT WORTH, TEXAS 76134
 P: (817) 342-1234
 F: (817) 342-1234
 AMN LANCE BISH

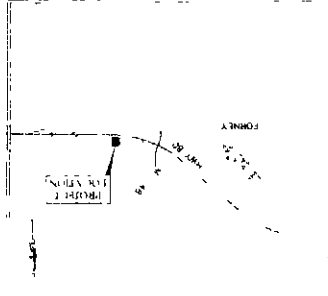
SURVEYOR
 GUNNY CONSULTING, INC.
 811 E. TRINO DRIVE, SUITE 200
 FORT WORTH, TEXAS 76104
 P: (817) 342-1234
 F: (817) 342-1234
 AMN DAVID LOMAS

NOT: PARKING REQUIRED WILL BE DETERMINED BASED ON ACTUAL SQUARE FOOTAGE FOR EACH USE AT THE SITE PLAN SUBMITTAL. ALL UTILITIES ARE LOCATED AS SHOWN. SHADING INDICATED WILL BE FURNISHED BY THE CITY ENGINEER. SHADING INDICATED WILL BE FURNISHED BY THE CITY ENGINEER.

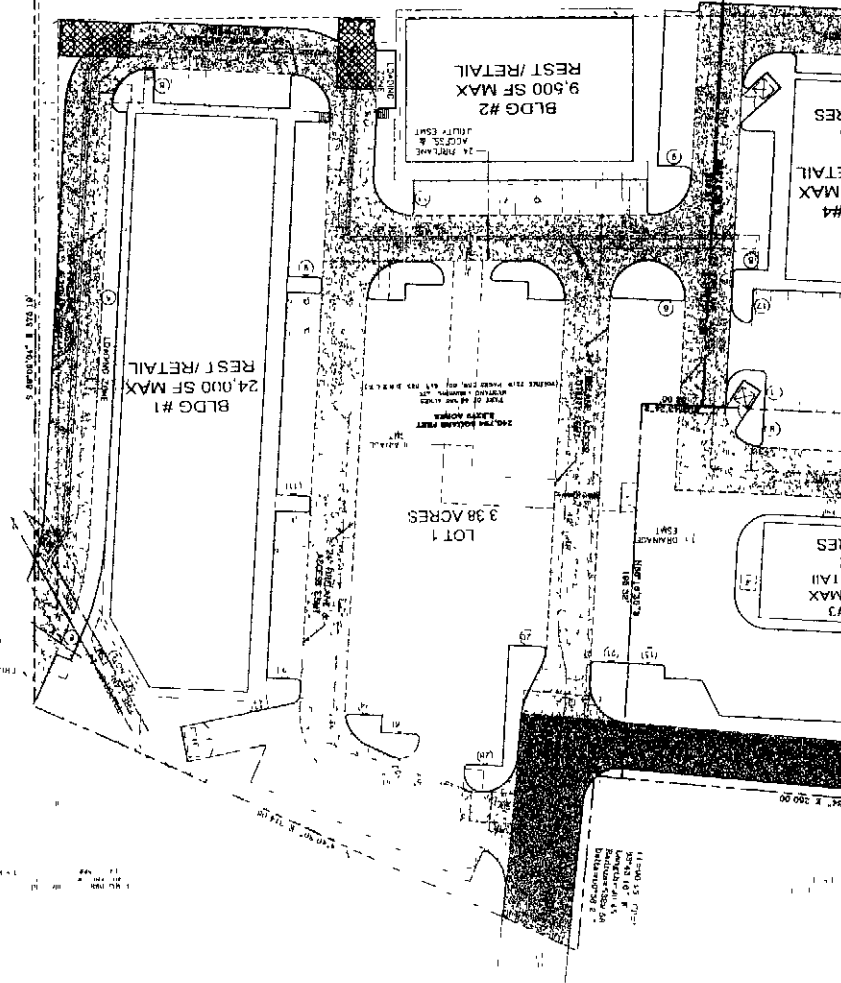
Parking Requirements

Use	Minimum	Maximum
Office	1	1
Professional Office	1	1
Medical Office	1	1
Hotel	1	1
Restaurant	1	1
Retail	1	1
Gas Station	1	1
Auto Repair	1	1
Car Wash	1	1
Laundry	1	1
Storage	1	1
Warehouse	1	1
Manufacturing	1	1
Industrial	1	1
Warehouse	1	1
Manufacturing	1	1
Industrial	1	1

VICINITY MAP



THE CITY ENGINEER HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT COMPLIES WITH THE CITY ENGINEER'S REQUIREMENTS FOR THE CITY OF FORNEY, TEXAS. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.



1-800-246-1234
 JKM CONSULTING ENGINEERS, INC.