

Jones Hummel Holdings LLC

August 13, 2019

Community Development Department
City of Forney
101 E. Main Street
Forney, TX 75126

**Re: Project Narrative
Firestone Complete Auto Care
East Side of FM 548 approx. 300' North of FM 1641**

Enclosed for Community Development Review is the Site Plan, Plat & CUP for a 6,424 square foot Firestone Complete Auto Care facility. Firestone provides tire sales and installation, auto maintenance services such as tune-ups, fluid changes, brake work, alignment, etc. Firestone does not offer major engine or transmission overhaul services or paint & body work, etc. We have worked closely with the overall developer and the owners of the Race Trac property adjacent to the subject property to coordinate improvements and ensure an overall neighborhood friendly development.

The hours of operation are:

M – F: 7:00 AM – 7:00 PM
Sat: 7:00 AM – 7:00 PM
Sun: 9:00 AM – 5:00 PM

We look forward to your review comments.

Sincerely,



Steve C. Meier, AIA
Director of Development
Jones Hummel Holdings LLC

CITY OF FORNEY, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FORNEY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. 1085, AND MAP, AS AMENDED, BY CHANGING THE ZONING FROM COMMERCIAL DISTRICT (C) TO COMMERCIAL DISTRICT (C) WITH A CONDITIONAL USE PERMIT (CUP) FOR AUTO REPAIR (MINOR) TO OPERATE AS A PRIMARY USE ON APPROXIMATELY 1.336 ACRES OF LAND IN THE A. HYER SURVEY, ABSTRACT NO. 203, IN THE CITY OF FORNEY, KAUFMAN COUNTY, TEXAS, IN ACCORDANCE WITH THE CITY'S COMPREHENSIVE MASTER PLAN AND ZONING ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE

WHEREAS, the City of Forney, Texas ("City") is a home-rule city possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of the Texas Local Government Code, and the Home Rule Charter for the City of Forney, Texas; and

WHEREAS, the City Council of the City of Forney ("City Council"), pursuant to Chapter 211 of the Texas Local Government Code, as amended, possesses the power to regulate zoning and development in the City; and

WHEREAS, a public hearing was held before the Planning & Zoning Commission and a public hearing was held before the City Council, after due notice thereof was had in accordance with the Comprehensive Zoning Ordinance of the City of Forney, Texas ("Zoning Ordinance") regarding the rezoning sought hereby; and

WHEREAS, at such public hearings all persons having any interest in doing so were afforded an opportunity to be heard concerning the proposed zoning change; and

WHEREAS, all legal requirements, conditions, and prerequisites have been complied with prior to this case coming before the City Council; and

WHEREAS, the City Council further finds and determines that the proposed amendment to the Zoning Ordinance is in the best interest of the health, safety, morals, and general welfare of the City of Forney, Texas.

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

Section 1. FINDINGS INCORPORATED

The findings set forth above are found to be true and correct and are hereby incorporated into the body of this Ordinance for all purposes as if fully set forth herein.

Section 2. ZONING AMENDED

From and after the effective date of this Ordinance, the property described herein shall be rezoned as set forth in this section, and the official zoning map of the City of Forney, Texas, is hereby amended and changed in the following particulars to reflect the action taken herein, and all other existing sections, subsections, paragraphs, sentences, definitions, phrases, and words of said Zoning Ordinance are not amended, but shall remain intact and are hereby ratified, verified, and affirmed to create a change in the zoning classification of the property described herein, as follows:

That certain tract of land in the City of Forney, Kaufman County, Texas, being approximately 1.336 acres of land in the A. Hyer Survey, Abstract No. 203, and more fully described in Exhibit "A" attached hereto and incorporated herein by reference for all purposes ("Property"), presently zoned for Commercial District (C) uses, is hereby rezoned to Commercial District (C) uses with a Conditional Use Permit (CUP) for Auto Repair (Minor), to operate as a primary use in accordance with specific requirements in the City's Comprehensive Plan, the Comprehensive Zoning Ordinance of Forney, Texas, and the Concept Plans, prepared in accordance with Section 12 of the Zoning Ordinance, attached hereto as Exhibit "B" and incorporated herein by reference for all purposes allowed by law.

Section 3. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the words, phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any word, phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of any such unconstitutional word, phrase, clause, sentence, paragraph or section.

Section 4. SAVINGS CLAUSE

The Comprehensive Zoning Ordinance of the City of Forney, Texas, Ordinance No. 1085, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 5. REPEALER CLAUSE

Any provision of any prior ordinance of the City, whether codified or uncoded, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncoded, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 6. PENALTY CLAUSE

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$2,000.00 for each offense, and each and every violation or day such violation shall continue or exist, shall be deemed a separate offense.

Section 7. EFFECTIVE DATE

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.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Forney, Texas, this ____ day of _____, 2019.

Mary Penn, Mayor

ATTEST:

Dorothy Brooks, TRMC, CMC, City Secretary

APPROVED AS TO FORM:

Jon Thatcher, City Attorney

EXHIBIT "A"
DESCRIPTION OF PROPERTY

STATE OF TEXAS
COUNTY OF KAUFMAN

BEING that certain 1.336 acre tract of land situated in the Absalom Hyer Survey, Abstract No. 203, City of Forney, Kaufman County, Texas, and being a portion of that certain tract of land conveyed to New Horizons Enterprises, Inc., by deed recorded in Volume 1264, Page 950, Deed Records, Kaufman County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found with Vannoy cap for the northwest corner of the herein described tract, same being in the southeast intersection of Texas & Pacific Railroad and F.M. 548 South (variable width right of way, 130 foot at this point);

THENCE South 89 deg. 03 min. 15 sec. East, along the north line of said New Horizons tract, and the south line of said Texas & Pacific Railroad, a distance of 291.87 feet to a 1/2 inch iron rod set for the northeast corner of the herein described tract;

THENCE through the interior of said New Horizons tract as follows:

South 00 deg. 58 min. 53 sec. West, a distance of 151.15 feet to a 1/2 inch iron rod set for the southeast corner of the herein described tract;

South 67 deg. 12 min. 03 sec. West, passing at a distance of 12.30 feet the north corner of that certain tract of land to Mountainprize, Inc., by deed recorded in Volume 5385, Page 204, aforesaid Deed Records, and continuing along the northerly line of said Mountainprize tract, a total distance of 267.42 feet to an 'X' cut set in concrete for the south corner of the herein described tract, same being the northwest corner of said Mountainprize tract, same being in the east right-of-way line of aforesaid F.M. 548 South, same being the beginning of a non-tangent curve to the right having a radius of 1265.30 feet, a delta angle of 02 deg. 39 min. 21 sec., and a chord bearing and distance of North 11 deg. 47 min. 18 sec. West, 58.64 feet;

THENCE along the common line of said New Horizons tract, and the east right-of-way line of said F.M. 548 South

In a northwesterly direction, along said non-tangent curve to the right, an arc distance of 58.65 feet to a TXDOT aluminum monument found for an angle point;

South 79 deg. 32 min. 22 sec. West, a distance of 10.00 feet to a TXDOT aluminum monument found for an angle point, same being the beginning of a non-tangent curve to the right having a radius of 1275.30 feet, a delta angle of 09 deg. 13 min. 20 sec., and a chord bearing and distance of North 05 deg. 50 min. 58 sec. West, 205.05 feet;

In a northwesterly direction, along said non-tangent curve to the right, an arc distance of 205.27 feet to the POINT OF BEGINNING and containing 58,196 square feet or 1.336 acres of computed land, more or less.

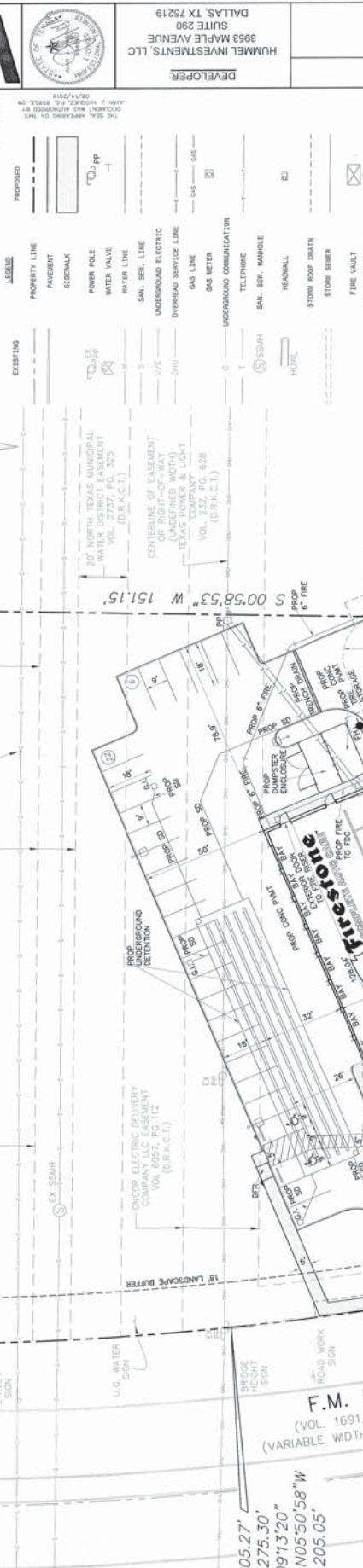
EXHIBIT "B"
CONCEPT PLAN (ATTACHED)

SITE PLAN

LOT 1, BLOCK 1
FIRESTONE ADDITION
CITY OF FORNEY, TEXAS

DEVELOPER:
HUMMEL INVESTMENTS, LLC
3953 MAPLE AVENUE
SUITE 290
DALLAS, TX 75219

ENGINEER:
VASQUEZ ENGINEERING, L.L.C.
1919 S. SHILOH ROAD
GARLAND, TEXAS 75042
PH: 972-272-4810
TX REGISTRATION # 12296



SITE SUMMARY TABLE

Site Address:	XXXX F.M. 548
County:	KAUFMAN
Project Name:	FIRESTONE
Zoning District:	C/COMMERCIAL DISTRICT
Proposed Use:	AUTO REPAIR (MINOR)
Site Area:	1.336 ACRES 58,196 S.F.
Building Area:	FIRESTONE/6,425 S.F.
Building Height:	1 STORY 25'-0"
Garage Area:	6,542 S.F. / 28,198 ± 11.0%
Storage Area:	6,542 S.F. / 28,198 ± 11.1%
Max Floor Area Ratio:	1:1
Parking Required:	1 BPC/500 S.F. SALES/OFFICE/INDOOR USES 1 BPC/REPAIR BAY OR SERVICE AREA (2825/500) (8/1) = 14 SPACES
Parking Provided:	2 BPC/REPAIR BAY OR SERVICE AREA 2 BPC/REPAIR BAY OR SERVICE AREA = 2 RACKS
Bicycle Parking:	2 BPC/REPAIR BAY OR SERVICE AREA 2 BPC/REPAIR BAY OR SERVICE AREA = 2 RACKS
Other:	2 BPC/REPAIR BAY OR SERVICE AREA 2 BPC/REPAIR BAY OR SERVICE AREA = 2 SPACES
Total Parking:	2 BPC/REPAIR BAY OR SERVICE AREA 2 BPC/REPAIR BAY OR SERVICE AREA = 28 SPACES
Impervious Area:	28,788 S.F.
Impervious Area Ratio:	28,788 S.F. / 98,136 ± 51.2%
Permeable Area Ratio:	28,410 S.F. / 98,136 ± 48.8%
Parking Area:	21,288 S.F.

NOTES:

1. ENCLOSURE SUBMITTED BY PRISER & WALKER SURVEYING, LLC DATED JUNE 11, 2019.
2. SEE CIVIL SHEETS FOR CIVIL SITE DESIGN.
3. SEE LANDSCAPE PLANS FOR SITE LANDSCAPE.
4. ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING OR AS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING OR AS OTHERWISE NOTED.

EXPLANATIONS:

* CUT SET ON AN INLET ON THE SOUTH SIDE OF THE ACCESS DRIVE ALONG THE SOUTH SIDE OF THE SUBJECT PROPERTY, APPROXIMATELY 148 FEET NORTHWEST FROM THE 800' SOUTHERLY PROPERTY CORNER. ELEVATION= 474.08 FEET

BIKE RACK DETAIL

3/8" ANCHOR ROD
EMBED DEPTH & ANCHORAGE
RECOMMENDATIONS MIN OF
BASE, EACH POST
9" INTO CONCRETE FOOTING