

ORDINANCE NO. 1114

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 MIXED USES FOR THE PROPERTY DESCRIBED AS 441.298 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, AND KNOWN AS FOX HOLLOW SOUTH; APPROVING PLANNED DEVELOPMENT STANDARDS HERETO AS EXHIBIT "B"; APPROVING A CONCEPT PLAN ATTACHED HERETO 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 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 Mixed Uses for the property described as 441.298 acres, more or less, in the Absalom Hyer Survey, Abstract No. 203, in the City of Forney, Kaufman County, Texas, known as Fox Hollow South, and more particularly described in Exhibit "A" attached hereto and made part hereof for all purposes.

SECTION 2. That the development standards for this Planned Development District are attached hereto as Exhibit "B", and the same are hereby approved for said Planned Development

District as required by Section 34a.3, of the Comprehensive Zoning Ordinance of the City of Forney, Texas.

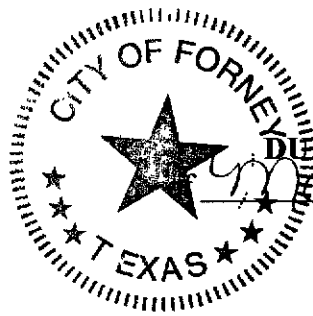
SECTION 3. That the concept plan for this Planned Development District is attached hereto as Exhibit "C", and the same is hereby approved for said Planned Development District as required by Section 34a.4, of the Comprehensive Zoning Ordinance of the City of Forney, Texas.

SECTION 4. That all ordinances of the City of Forney in conflict with the provisions of this ordinance be, and the same are hereby, repealed.

SECTION 5. 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 and Map as a whole.

SECTION 6. 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 7. 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 4 day
May, 2004

CITY OF FORNEY, TEXAS

Danell Groves
MAYOR

ATTEST:

Debra Moore
CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

EXHIBIT

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A

LEGAL DESCRIPTION**TRACT 1**

BEING all that tract of land in the City of Forney, Kaufman County, Texas, a part of the Absalom Hyer Survey, Abstract No. 203, and being all of that 285.670 acre tract of land conveyed to MCA-Forney Investments II, Ltd. as recorded in Volume 2335, Page 273, Kaufman County Deed Records, and being further described as follows:

BEGINNING at a one-half inch iron rod set at the intersection of the northeast line of Farm-to-Market Highway No. 741 (a 90 foot wide right-of-way) with the southeast line of Farm-to-Market Highway No. 548 (a 152.80 foot wide right-of-way at this point), said point being the south corner of a 8.4694 acre tract of land conveyed to the State of Texas as recorded in Volume 1691, Page 229, Kaufman County Deed Records;

THENCE along the southeast line of Farm-to-Market Highway No. 548 as follows:
North 44 degrees 19 minutes 47 seconds East, 26.32 feet to a one-half inch iron rod set for corner;
North 45 degrees 40 minutes 13 seconds West, 16.40 feet to a one-half inch iron rod set for corner;
North 44 degrees 19 minutes 47 seconds East, 1156.96 feet to a one-half inch iron rod set for corner;
Northeasterly, 1895.96 feet along a curve to the left which has a central angle of 13 degrees 08 minutes 53 seconds, a radius of 8262.08 feet, a tangent of 952.17 feet, and whose chord bears North 37 degrees 45 minutes 25 seconds East, 1891.81 feet to a one-half inch iron rod set at the north corner of said 285.670 acre tract of land, said point being the west corner of a 195.712 acre tract of land conveyed to MCA-Forney Investment Ltd. as recorded in Volume 2114, Page 597, Kaufman County Deed Records;

THENCE South 45 degrees 00 minutes 00 seconds East, 4287.58 feet along the southwest line of said 195.712 acre tract of land to a one-half inch iron rod set at the east corner of said 285.670 acre tract of land, said point being in the northwest line of High Meadows Addition, Section Three, an addition to Kaufman County as recorded in Cabinet 2, Page 132, Kaufman County Plat Records;

THENCE South 44 degrees 19 minutes 16 seconds West, 2680.89 feet along the southeast line of said 285.670 acre tract of land and along the northwest line of said High Meadows Addition, Section Three, to a one-half inch iron rod set at the east corner of a 2.000 acre tract of land conveyed to Mueller Family Partnership, Ltd. as recorded in Volume 1278, Page 194, Kaufman County Deed Records;

THENCE North 45 degrees 32 minutes 03 seconds West, 250.24 feet to a one-half inch iron rod found at the north corner of said 2.000 acre tract of land;

THENCE South 44 degrees 16 minutes 55 seconds West, 348.96 feet to a one-half inch iron rod set at the west corner of said 2.000 acre tract of land, said point being in the northeast line of Farm-to-Market Highway No. 741;

THENCE North 45 degrees 25 minutes 05 seconds West, 3804.84 feet along the northeast line of Farm-to-Market Highway No. 741 to the POINT OF BEGINNING and containing 12,443,799 square feet or 285.670 acres of land.

LEGAL DESCRIPTION

TRACT 2

BEING all that tract of land in the City of Forney, Kaufman County, Texas, a part of the Absalom Hyer Survey, Abstract No. 203, and being all of that 155.628 acre tract of land conveyed to MCA-Forney Investment II, Ltd. as recorded in Volume 2335, Page 273, and being further described as follows:

BEGINNING at a one-half inch iron rod set at the intersection of the northeast line of Farm-to-Market Highway No. 741 (a 90 foot wide right-of-way) with the northwest line of Farm-to-Market Highway No. 548 (a 152.80 foot wide right-of-way at this point), said point being the west corner of a 8.4694 acre tract of land conveyed to the State of Texas as recorded in Volume 1691, Page 229, Kaufman County Deed Records;

THENCE along the northeast line of Farm-to-Market Highway No. 741 as follows:

North 45 degrees 25 minutes 05 seconds West, 551.59 feet to a one-half inch iron rod set for corner;

Northwesterly, 432.84 feet along a curve to the left which has a central angle of 10 degrees 45 minutes 05 seconds, a radius of 2306.68 feet, a tangent of 217.06 feet, and whose chord bears North 50 degrees 47 minutes 37 seconds West, 432.21 feet to a one-half inch iron rod set for corner;

North 56 degrees 10 minutes 10 seconds West, 48.96 to a one-half inch iron rod set for corner in the southwest line of said 155.628 acre tract of land;

THENCE North 45 degrees 04 minutes 58 seconds West, 1198.01 feet to a one-half inch iron rod found at the west corner of said 155.628 acre tract of land, said point being the north corner of a 3.090 acre tract of land conveyed to Gordon T. West as recorded in Volume 1636, Page 60, Kaufman County Deed Records, said point being in the southeast line of a 10.036 acre tract of land conveyed to First Baptist Church, Forney, Texas, as recorded in Volume 1249, Page 295, Kaufman County Deed Records;

THENCE along the northwest line of said 155.628 acre tract of land as follows:

North 44 degrees 54 minutes 07 seconds East, 1605.33 feet to a bois d'arc fence post found at the east corner of a 8.687 acre tract of land conveyed to the City of Forney as recorded in Volume 557, Page 223, Kaufman County Deed Records, said point being in a southwest line of a 81.881 acre tract of land conveyed to MCA-Forney Investment Ltd. as recorded in Volume 2114, Page 597, Kaufman County Deed Records;

North 44 degrees 14 minutes 35 seconds East, 1514.51 feet along a southwest line of said 81.881 acre tract of land to a one-half inch iron rod set at the north corner of said 155.628 acre tract of land;

THENCE South 45 degrees 00 minutes 00 seconds East, 2010.74 feet along the northeast line of said 155.628 acre tract of land and along a southwest line of said 81.881 acre tract of land to a one-half inch iron rod set at the east corner of said 155.628 acre tract of land, said point being the north corner of said 8.4694 acre tract of land, said point being in the northwest line of Farm-to-Market Highway No. 548;

THENCE along the northwest line of Farm-to-Market Highway No. 548 as follows:

Southwesterly, 1897.98 feet along a curve to the right which has a central angle of 13 degrees 21 minutes 22 seconds, a radius of 8142.08 feet, a tangent of 953.31 feet, and whose chord bears South 37 degrees 39 minutes 06 seconds West, 1893.68 feet to a one-half inch iron rod set for corner;

South 44 degrees 19 minutes 47 seconds West, 1156.42 feet to a one-half inch iron rod set for corner;

North 45 degrees 27 minutes 32 seconds West, 16.40 feet to a one-half inch iron rod set for corner;

South 44 degrees 19 minutes 47 seconds West, 26.24 feet to the POINT OF BEGINNING and containing 6,779,138 square feet or 155.628 acres of land.

EXHIBIT B

ZONING FILE NO. 04-07

South of US Highway 80
Between FM 548 and FM 1641

PLANNED DEVELOPMENT CONDITIONS

- I. **Statement of Purpose:** The purpose and intent of this Planned Development District is to provide both single family residential uses and retail/office uses that are compatible with the natural characteristics of the land, such as topography, creeks, and floodplain, based on its location and access to major roadways. This district is intended to be composed of detached single family dwellings together with parks and an amenity center and a retail/office center in order to form a viable and unique neighborhood area.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 1085, as amended, except as specifically provided herein.
- III. **General Regulations:**
 - A. Tract 1 (Areas A, B, C, D, E, & F) and Tract 2 (Area A): All regulations of the SF-11 (Single Family Residential) District and SF-8 (Single Family Residential) District set forth in Sections 18 and 19 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
 - B. Tract 1 (Area G) and Tract 2 (Area B): All regulations of the GR (General Retail) District set forth in Section 29 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Development Plans:**
 - A. The Concept Plan for this Planned Development District is attached as Exhibit "C", incorporated herein by reference for Areas A, B, C, D, E, & F in Tract 1. However, in the event of conflict between the Concept Plan and the written conditions of this Ordinance, the written conditions shall apply. Development of this District shall be in general conformance with the Concept Plan.
 - B. A Concept Plan shall be approved as outlined in Section 12 of the Comprehensive Zoning Ordinance for Area G in Tract 1 and for Area B in Tract 2. Approval of the Concept Plan shall be based on general conformance with the approved Planned Development District conditions and regulations set forth in this ordinance. Approval of a Concept Plan through the zoning public hearing process (as outlined in Section 10) is only required for Area A in Tract 2, if the property is not developed as a park.
 - C. Concept Plan approval shall be for a period of one year from the date of City Council action on the plan. If within that one-year period a site plan has been submitted for a portion of the development, then the Concept Plan shall be deemed to have no expiration date. Site plans shall be valid for a period of one year from the date of City Council action on the plan.
 - D. Site Plan – A Site Plan shall be submitted in accordance with the requirements set forth in Section 12 of the Comprehensive Zoning Ordinance. The Site Plan may be for all or any part of the land zoned GR contained within the Planned Development District.

V. Specific Regulations (Tract 1, Areas A, B, C, D, E & F; Tract 2, Area A):

A. Permitted Uses: No uses shall be permitted except for the uses listed under the "SF-8 (Single Family Residential) District" in Section 19 of the Comprehensive Zoning Ordinance.

B. Areas A and B

Development shall take place in accordance with the development standards established for the SF-8 (Single Family Residential) District in Section 19 of the Comprehensive Zoning Ordinance, except as provided below

1. Minimum lot area – 9,000 square feet
2. Minimum lot width – 75 feet
3. Minimum lot depth – 110 feet
4. Minimum square footage of air conditioned space per dwelling unit - 2,000 square feet.
5. Minimum depth of front yard setback - 25 feet.
6. Minimum depth of rear yard setback - 20 feet
7. Minimum depth of side yard setback - 6 feet.
8. Maximum building coverage as a percentage of lot area – 35 percent. Swimming pools, spas, decks, patios, driveways, walks, and other similar elements shall not be included in determining maximum lot coverage.

C. Areas C and D

Development shall take place in accordance with the development standards established for the SF-11 (Single Family Residential) District in Section 18 of the Comprehensive Zoning Ordinance, except as provided below

1. Minimum lot area – 10,000 square feet.
2. Minimum lot width - 80 feet.
3. Minimum lot depth - 115 feet or 110 feet if lot is alley served.
4. Minimum square footage per dwelling unit – 2,200 square feet.
5. Minimum depth of front yard setback – 25 feet.
6. Minimum depth of rear yard setback -20 feet.
7. Minimum depth of side yard setback -6 feet.
8. Maximum building coverage as a percentage of lot area – 35 percent. Swimming pools, spas, decks, patios, driveways, walks, and other similar elements shall not be included in determining maximum lot coverage.

D. Area E

Development shall take place in accordance with the development standards established for the SF-11 (Single Family Residential) District in Section 18 of the Comprehensive Zoning Ordinance, except as provided below

1. Minimum lot area – 12,000 square feet.
2. Minimum lot width - 90 feet.

3. Minimum lot depth - 125 feet.
4. Minimum square footage per dwelling unit – 2,400 square feet.
5. Minimum depth of front yard setback – 25 feet.
6. Minimum depth of rear yard setback -20 feet.
7. Minimum depth of side yard setback -6 feet.
8. Maximum building coverage as a percentage of lot area – 35 percent. Swimming pools, spas, decks, patios, driveways, walks, and other similar elements shall not be included in determining maximum lot coverage.

E. Area F

Development shall take place in accordance with the development standards established for the SF-8 (Single Family Residential) District in Section 19 of the Comprehensive Zoning Ordinance, except as provided below

1. Minimum lot area – 8,400 square feet.
2. Minimum lot width - 70 feet.
3. Minimum lot depth - 110 feet.
4. Minimum square footage per dwelling unit – 2,000 square feet.
5. Minimum depth of front yard setback – 25 feet.
6. Minimum depth of rear yard setback -20 feet.
7. Minimum depth of side yard setback -6 feet.
8. Maximum building coverage as a percentage of lot area – 35 percent. Swimming pools, spas, decks, patios, driveways, walks, and other similar elements shall not be included in determining maximum lot coverage.

F. Area A of Tract 2

Development shall take place in accordance with the development standards established for the SF-11 (Single Family Residential) District in Section 18 of the Comprehensive Zoning Ordinance.

- G. Open Space/Park Fencing: - Where houses abut the internal open space or the linear park, tubular steel (wrought iron) shall be used for fencing material in order to provide an open view corridor adjacent to the open space.

- H. Perimeter Landscape Buffer Area – A landscape buffer area with a minimum width of 15 feet shall be provided adjacent to the edge of the right-of-way and adjacent to the proposed Parkway Thoroughfare (84-foot R.O W) and the proposed Major Arterial (Alexander Parkway, 100-foot R.O W). A minimum 10 foot wide landscape buffer area shall be provided adjacent to the rights-of-way of FM 548 and FM 741 Within the required 15-foot buffer areas, an eight-foot wide curvilinear sidewalk shall be provided. Within all required buffer areas trees shall be planted at a rate of eight (8) trees per 10,000 square feet of area. Berms and additional landscape materials, including a variety of tall evergreen

shrubs, shall be provided within the buffer area to help achieve the purpose of screening lots backing to these arterials. A screening/landscaping plan shall be submitted for review and approval either prior to or along with any final plat application. Landscape buffer areas shall be maintained by a Homeowners Association.

- I. Perimeter Screening and Fencing – A solid masonry screening wall with minimum height of six (6) feet shall be provided at the rear lot line of residential lots adjacent to FM 548, FM 741 and the proposed Major Arterial road (Alexander Parkway). 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) with minimum height of six (6) feet shall be provided on the common boundary between the landscape buffer area and the residential lots along the proposed Parkway Thoroughfare. This fence 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 Homeowner's Association.
- J. Linear Park Land and Open Space – Within the development, the areas along the existing drainage way, totaling approximately 17 acres (including floodplain) shall be provided for open space and development of a trail system and linear park. All open space areas, including the screening/landscape buffer along the arterials and parkway thoroughfares, shall be conveyed to a Homeowner/s Association which shall be responsible for the maintenance of these open space and buffer areas, the perimeter fences and walls, and landscaping within street medians. The linear park system shall be dedicated to and maintained by the Homeowners Association.
- K. Exterior Residential Finish Materials – A minimum of ninety (90%) percent of the first story of all 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 more or less evenly distributed around all facades of the house.
- L. Landscaping – Each residential lot shall have a front yard that is solid grass sod, and shall have eight (8) 3-gallon shrubs from the approved list, and two (2) 3-inch caliper trees installed in the front yard prior to certificate of occupancy. Caliper shall be measured as diameter at three feet from ground level.
- M. Fencing – Residential lot fencing shall be in accordance with the Comprehensive Zoning Ordinance. Any private fence facing a public street shall have the wood fence pickets (finished side) located on the street side of the fence support structure.
- N. Roof Pitch – The roof pitch of the homes shall be a minimum of 8:12 for gabled or hipped roofs only.
- O. Roofing Materials – Roofing materials shall be at least 25-year, textured composition (i.e., dimensional) roofing with a minimum 230 pound shingle strength and a minimum of ½ inch roof decking.
- P. Mail Boxes – Mail boxes shall be similar in style throughout the village and constructed of masonry or be a custom design (non-masonry).

- Q. Chimneys – All chimneys shall be one hundred (100%) percent masonry
- R. Street Elevation Residential Design Features – Each residence constructed in 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 twenty (20%) percent of the total street elevation that is offset at least three 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 twenty (20%) percent of the total street elevation that is at least one foot higher than the remainder of the plate line of the exterior wall facing the street.
- S. No garage doors may directly face a street. Front entry swing garages (i.e. - J-drives) shall not exceed fifty (50) percent of the platted lots in the entire Planned Development District.

VI. Specific Regulations (Tract 1, Area G; Tract 2, Area B):

- A. Height, Area and Yard Regulations:
 - 1 Maximum building height shall not exceed 50 feet except for special architectural features which may not exceed 68 feet in height. Maximum number of stories is 4
 - 2. Minimum lot area shall not be less than 5,000 square feet except for approved kiosks and ATM buildings.
 - 3. Minimum lot width shall be 50 feet.
 - 4 Minimum lot depth shall be 100 feet. There shall be no maximum lot depth.
 - 5. Minimum front setback shall be 25 feet from street right-of-way line. Where property has frontage on more than one street, one street frontage may be treated as a side boundary
 - 6. Minimum side and rear setbacks shall be 15 feet from street right-of-way line or boundary line of the planned development.
 - 7 There shall be no minimum interior side setback as long as fire separation standards are met.
 - 8. Lot coverage by buildings shall not exceed 60%.
 - 9. Maximum lot coverage by impervious surfaces is 95%.
 - 10. Maximum FAR is 1.1 except for non-retail uses.
 - 11 There is no maximum building size as long as fire standards and other site requirements, such as parking and landscaping, are met.
- B. Minimum Exterior Construction Standards, Building Materials and Design – Exterior Construction and Design Requirements shall comply with the standards set forth in Section 42 of the Comprehensive Zoning Ordinance, except as provided below
 - 1 There shall be a compatible architectural framework in which individual tenant character may be expressed. All buildings including parking

structures shall be finished on all sides in a compatible architectural concept and shall not detract from adjacent property

2. Ancillary support structures are to be of similar style, design, color, and material as that used for principal structures.
 3. Color schemes shall reflect a certain quality and expression consistent with the architectural character and design of the structure. Accent colors may be used to identify architectural features or highlight details. The use of primary or garish colors shall not be predominately used on the exterior facade of any structure. This shall not be intended to prevent or exclude a national or regional retailer from using their prototypes.
 4. Stand fans, skylights, cooling towers, communication towers, satellite dishes, vents, and any other structures or equipment, whether located on the roof or elsewhere, shall be architecturally compatible or effectively shielded from view from any public or private dedicated street by an architecturally sound method.
 5. Each commercial building, complex of buildings, or separate commercial business enterprises shall have a trash bin on the premises adequate to handle the trash and waste items generated, manufactured, or acquired thereon by such commercial activities. The sorting, handling, moving, storing, removing and disposing of all waste materials must be housed or screened from public view
 6. Building roofs shall be so designed and constructed to prevent water ponding and to shed water in a reasonable amount of time. Built-up roofs and roof-top items which include equipment, piping, flashing, and other items shall be maintained for continuity of the roof appearance.
 7. Roof top equipment, piping, flashing, and other items on the roof shall be screened by a perimeter parapet wall extending one foot taller than the tallest piece of roof equipment, so as not to be visible from roadways.
 8. In all cases, mechanical equipment on roofs and outcroppings should be clad by a like building material or painted with a color scheme similar to the principal structure walls or roof
- C. Service, Loading and Storage - Loading dock areas, storage areas, storage tanks, trash containers and maintenance facilities, that are located between the face of the building and a property line fronting on a public street shall either be housed in closed buildings or shall, with the exception of driveway ingress/egress points, be screened from view from public roadways by the use of retaining walls, parapet walls, living screens and berms or a combination thereof
- D. Site Lighting
1. Lighting should be provided for vehicular, pedestrian, signage, architectural and site features.
 2. Site lighting fixtures used along entrance driveways and parking areas shall be uniform and a consistent design within the development. Lighting standards for illuminating these areas shall be no taller than 60 ft. high.
 3. The pattern of light pooling from each fixture shall be carefully considered to provide smooth, even lighting of driveways and parking, while eliminating undesirable glare or light intrusion into adjacent property

outside of the planned development district. Parking areas shall have a minimum of 3-foot candles initial and a minimum average of 2-foot candle on a maintained basis. Light sources shall be metal halide, mercury vapor or of similar color. Yellow/orange source lights are prohibited from use. Incandescent source lighting should be considered for pedestrian areas and near buildings.

4. Pedestrian walkways, courts, gardens and entrance areas shall be illuminated to enhance the pedestrian qualities of the development. Low level fixtures should complement the architectural design and focus on quality landscape lighting that will enhance the development.
5. General illumination shall commence one half hour before sunset and last until the Building Site is closed for the evening. Parking structures and pedestrian walkways shall be illuminated during all hours of darkness and when poor weather conditions warrant.

E. Signage and Graphics: Signage shall comply with the standards set forth in Section 48 of the Comprehensive Zoning Ordinance, except as provided below

1. General

- a. Monument signs - One (1) monument sign shall be allowed on each lot and shall be limited to a maximum area of 50 square feet.
- b. Pylon signs - Two (2) pylon signs shall be permitted. Each pylon sign shall be limited to a maximum area of 150 square feet.

2. Monument Signs

- a. Monument signs shall identify individual tenants or uses within a tract or lot. Monument signs shall be a maximum of twelve (12) feet tall.
- b. Monument signs shall be illuminated by means of either ground mounted flood lighting or internal letter illumination either face lit or reverse channel lit. Light fixtures should be screened from view in front of the sign.
- c. Monument signs shall be located at a set back distance of not less than eight (8) feet from the right-of-way line of any adjacent street and incorporated within the landscaping area or buffer
- d. Construction of monument signs shall include a base of material compatible with the material used for buildings.

3. Pylon Signs

- a. Pylon signs shall be constructed at a height not to exceed twenty-five (25) feet.
- b. The base of a pylon sign shall be located at a set back distance of not less than eight (8) feet from the right-of-way line of any adjacent street and may be incorporated within the landscaping area or buffer
- c. Pylon signs shall be illuminated by means of internal illuminated letters or back lit channel letters. Letter sizes and logo shall not exceed the bounds of the sign faces as limited above.
- d. Construction of pylon signs shall include a base of material compatible with the material used for buildings.

4 Tenant Exterior Signage

- a. Each tenant shall be allowed primary identification signs on the exterior of the premises as follows:
 1. Inline tenant - one (1) sign
 2. End cap tenant – two (2) signs
 3. Freestanding tenant- three (3) signs
- b. Secondary message signs shall be allowed.
- c. Rotating, box, can (individual lighted channel letters are permissible), flashing, noise making, odor producing, or back-lit canopy signs shall not be permitted.
- d. All materials and components used in the manufacture and installation of tenant's sign shall be new stock, free from defects that impair strength, durability and appearance. All signage material shall be of non-corrosive material or treated to be non-corrosive.
- e. Signs of individual tenants with rentable space equal to or in excess of 15,000 sq. ft. shall have a maximum height of letters of 6 feet.
- f. Signs for tenants of less than 15,000 sq. ft. but equal to or in excess of 5,000 sq. ft. shall have a maximum height of letters of 48 inches.
- g. Signs for tenants of less than 5,000 sq. ft. shall have a maximum height of letters of 36 inches.
- h. Each letter of any such sign shall be at least 4" wide and shall not project from the surface more than 15 inches. Each letter shall be fastened individually to the building with stainless steel pins.
- i. The maximum overall length of any tenant's installed storefront sign shall not exceed 75% of the storefront width. If the tenant's fascia length is less than the storefront width, such as at the corners, then the tenant's maximum sign length shall be the lesser of (a) 90% of the allotted space or (b) 75% of the storefront width. No portable signs shall be placed by any tenant on the exterior of the premises.
- j. Tenants shall be allowed to place the store address numerals on the front of the storefront using 3" high white vinyl numbers in the Helvetica Medium typeface. These numbers shall be mounted on the exterior storefront glass as directed by the U.S. Postal Service.
- k. Store logo or name (maximum 3" high) may be used on glass or a graphic band to identify glass with maximum height being 36" from the floor
- l. Tenant shall be required to place the name of the store on the rear service door in letters which shall be 3" high.
- m. No banners, posters, flyers or advertising material of any kind shall be permitted to be mounted on the exterior glass or upon any exterior wall surface or structure, except as provided below. Notwithstanding the above, if the tenant opens later than 30 days after the "Grand Opening" of the center, tenant shall be allowed one "Grand Opening"

banner, limited in size to 50 sq ft. Tenant shall have a permit for such banner if required by code.

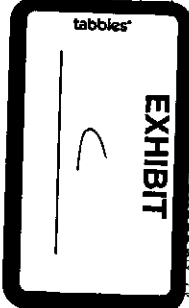
- n. Any proposed sign in violation of the standards may be approved by the City of Forney Board of Adjustment.

F Parking and Driveways:

- 1 Fire lanes, driveway, loading areas and access easements shall be paved in accordance with the minimum design standards of the City of Forney codes and ordinances in effect at the time of adoption of this planned development.
2. Required parking may be located anywhere on a lot or parcel on which the main structure is located. Required parking may also be located on an adjacent tract, lot or parcel within the planned development district provided a parking easement is shown on the plat for such tract, lot or parcel.
3. The number of required parking spaces shall be dependent upon the use and shall meet the requirements of the City of Forney ordinances.
- 4 No required parking space may be occupied by signs, cart corrals, merchandise, or display items at any time.

G. Landscape Standards:

- 1 All landscaping shall comply with the City of Forney standards as outlined in the City of Forney Zoning Ordinance Number 1085, as amended.
2. All planting shall be from the City of Forney approved plant list. In addition the following shall be allowed:
 - a. Miscanthus (Sinensis species)
 - b. Weeping Love Grass (Eragrostic curvula)
 - c. Mexican Feather Grass (Nassella tenuissima)
 - d. Mexican Wire Grass (Stipa tenuissima)



FOX HOLLOW PHASE
MCA - FORNEY LTD.
VOL. 2114, PG. 597
195.712 ACRES

FUTURE FOX HOLLOW
PHASE 2

MCA-FORNEY
INVESTMENT LTD.
VOL. 2114, PG. 597
TRACT 1
195.712 ACRES

TRACT	AREA
A	4
B	4
C	4
D	3
E	6
F	1
TOTAL	26

EXHIBIT

AMENITY CENTER (OPEN)
(APPROXIMATE 5.00 AC)

PHASE 1

TRACT 1
12,745,798 S.F.
285.670 ACRES

TRACT 2
6,779,138 S.F.
155.628 ACRES

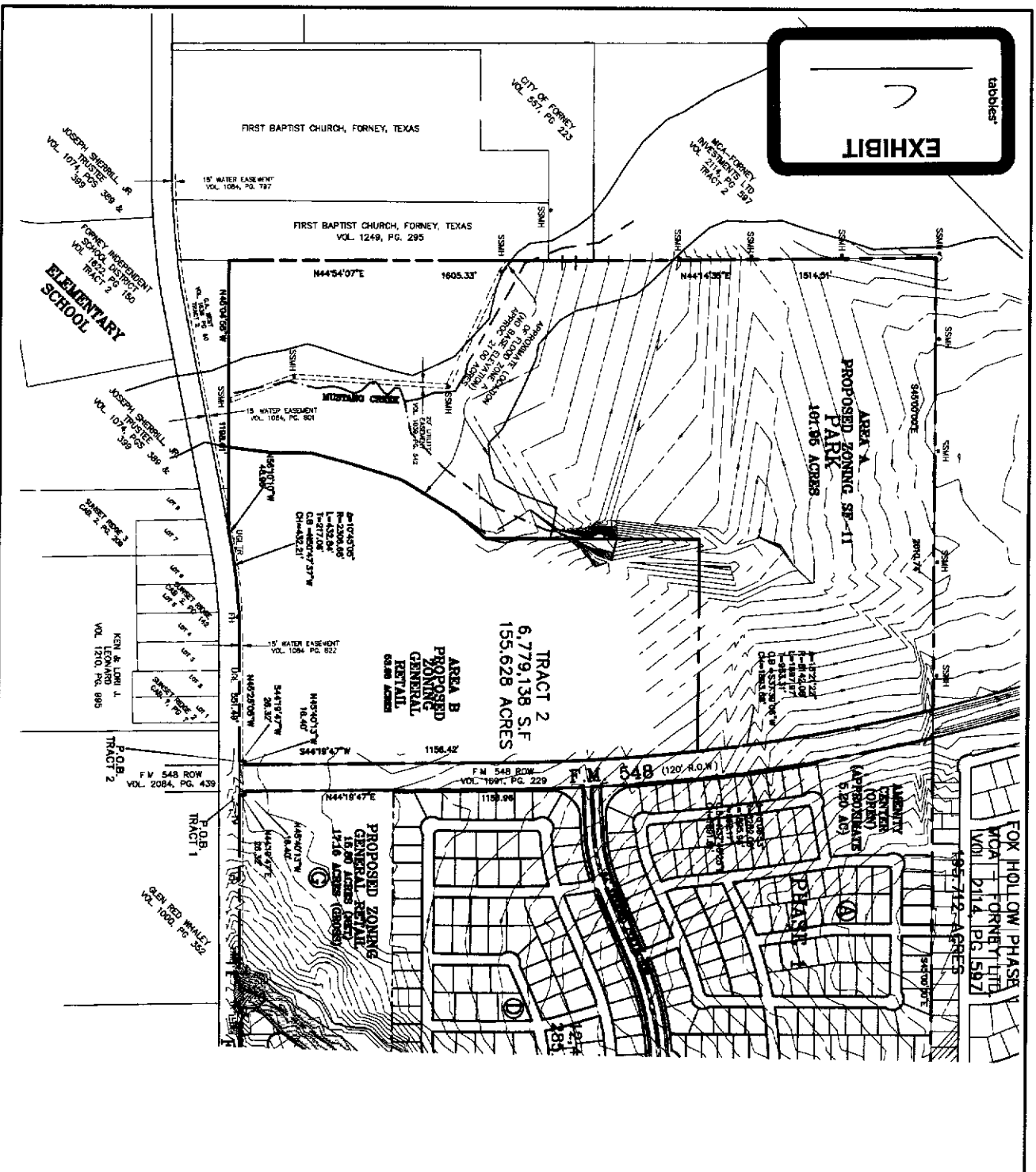
AREA B
PROPOSED ZONING
GENERAL RETAIL
84.00 ACRES

PROPOSED ZONING
GENERAL RETAIL
15.00 ACRES (NET)
17.18 ACRES (GROSS)

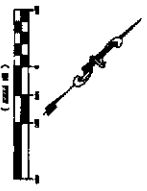
HIGH WADING ADDITION
SECTION THREE
PAGE 2, PG. 152

KEN & LORI I LEONARD VOL. 1210, PG. 995	P.O.B. TRACT 2 F.M. 548 ROW VOL. 2084, PG. 439	P.O.B. TRACT 1 GLEN RED WALLEY VOL. 1000, PG. 382	FORNEY INDEPENDENT SCHOOL DISTRICT FORNEY HIGH SCHOOL VOL. 986, PG. 811	GLEN RED WALLEY VOL. 1000, PG. 382	GLEN RED WALLEY VOL. 1000, PG. 382	WELLS FAMILY PARTNERSHIP, LTD. VOL. 1279, PG. 194 2,000 ACRES
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tabbles
EXHIBIT

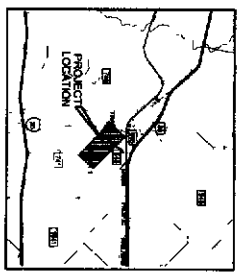


FOX HOLLOW PHASE 1
WDAI - FORNEY LTD
VOL 2114, PG 1597
195-712-4985



1 inch = 200 feet

- LEGEND**
- 1. PROPOSED ZONING
 - 2. EXISTING ZONING
 - 3. EXISTING STRUCTURES
 - 4. EXISTING UTILITIES
 - 5. EXISTING ROADS
 - 6. EXISTING TELEPHONE CABLE
 - 7. EXISTING POWER LINES
 - 8. EXISTING FLOOD PLAIN



LOCATION MAP
NOT TO SCALE

CONCEPT PLAN - TRACT 2
FOX HOLLOW SOUTH

44120M ADRES DRIFT OF
A. HVEN, ABSTRACT NO. 203
CITY OF FORNEY
KALAMAZOO COUNTY, TEXAS

OWNER & DEVELOPER
(727) 478-0916
(727) 888-1288

OWNER & DEVELOPER
JONES & BOND, INC.
73801 Texas Nationalway, Suite 200
Dallas, Texas 75248
(727) 248-7878
(727) 248-1414

Revised and Reauthorized: March 22, 2004
Submitted: March 1, 2004

