

AN ORDINANCE OF THE CITY OF FORNEY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, SO AS TO GRANT A PLANNED DEVELOPMENT DISTRICT FOR SINGLE-FAMILY AND COMMERCIAL USES FOR THE PROPERTY DESCRIBED AS 277.646 ACRES OF LAND IN THE A. HYER SURVEY, ABSTRACT NO. 203, AND THE JOHN GREGG SURVEY, ABSTRACT NO. 171, IN THE CITY OF FORNEY, KAUFMAN COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED, AND KNOWN AS FOX HOLLOW; APPROVING A DEVELOPMENT PLAN AND PLANNED DEVELOPMENT REGULATIONS ATTACHED HERETO EXHIBIT "B", INCLUDING AREA REGULATIONS, GENERAL AND 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 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 and Map 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 and Map of the City of Forney, Texas, be, and the same are hereby, amended so as to grant a Planned Development District for the property described as 277.646 acres, more or less, in the A. Hyer Survey, Abstract No. 203, and the John Gregg Survey, Abstract No. 171, in the City of Forney, Kaufman County, Texas, known as Fox Hollow, and more particularly described in Exhibit "A" attached hereto and made part hereof for all purposes.

SECTION 2. That the final development plan for this Planned Development District is attached hereto as Exhibit "B", and the same is hereby approved for said Planned Development District as required by Section XX, E2, of the Comprehensive Zoning Ordinance of the City of Forney, Texas.

SECTION 3. That the granting of this Planned Development District is subject to the following area regulations, general and special conditions:

- a. That the Planned Development will be constructed in accordance with the final Development Plan attached hereto and approved as required by Section XX of the zoning ordinance; and
- b. That the Planned Development will be constructed in accordance with the development standards shown on the final development plan as well as the additional planned development regulations contained in Exhibit "B"

SECTION 2. That all ordinances of the City of Forney in conflict with the provisions of this ordinance be, and the same are hereby, repealed.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance 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 and Map as a whole.

SECTION 4. 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 5. 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 19 day of September, 2002.



APPROVED:

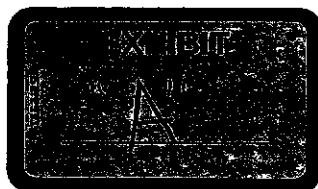
Weldon G. Brown
MAYOR

APPROVED AS TO FORM:

Robert X. Hill
CITY ATTORNEY
(RLD/8-14-02)

ATTEST:

Adessa Moore
CITY SECRETARY



TRACT 1 PROPERTY DESCRIPTION

BEING A 195.765 ACRE TRACT OF LAND SITUATED IN THE A. HYER SURVEY, ABSTRACT NO 203, IN THE CITY OF FORNEY OF KAUFMAN COUNTY, TEXAS AND BEING A PORTION OF A TRACT OF LAND DESCRIBED AS "FIRST TRACT" IN DEED TO ELIZABETH ALEXANDER RECORDED IN VOLUME 588, PAGE 712 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS (D.R.K.C.T). SAID 195.765 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A 5/8" IRON CAPPED "CARTER & BURGESS" SET FOR THE NORTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO EMILY ELIZABETH MIZEL SCHOENVOGEL AND ROBERT GUYTON MIZEL (HEREIN AFTER REFERRED TO AS THE SCHOENVOGEL AND MIZEL TRACT) RECORDED IN VOLUME 1090, PAGE 738 D.R.K.C.T AND ALSO BEING IN THE SOUTHWEST RIGHT-OF-WAY (R.O.W) LINE OF F.M. HWY NO 1641 (90 FOOT R.O.W) RECORDED IN VOLUME 355, PAGE 161 D.R.K.C.T.,

THENCE S 45°36'06" W, ALONG THE NORTHWEST LINE OF SAID SCHOENVOGEL AND MIZEL TRACT, A DISTANCE OF 1479.63 FEET TO A 5/8" IRON CAPPED "CARTER & BURGESS" SET FOR THE WEST CORNER OF SAID SCHOENVOGEL AND MIZEL TRACT FROM WHICH A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID "FIRST TRACT" BEARS S 45°00'00" W, A DISTANCE OF 3756.35 FEET,

THENCE N 45°00'00" W, ALONG THE SOUTHWEST LINE OF SAID "FIRST TRACT", A DISTANCE OF 5440.86 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET AT THE SOUTH CORNER OF A TRACT OF LAND DESCRIBED AS "PARCEL 49, PART ONE" IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 1691, PAGE 239 D.R.K.C.T FROM WHICH A 3/4" IRON PIPE FOUND FOR THE NORTHWEST CORNER OF SAID "FIRST TRACT" BEARS N 45°00'00" W, A DISTANCE OF 2134.41 FEET,

THENCE ALONG THE SOUTHEAST LINES OF SAID "PARCEL 49, PART ONE" THE FOLLOWING COURSES AND DISTANCES,

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 8262.08 FEET, A DELTA ANGLE OF 4°35'47", A LONG CHORD THAT BEARS N 28°48'32" E A DISTANCE OF 662.62 FEET, AND AN ARC LENGTH OF 662.79 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1252.33 FEET, A DELTA ANGLE OF 37°17'43", A LONG CHORD THAT BEARS N 45°09'28" E A DISTANCE OF 800.86 FEET, AND AN ARC LENGTH OF 815.17 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

N 63°48'17" E, A DISTANCE OF 93.50 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET IN THE SOUTHWEST R.O.W LINE OF SAID F.M. HWY NO 1641,

THENCE S 45°00'41" E, ALONG THE SOUTHWEST R.O.W LINE OF SAID F.M. HWY NO 1641 A DISTANCE OF 222.82 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET AT THE NORTH CORNER OF A TRACT OF LAND DESCRIBED AS "PARCEL 49, PART TWO" IN DEED TO THE STATE OF TEXAS RECORDED IN

VOLUME 1691, PAGE 239 D.R.K C T.,

THENCE ALONG THE SOUTHWEST LINES OF SAID "PARCEL 49, PART TWO" THE
FOLLOWING COURSES AND DISTANCES,

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1395.30 FEET, A DELTA
ANGLE OF 8°05'04", A LONG CHORD THAT BEARS S 41°38'03" E A
DISTANCE OF 196.72 FEET, AND AN ARC LENGTH OF 196.88 FEET TO A 5/8"
IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

S 45°15'44" E, A DISTANCE OF 164.04 FEET TO A 5/8" IRON ROD CAPPED
"CARTER & BURGESS" SET FOR CORNER;

N 44°44'16" E, A DISTANCE OF 10.87 FEET TO A 5/8" IRON ROD CAPPED
"CARTER & BURGESS" SET IN THE SOUTHWEST R.O.W LINE OF SAID F.M.
HWY NO. 1641,

THENCE ALONG THE SOUTHWEST R.O.W LINE OF SAID F.M. HWY NO 1641 THE
FOLLOWING COURSES AND DISTANCES;

S 45°00'41" E, A DISTANCE OF 2774.54 FEET TO A 5/8" IRON ROD CAPPED
"CARTER & BURGESS" SET FOR CORNER;

S 44°40'41" E, A DISTANCE OF 1308.90 FEET TO A 5/8" IRON ROD CAPPED
"CARTER & BURGESS" SET FOR CORNER;

ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1865.10 FEET, A
DELTA ANGLE OF 5°49'50", A LONG CHORD THAT BEARS S 41°45'46"
E A DISTANCE OF 189.72 FEET, AND AN ARC LENGTH OF 189.80 FEET TO A
CONCRETE HIGHWAY MONUMENT FOUND FOR CORNER;

S 38°50'41" E, A DISTANCE OF 116.60 FEET TO A 5/8" IRON ROD CAPPED
"CARTER & BURGESS" SET FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2909.90 FEET, A DELTA
ANGLE OF 6°14'59", A LONG CHORD THAT BEARS S 41°58'10" E A
DISTANCE OF 317.24 FEET, AND AN ARC LENGTH OF 317.40 FEET TO A 5/8"
IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER,

S 45°05'41" E, A DISTANCE OF 320.07 FEET TO THE POINT OF BEGINNING,
AND CONTAINING 195.765 ACRES OF LAND, MORE OR LESS.

TRACT 2 PROPERTY DESCRIPTION

BEING A 81.881 ACRE TRACT OF LAND SITUATED IN THE A. HYER SURVEY, ABSTRACT NO. 203, AND THE JOHN GREGG SURVEY ABSTRACT NO 171 IN THE CITY OF FORNEY, KAUFMAN COUNTY, TEXAS AND BEING A PORTION OF A TRACT OF LAND DESCRIBED AS "FIRST TRACT" AND A PORTION OF A TRACT OF LAND DESCRIBED AS "SECOND TRACT" IN DEED TO ELIZABETH ALEXANDER RECORDED IN VOLUME 588, PAGE 712. OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS (D.R.K.C.T). SAID 81.881 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID "SECOND TRACT" AND THE COMMON NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO McKELLER, L.P., RECORDED IN VOLUME 1417, PAGE 255 D.R.K.C T., SAID POINT ALSO BEING IN THE SOUTH LINE OF A TRACT OF LAND OF A TRACT OF LAND DESCRIBED IN DEED TO BETTY ANN KELLEY RECORDED IN VOLUME 1049, PAGE 842, D.R.K.D T.,

THENCE S 88°44'13" E, ALONG THE NORTH LINES OF SAID "SECOND TRACT" AND SAID "FIRST TRACT" AND THE COMMON SOUTH LINE OF SAID KELLEY TRACT, A DISTANCE OF 2953.36 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET IN THE NORTHEAST LINE OF SAID "FIRST TRACT" AND THE SOUTHWEST LINE OF AN APPARENT ABANDONED R.O W.,

THENCE S 45°00'00" E, ALONG THE NORTHEAST LINE OF SAID "FIRST TRACT AND THE COMMON SOUTHWEST LINE OF SAID APPARENT ABANDONED R.O W A DISTANCE OF 275.87 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET IN THE SOUTHWEST R.O W LINE OF F.M. HWY NO 1641, (90' R.O W), RECORDED IN VOLUME 355 PAGE 161, D R.K.C.T.,

THENCE ALONG THE NORTHEAST LINE OF SAID "FIRST TRACT" AND THE COMMON SOUTHWEST LINE OF SAID F.M. HWY NO 1641, THE FOLLOWING COURSES AND DISTANCES,

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 363.40 FEET, A DELTA ANGLE OF 14°42'22", A LONG CHORD THAT BEARS S 37°39'30" E A DISTANCE OF 93.02 FEET, AND AN ARC LENGTH OF 93.27 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

S 45°00'41" E, A DISTANCE OF 295.73 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR THE NORTH CORNER OF A TRACT OF LAND DESCRIBED AS "PARCEL 49, PART ONE" IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 1691. PAGE 239, D.R.K.C.T.,

THENCE ALONG THE NORTHWEST LINES OF SAID "PARCEL 49, PART ONE" THE FOLLOWING COURSES AND DISTANCES,

S 63°48'17" W, A DISTANCE OF 49.20 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1382.33 FEET, A DELTA ANGLE OF 30°52'41", A LONG CHORD THAT BEARS S 48°21'59" W A DISTANCE OF 735.99 FEET, AND AN ARC LENGTH OF 744.97 FEET TO A 5/8" IRON ROD

CAPPED "CARTER & BURGESS" SET FOR CORNER;

S 57°04'22" E, A DISTANCE OF 10.00 FEET TO A 5/8" IRON ROD CAPPED
"CARTER & BURGESS" SET FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1372.33 FEET, A DELTA
ANGLE OF 6°25'02", A LONG CHORD THAT BEARS S 29°43'07" W A DISTANCE
OF 153.62 FEET, AND AN ARC LENGTH OF 153.70 FEET TO A 5/8" IRON ROD
CAPPED "CARTER & BURGESS" SET FOR CORNER;

ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 8142.08 FEET, A
DELTA ANGLE OF 4°23'15", A LONG CHORD THAT BEARS S 28°42'16" W A
DISTANCE OF 623.32 FEET, AND AN ARC LENGTH OF 623.47 FEET TO A 5/8"
IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER IN THE
SOUTHWEST LINE OF SAID "FIRST TRACT" AND THE COMMON NORTHEAST
CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO JOHN W
O'BANNION, JR., RECORDED IN VOLUME 489, PAGE 723, D.R.K C T.,

THENCE N 45°00'00" W, ALONG THE SOUTHWEST LINE OF SAID "FIRST TRACT"
AND THE COMMON NORTHEAST LINE OF SAID O'BANNION TRACT, A DISTANCE
OF 2010.74 FEET TO A 3/4" IRON ROD FOUND FOR THE NORTHWEST CORNER OF
SAID "FIRST TRACT" AND THE COMMON NORTHEAST CORNER OF SAID
O'BANNION TRACT, SAID POINT ALSO BEING IN THE SOUTHEAST LINE OF SAID
"SECOND TRACT",

THENCE S 44°14'35" W, ALONG THE SOUTHEAST LINE OF SAID "SECOND TRACT"
AND THE COMMON NORTHWEST LINE OF SAID O'BANNION TRACT, A DISTANCE
OF 1514.51 FEET TO A WOODEN FENCE POST FOUND FOR THE SOUTHWEST
CORNER OF SAID "SECOND TRACT" AND THE COMMON SOUTHEAST CORNER OF
A TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF FORNEY, RECORDED IN
VOLUME 557, PAGE 223, D.R.K C T.,

THENCE N 44°58'05" W, ALONG THE SOUTHWEST LINE OF SAID "SECOND TRACT"
AND THE COMMON NORTHEAST LINE OF SAID CITY OF FORNEY TRACT, A
DISTANCE OF 967.28 FEET TO A 1" IRON PIPE FOUND FOR THE NORTHWEST
CORNER OF SAID "SECOND TRACT" AND THE COMMON NORTHEAST CORNER OF
SAID CITY OF FORNEY TRACT SAID POINT ALSO BEING IN THE SOUTHEAST LINE
OF SAID McKELLER, L.P., TRACT,

THENCE N 44°40'15" E, ALONG THE NORTHWEST LINE OF SAID "SECOND TRACT"
AND THE COMMON SOUTHEAST LINE OF SAID McKELLER, L.P., TRACT A
DISTANCE OF 1009.56 FEET TO THE POINT OF BEGINNING, AND CONTAINING
81.881 ACRES OF LAND, MORE OR LESS

EXHIBIT "B"

**Alexander Tracts
Planned Development Regulations**

Part 1. Subject Property

- A. **Tract 1.** These proposed Residential Planned Development Regulations shall apply to a 195.8 acre tract located southwest of FM 1641, and east of the proposed FM 548 right-of-way
- B. **Tract 2.** These proposed Commercial Planned Development Regulations shall apply to a 44.4± acre tract located south of the existing Union Pacific Railroad right-of-way, and west of the proposed FM 548 right-of-way
- C. **Tract 3.** The City's SF-R6 regulations, as amended, shall apply to a 37.5± acre tract located south of the existing Union Pacific Railroad right-of-way, and northwest of the abstract/survey line separating the John Gregg Survey, Abstract No. 171 and the A. Hyer Survey, Abstract No. 203

Part 2. Permitted Land Uses

- A. **Tract 1.** The use of land and buildings within Tract 1 shall be in accordance with the (SF-R6) Single Family Residential District of the City of Forney zoning ordinance, as amended.
- B. **Tract 2.** The uses of land and buildings within Tract 2 shall be in accordance with the Commercial (C) District of the City of Forney zoning ordinance, as amended.
- C. **Tract 3.** The uses of land and buildings within Tract 3 shall be in accordance with the SF-R6 Residential District of the City of Forney zoning ordinance, as amended.

Part 3. Height and Area Requirements

- A. **Tract 1.** Height and area regulations within Tract 1 shall be as follows:

Residential Height and Area Requirements	
Maximum Number of Lots in the Overall Development	628 lots
Minimum Lot Area (Sq. Ft.)	8,400 sf
Minimum Habitable Area per Residence (Sq. Ft.)	1,800 sf
Average Habitable Area for all Residences in the Overall Development (Sq. Ft.)	2,200 sf
Minimum Lot Width at Building Line (Ft.)	70'
Minimum Lot Depth (Ft.)	110' (except 100' for lots on cul-de-sacs and eyebrows)
Minimum Depth of Front Setback (Ft.)	25'
Minimum Depth of Front Setback (Ft.) for a House with a Side-Swing or Rear-Entry Garage	20'
Minimum Depth of Rear Setback (Ft.)	15'

Minimum Width of Side Setback -- Interior (Ft.) -- also see Part 4, subsection K.2.a. for side setbacks if garage door opening is on the side or rear of the home	6'
Minimum Width of Side Setback -- Corner (Ft.)	15'
Minimum Width of Side Setback -- Key Corner Lots (Ft.)	25' - Same as front setback of adjacent lot(s)
Minimum Setback for Garage Door Opening from any property line or street right-of-way line (Ft.)	25'
Maximum Height of Buildings (Ft.)	36'
Maximum Lot Coverage (%)	40%

- B. **Tract 2.** Height and area regulations within Tract 2 shall be in accordance with the Commercial (C) District of the City of Forney zoning ordinance, as amended.
- C. **Tract 3.** Height and area regulations within Tract 3 shall be in accordance with the SF-R6 Residential District of the City of Forney zoning ordinance, as amended.

Part 4. Development Standards – Tract 1

Development within Tract 1 shall be in accordance with the following additional special development standards:

- A. **FM 1641 Landscape Buffer Area.** A landscape buffer area with minimum width of 50 feet shall be provided adjacent to the edge of the right-of-way of FM 1641 (except for a very limited section of frontage at the southeastern end of the property, where the buffer area may be decreased to 30 feet due to right-of-way width deviations on F.M. 1641). Within the buffer area, an 8-foot wide sidewalk shall be provided and trees shall be planted within the landscape buffer area at a rate of 8 trees per 10,000 square feet of area. Berms and additional landscaping materials, including a variety of tall evergreen shrubs, shall be provided within the buffer area to help achieve the purpose of screening lots backing onto F.M. 1641. A screening/landscaping plan shall be submitted for review and approval either prior to, or along with, any final plat application that has lots adjacent to F.M. 1641
- B. **Perimeter Screening and Fencing.** A solid masonry screening wall with minimum height of 6 feet shall be provided at the rear lot line of residential lots adjacent to FM 548 and the proposed arterial road. An upgraded, stained cedar wood fence (board-on-board, with brick or stone masonry columns at 40 feet on center, with a distinctive wood cap, and with a variety of tall, evergreen landscape shrubs and trees along the fence and berms) with minimum height of 6 feet shall be provided on the common boundary between the open space/landscape buffer area and the residential lots along FM 1641. The fence along F.M. 1641 shall be supported by galvanized steel posts in the spans between masonry columns, and the support structure of the fence shall face toward the individual residential lots. The fence shall be maintained by the HOA.
- C. **Park Land and Open Space.** Within the development, two areas, totaling no less than 11 acres, shall be provided for open space or development of parks. Some of the park land shall be outside of drainage areas (i.e., “dry and usable land”), and all park land locations and configurations shall be subject to approval by the City’s Park Board and City Council. The open space areas shown on the plan may qualify for some, but not all, of the developer’s responsibility for public park areas per the Subdivision Ordinance. All open space areas, including the screening/landscape buffer along F.M. 1641, shall be conveyed to an HOA which shall be responsible for the maintenance of these open space and buffer areas, the perimeter fences and walls, and landscaping within street medians.
- D. **Exterior Residential Finish Materials.** A minimum of 80 percent of the total exterior wall surfaces of all residences, excluding window and door openings, shall have an exterior of brick, stone or other standard masonry material, per the City’s Zoning Ordinance, as amended (the use of stucco, EIFS or

other similar applied finish shall not qualify as "standard masonry"). The masonry requirement for each residence shall be evenly distributed around all facades of the house.

- E. **Roof Pitch and Roofing Materials.** The pitch of roof on a residence shall be no less than 6:12. Roofing materials shall be at least 25-year, textured composition roofing or better with a minimum of ½" decking.
- F. **Lot Landscaping.** Each residence shall provide a front yard that is solid-sodded with grass. No less than 8 shrubs and 2 trees (minimum 3 inch caliper) shall be planted in the front yard.
- G. **Off-Street Parking.** In addition to a two-car enclosed garage, 2 off-street parking spaces shall be provided for each residence on a concrete paved driveway. Parking of boats, motor homes or large trucks shall be prohibited on any lot.
- H. **Paving at Entrances to Development.** At each entry into the development from an arterial road, a strip of decorative brick pavers extending across the width of the roadway and no less than 10 feet in width shall be provided. All pedestrian crosswalk areas, sidewalks, and barrier-free ramps shall meet ADA requirements for accessibility.
- I. **Street Signs and Street Lights.** Decorative street signs and street light fixtures that are uniform throughout the development and approved by the City shall be installed.
- J. **Mailboxes.** Mailboxes within the development shall be of masonry construction.
- K. **Garage Opening Orientation.**
 - 1. **Front-Facing Garage Openings:**
 - a. No more than 25% of the residences constructed in Tract 1 may have garage door openings that face the street on the front of the lot.
 - b. Residences with front facing garage door openings may not be adjacent to each other
 - c. The garage façade with door openings facing the street on the front of the lot shall be no more than 3 feet in front of, or at least 3 feet behind, the front façade of the house.
 - 2. **Side- and Rear-Facing Garage Openings:**
 - a. For residences with garage door openings that face an interior side of a lot or the rear of a lot, the minimum side yard setback may be altered from 6 feet on both sides of an interior lot to a minimum of 3 feet on one side, and a minimum total of 12 feet for both sides of the lot, so long as the distance between residences is at least 12 feet (i.e., may be 3 feet on one side of the house if the setback on the lot next door is 9 feet such that a minimum distance of 12 feet is maintained between the two houses).
 - b. The minimum side yard adjacent to a street shall remain 15 feet (except for key corner lots, which shall observe the same front yard setback as the adjacent lot), and the minimum setback to a garage door opening (from any property or street right-of-way line) shall remain 25 feet.
- L. **Street Elevation Residential Design Features.** Each residence constructed in Tract 1 shall include at least one (1) of the following design features:
 - 1. The elevation of the structure (including any garage) facing the street shall contain at least one section of at least 20% of the total street elevation that is offset at least 3 feet from the remainder of the street elevation.
 - 2. The plate line of the exterior wall facing the street shall contain at least one section of at least 20% of the total street elevation that is at least 1 foot higher than the remainder of the plate line of the exterior wall facing the street.

3 One or more dormers comprising not less than 20% of the street elevation shall be incorporated into the roof design.

M. **Chimneys.** The exterior finish of chimneys shall be masonry

N **Emergency Storm Warning Siren.** The developer shall provide one emergency storm warning siren (with support structure) at a location to be mutually agreeable to the City and the developer

O **Other Requirements.** The development shall meet all other design standards for residential development in the City of Forney

Part 5. Development Plan

A. **Tract 1.** Development shall be in substantial conformance with the approved Development Plan. Some minor modifications to the street/lot layout may occur during the platting process, either by the City or by the developer. Such modifications shall address issues such as location/configuration of the proposed collector street and feeder streets, minimization of four-way intersections within the neighborhoods, street connections into adjacent properties, orientation of lots and street frontage adjacent to the proposed school site to the south, alignment of entry streets from F.M. 1641 pursuant to further analysis of the locations of existing streets and driveways on the north side of the road, addition of a second point of access from F.M. 1641 for the southern portion of the neighborhood, reduction of straight "raceway" streets within the neighborhood, and other traffic safety and efficiency concerns.

B. **Tract 2.** No development or construction shall be allowed prior to approval of a Development Plan, nor prior to subsequent approval of a preliminary and final plat in accordance with the City's Subdivision Ordinance, as amended, for all three Tracts, as well as approval of a final site plan (per the Zoning Ordinance, as amended) for the commercial uses on Tract 2 and for any non-residential uses on Tracts 1 and 3

C. **Tract 3.** Development of any usable land parcels (i.e., outside of the flood plain) shall be in conformance with a Development Plan that is submitted for City review and approval at some time in the future, subject to the results of a detailed flood study verifying the presence of developable land within this tract. No development, construction or alteration of the flood plain shall be allowed prior to approval of a FEMA flood study and a preliminary and final plat in accordance with the City's Subdivision Ordinance, as amended.