

ORDINANCE NO. 1123

AN ORDINANCE OF THE CITY OF FORNEY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, SO AS TO AMEND AN EXISTING PLANNED DEVELOPMENT DISTRICT FOR GENERAL RETAIL USES FOR THE PROPERTY DESCRIBED AS 20.409 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 A PART OF MUSTANG CROSSING; APPROVING PLANNED DEVELOPMENT STANDARDS HERETO AS EXHIBIT "B"; APPROVING A CONCEPT PLAN ATTACHED HERETO AS EXHIBIT "C"; APPROVING A CONCEPTUAL DESIGN FOR A PYLON SIGN ATTACHED HERETO AS EXHIBIT "D"; APPROVING ASPHALT PAVING STANDARDS ATTACHED HERETO AS EXHIBIT "E"; 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 amend a Planned Development District for General Retail Uses for the property described as 20.409 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, 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 the conceptual design for a permitted pylon sign for this Planned Development District is attached hereto as Exhibit "D"

SECTION 5. That the asphalt paving standards for this Planned Development District is attached hereto as Exhibit "E".

SECTION 6. That all ordinances of the City of Forney in conflict with the provisions of this ordinance be, and the same are hereby, repealed.

SECTION 7. 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 8. 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 9. 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 20 day of July, 2004.



CITY OF FORNEY, TEXAS

Daniel Brown
MAYOR

ATTEST:

Odean Moore
CITY SECRETARY

EXHIBIT A
Legal Description

ALL THAT CERTAIN lot, tract, or parcel of land situated within the A. Heyer Survey Abstract 203 and being a part of a called 99.021 acre tract as described in a deed to Boyle - Fort Worth L.P dated March 5, 2002 and recorded in Volume 1977, Page 649 in the Deed Records of Kaufman County, Texas, and being more completely described as follows:

COMMENCING at 1/2 inch rod found in the north right of way line of U S. Highway 80, same being the southeast corner of said 99.021 acre tract;

THENCE North 00 deg. 53 min. 52 sec. East along the east line of said 99.021 acre tract, a distance of 938.66 feet to a point for corner in said line;

THENCE North 65 deg. 19 min. 32 sec. West across said 99.021 acre tract, a distance of 852.90 feet to a 5/8 inch iron rod set, and being the PLACE OF BEGINNING of hereon described tract;

THENCE across said 99.021 acre tract as follows:

South 24 deg. 40 min. 27 sec. West, a distance of 968.66 feet to a 5/8 inch iron rod set for corner,

North 65 deg. 20 min. 04 sec. West, a distance of 622.99 feet to a 5/8 inch iron rod set for corner,

South 24 deg. 40 min. 24 sec. West, a distance of 295.56 feet to a 5/8 inch iron rod set in the north right of way line of U.S. Highway No. 80 and being in a curve to the right;

THENCE along said north right of way line and said curve to the right having a Delta of 01 deg. 29 min. 58 sec., a Radius of 5,539.58 feet, a Chord which bears North 68 deg. 21 min. 59 sec. West a distance of 144.97 feet, and an Arc distance of 144.98 feet to an aluminum disc found for the southeast corner of a called 5.4395 acre tract (Parcel 52) as described by deed to State of Texas recorded in Volume 1985, Page 162 in said Deed Records, and being in the east right of way line of proposed Farm to Market Highway No. 548;

THENCE North 21 deg. 53 min. 51 sec. East along said east right of way line, a distance of 257.75 feet to an aluminum disc found for corner and being the beginning of a curve to the left;

THENCE continuing along said east right of way line and said curve to the left having a Delta of 10 deg. 59 min. 07 sec., a Radius of 2,356.58 feet, a Chord which bears North 16 deg. 24 min. 18 sec. East a distance of 451.13 feet, and an Arc distance of 451.82 feet to an aluminum disc found for corner at the end of said curve;

THENCE North 10 deg. 54 min. 29 sec. East continuing along said east right of way line, a distance of 584.92 feet to a 5/8 inch iron rod set for corner;

THENCE South 65 deg. 19 min. 32 sec. East across said 99.021 acre tract, a distance of 984.32 feet to the PLACE OF BEGINNING containing **20.409** acres (889,036 square feet) of land.

EXHIBIT B

ZONING FILE NO. 04-12

NE Corner
US Highway 80 and FM 548

PLANNED DEVELOPMENT CONDITIONS

- I. **Statement of Purpose:** The purpose and intent of this Planned Development District is to permit the development of retail uses and to amend certain development conditions.
- 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:** 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 as adopted on August 19, 2003, except as otherwise specified by this ordinance.
- IV. **Development Plans:**
 - A. **Concept Plan:** A concept plan shall be submitted in accordance with the requirements of the City of Forney Comprehensive Zoning Ordinance. The Concept Plan may be for the entire area of land contained within the Planned Development District or any portion thereof. The Concept Plan may be amended from time to time, subject to review and approval by the City.
 - B. **Site Plan:** A site plan shall be submitted in accordance with the requirements of the City of Forney Comprehensive Zoning Ordinance. The site plan may be for all or any part of the land contained within the Planned Development District.
 - 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.
- V. **Specific Regulations:**
 - A. **Permitted Uses:** No uses shall be permitted except for the following
 - Agricultural Uses**
 1. Greenhouse
 2. Hay, Grain, and/or Feed Sales
 - Office Uses**
 1. Armed Services Recruiting Center
 2. Check Cashing Services
 3. Credit Agency
 4. Insurance Agency Offices
 5. Offices (Brokerage Services)
 6. Offices (Health Services)
 7. Offices (Legal Services)
 8. Offices (Medical Office)
 9. Offices (Professional)
 10. Real Estates Offices

11. Telemarketing Agency
12. Bank
13. Savings and Loan
14. Security Monitoring Company (no outside storage)

Personal and Business Service Uses

1. Appliance Repair
2. Artist Studio
3. Ambulance Service (Private)
4. Automobile Driving School (including defensive driving)
5. Automatic Teller Machine (ATM's)
6. Barber/Beauty Shop/College (barber or cosmetology school or college)
7. Barber/Beauty Shop (non-college)
8. Communication Equipment Sales/Service (installation and/or repair – no outdoor sales, storage, or towers/antennae)
9. Computer Sales
10. Credit Unions
11. Dance/Drama/Music Schools (performing arts)
12. Extended Stay Hotels/Motels (residence hotels)
13. Financial Service (advice/invest)
14. Hotel/Motel
15. Martial Arts School/Dance Studio
16. Kiosk (providing a service)
17. Laundry/Dry Cleaning (drop off/pick up)
18. Locksmith
19. Photo Studio
20. Photocopying/Duplicating
21. Shoe Repair
22. Studio for Radio or Television
23. Tailor Shop
24. Tool Rental (indoor storage only)
25. Tool Rental (with outdoor storage)
26. Travel Agency

Retail Uses

1. Alcoholic Beverage Retail Sales (only if permitted within Forney City Limits)
2. All-Terrain Vehicle (go-carts) Dealer/Sales
3. Antique Shop
4. Art Dealer/Gallery
5. Auto Dealer (new – auto servicing and used auto sales as accessory uses only)
6. Auto Dealer (used auto sales)
7. Auto Supply Store (for new and rebuilt parts)
8. Bakery
9. Bike Sales and/or Repair
10. Book Store
11. Building Material Sales
12. Cafeteria
13. Confectionery Store (retail)
14. Consignment Shop
15. Convenience Store (without gas sales)

16. Department Store
17. Drapery Shop/Blind Shop
18. Florist
19. Food or Grocery Store
20. Furniture Sales (indoor)
21. Garden Shop (inside and outside)
22. General Retail Stores
23. Handicraft Shop
24. Hardware Store
25. Home Improvement Center
26. Lawnmower Sales and/or Repair
27. Major Appliance Sale/Rental (indoor)
28. Motorcycle Dealer (new/repair indoor)
29. Personal Watercraft Sales (new/repair indoor)
30. Needlework Shop
31. Pet Shop/Supplies/Grooming
32. Pharmacy
33. Plant Nursery (retail sales/outdoor storage)
34. Recycling Kiosk
35. Restaurant
36. Restaurant (drive-in)
37. Retail Store (miscellaneous)
38. Security Systems Installation Company
39. Temporary Outdoor Retail Sales/Commercial Promotion (permitted in locations shown on the concept plan or approved site plan)
40. Upholstery Shop (non-auto)
41. Used Merchandise/Furniture Store
42. Vacuum Cleaner Sales and Repair
43. Veterinarian (indoor kennels)
44. Woodworking Shop (ornamental)

Transportation and Automotive Uses

1. Auto Accessories
2. Auto Body Repair
3. Auto Leasing and Rental
4. Auto Glass Repair/Tinting
5. Auto Interior Shop/Upholstery
6. Auto Muffler Shop
7. Auto Paint Shop
8. Auto Parts Sales (indoors only; no repair bays)
9. Auto Repair (major and minor)
10. Auto Tire Repair/Sales (indoor)
11. Car Wash (self-service; automated)
12. Full Service Car Wash (detail shop)
13. Gasoline Service Station
14. Limousine/Taxi Service
15. Public Garage/Parking Structure
16. Quick Lube/Oil Change/Minor Inspection
17. Tire Sales (indoor)
18. Truck Rental

Amusement and Recreational Uses

- 1 Amusement Devices/Arcade (four or more devices, indoors only)
2. Amusement, Commercial (indoors)
3. Amusement, Commercial (outdoors)
- 4 Billiard/Pool Facility (three or more tables)
5. Bingo Facility
6. Bowling Center
- 7 Broadcast Station (with tower – by CUP only)
8. Dance Hall/Dancing Facility
- 9 Day Camp
10. Dinner Theater
- 11 Driving Range
12. Earth Satellite Dish (private, less than 3 feet in diameter)
13. Exhibition Hall
- 14 Golf Course (miniature)
15. Golf Course (private or public)
16. Health Club (physical fitness; indoor only)
- 17 Motion Picture Studio (commercial film)
18. Museum (indoors only)
- 19 Park and/or Playground (private)
20. Park and/or Playground (public; municipal)
- 21 Skating Rink
22. Swimming Pool (private; membership)
23. Swimming Pool (public; municipal)
- 24 Tennis Court (private/lighted)
25. Tennis Court (private/not lighted)
26. Theater (non-motion picture; live drama)
- 27 Video Rental/Sales

Institutional/Governmental Uses

- 1 Antenna (non-commercial, by CUP only)
2. Antenna (commercial , by CUP only)
3. Assisted Living Facility
- 4 Broadcast Towers (commercial by CUP only)
5. Cellular Communications Tower/PCS (by CUP only)
- 6 Child Day Care (business)
- 7 Civic Club
8. Clinic (medical)
9. Community Center (municipal)
10. Electrical Substation
- 11 Electrical Transmission Line
12. Emergency Care Clinic
13. Fire Station
- 14 Franchised Private Utility (not listed)
15. Fraternal Organization
16. Gas Transmission Line
- 17 Governmental Building or Use (County, State, or Federal)
18. Group Day Care Home
19. Hospice
20. Hospital (acute care/chronic care)
- 21 Library (public)

22. Mailing Service (private)
23. Maternity Homes
24. Municipal Facility or Use
25. Non-Profit Activities by Church (in furtherance or church/religious purposes)
26. Nursing/Convalescent Home
27. Philanthropic Organization
28. Phone Exchange/Switching Station
29. Police Station
30. Post Office (governmental)
31. Radio/Television Tower (commercial, by CUP only)
32. Rectory/Parsonage
33. Retirement Home/Home for the Aged
34. School, K through 12 (private)
35. School, K through 12 (public)
36. School, Vocational (business/commercial trade)
37. Utility Distribution Line
38. Water Supply Facility (private)
39. Water Supply Facility (public; includes elevated water storage)

Commercial and Wholesale Trade Uses

1. Book Binding
2. Feed and Grain Store/Farm Supply Store
3. Furniture Manufacture (by CUP only)
4. Heating and Air Conditioning Sales/Services
5. Propane Sales (retail – bottle sales or refill only)
6. Taxidermist
7. Veterinarian (indoor kennels or pens only)
8. Warehouse/Office

Light Industrial/Manufacturing Uses

1. Contractor's Office/Sales (no outside storage, including vehicles)
2. Contractor's Office/Sales (with outside storage, including vehicles, by CUP only)
3. Contractor's Temporary On-Site Construction Office (only with permit)
4. Electronic Assembly
5. Manufacturing and/or Repair
6. Laboratory Equipment Manufacturing
7. Maintenance and Repair Service for Buildings
8. Micro Brewery (on-site manufacturing and sales, only if permitted within the Forney City Limits)
9. Outside Storage (incidental to main use only)
10. Plumbing Shop
11. Sign Manufacturing
12. Sign Shop (small scale, such as a storefront; includes sign and banner making for retail sale only)
13. Stone/Clay/Glass Manufacturing

B. Height, Area and Yard Regulations

1. Maximum building height shall not exceed 50 feet except for special architectural features which may not exceed 90 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 District.
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 90%
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.

C. Minimum Exterior Construction Standards, Building Materials and Design

The objective is to obtain compatibility and quality in architectural design to protect and enhance value of the development and each building site. Attention should be given to the compatible treatment of all exterior surfaces. The developer shall maintain an architectural control committee to help ensure compatibility and quality within the development.

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 or similar style, design, color, and material as that used for principal structures.
3. Building materials shall be of permanent, lasting quality such as masonry, stone, E.I.F.S., GFRC, pre-cast concrete, cast stone, tile, stucco, cast iron, glass, wood (or synthetic wood products), etc. For buildings greater than or equal to 10,000sf, a minimum of 5% of the front facade shall be stone comparable to natural quarried Lueders. For buildings less than 10,000sf, a minimum of 10% of the front facade shall be stone comparable to natural quarried Lueders. No artificial stone will be allowed as a substitute for this requirement.

4. 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.
5. 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.
6. 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
7. 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.
8. Roof top equipment, piping, flashing, and other items on the roof shall be screened by a perimeter parapet wall with a minimum height of two (2) feet and a maximum height of four (4) feet, averaging three (3) feet in height, so as not to be visible from roadways. The parapet wall shall have a decorative cap, similar to the decorative cap located on the front parapet wall.
9. 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

D. 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

E. 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.

F Signage and Graphics

1 General

- a. Monument or pylon sign locations shall be approved as shown on the concept plan or site plan.
- b. The number of signs allowed within the development shall be as follows:
 - 1 Monument signs - Along US 80 and FM 548 a monument sign shall be allowed at each driveway and/or on each lot.
 2. Pylon signs - Along US 80, 5 pylon signs shall be allowed east of FM 548 and 2 pylon signs shall be allowed west of FM548. Along FM 548, 2 pylon signs shall be permitted on each side of FM548.

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. The face area of a monument sign shall not exceed 150 square feet per face. The base area may not exceed seventy-five (75) square feet per side.
- 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. Along US 80, pylon signs shall be constructed at a height not to exceed fifty (50) feet. Along FM 548, pylon signs shall be constructed

at a height not to exceed thirty (30) feet. The face area of a pylon sign shall not exceed 300 square feet per face. The base area for a pylon sign shall not exceed 100 square feet per face area. A conceptual plan of a pylon sign is shown on Exhibit C.

- 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. Endcap 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 8 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 60 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 sign in violation of the standards may be approved by the City of Forney Board of Adjustment or Sign Board.

G. 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. Parking areas outside of fire lanes, loading areas and access easements may be paved with asphalt according to standards approved on the concept plan or site plan. A detail of proposed asphalt paving sections is given on Exhibit D. The use of asphalt paving as described herein shall be limited to those lots whose use requires 400 or more parking spaces, and is limited to a maximum of three (3) lots within the 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. For Lot 1, the stacking spaces for the quick lube facility shall be as shown on the concept plan.
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.

H. Landscape Standards:

- 1 General. The overall objective of the landscape standards is to:
 - a. Enhance the overall development site.
 - b. Provide a level of unity along the perimeter of the development and along roadways.
 - c. Reinforce views in/out of the property iv Identify and define site entrances and on-site traffic circulation aisles.
 - d. Minimize views to parking, service and loading areas.

2. Landscape Edge

- a. A ten (10) foot wide landscaping edge shall be required along all public street frontages.
- b. Within the landscaped edge, one (1) shade tree (3" caliper minimum) or an approved ornamental tree shall be planted per 500 square feet of landscaped edge. Trees may be planted in groupings to protect sight lines to buildings. The number of required trees shall be calculated solely on the area of the required landscaped edge.

3. Parking Lots

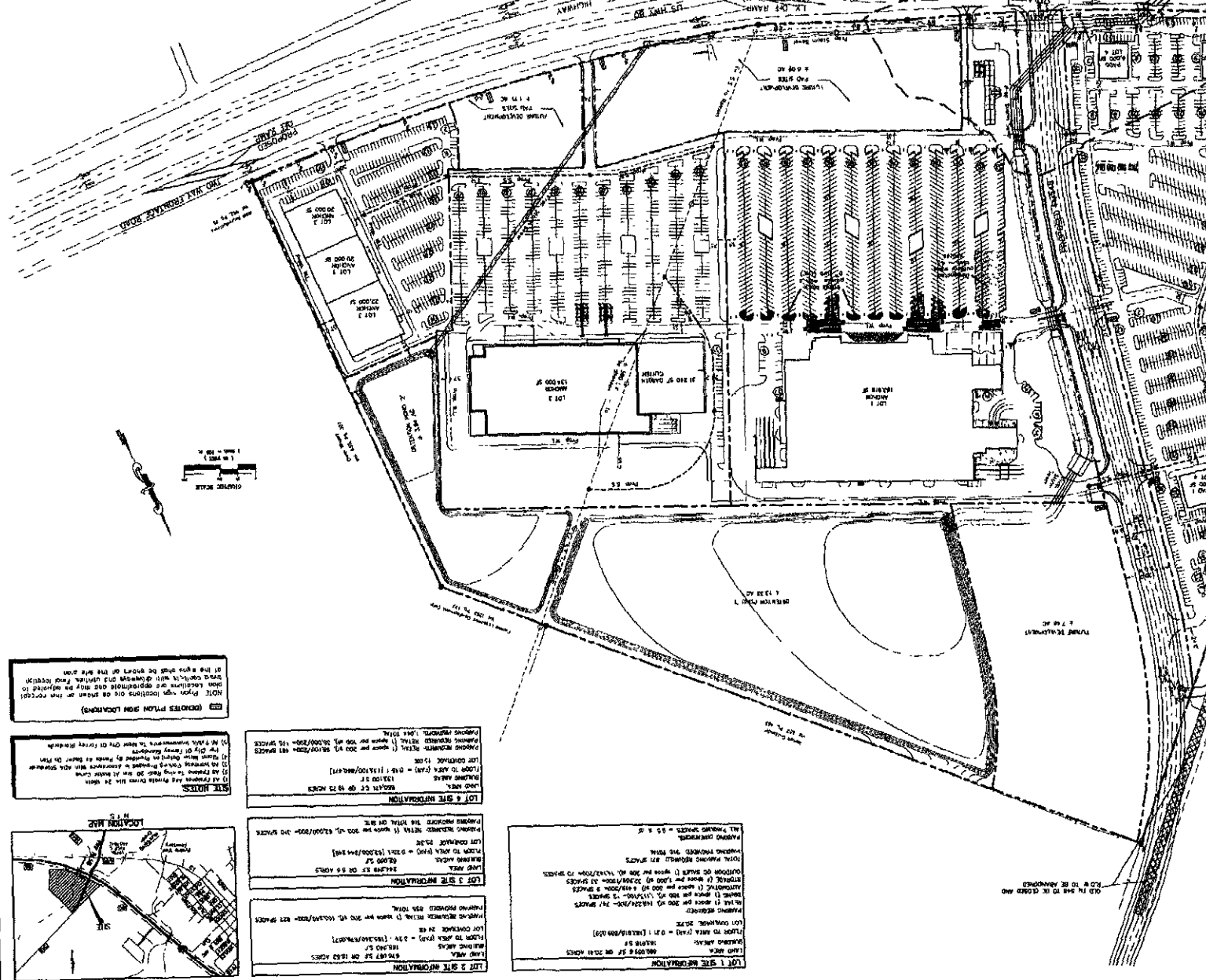
- a. Landscape within parking lots should provide shade, while breaking up large expanses of paving.
 1. There shall be eight (8) square feet of interior landscaping for each parking space (180 square feet). These landscaping areas within the parking lot may be grouped.
 2. There shall be one (1) shade tree (3" caliper minimum) or an approved ornamental tree for every 25 parking spaces. Trees may be placed anywhere within the parking lot and may be grouped within the landscape areas.
 3. All landscaped areas shall be protected by a raised six (6) inch concrete curb.
- b. Surface parking areas must be screened from public streets and adjacent building sites outside of the PD by the use of plantings and/or berms or a combination thereof to minimize views of automobiles below their hood lines.
 1. Where parking lots abut the landscape edge ten (10) shrubs (5 gallon minimum) shall be planted per 500 square feet of landscaped edge. The number of required shrubs shall be calculated solely on the area of the required landscaped edge.
 2. A berm may be placed within the landscaped edge in lieu of the required shrubs or in combination with shrubs. The berm may not be longer than one-half the length of the landscaped edge. The berm must be not less than 24 inches in height above the average grade of the parking lot curbs. The slope of the berm shall not exceed a 3 to 1 grade.
 3. If the parking lot is located 25 feet or more from the street right-of-way line, no shrubs or berms will be required.
- c. All planting shall be from the City of Forney approved plant list as stipulated in the zoning ordinance. In addition the following shall be allowed:
 1. Miscanthus (Sinensis species)
 2. Weeping Love Grass (Eragrostic curvula)
 3. Mexican Feather Grass (Nassella tenuissima)
 4. Mexican Wire Grass (Stipa tenuissima)

- d. Not less than 7% of the area within the planned development shall be developed and maintained as open space. Open space includes areas used for walks, plazas, courts, detention ponds (excluding detention ponds 1 and 2), open drainage areas, and other similar features which are not specifically designed for vehicular access or parking. The open space requirement is cumulative for the planned development and open space may be aggregated on lots or parcels anywhere within the overall development.
- e. For any corner lot at the intersection of two public streets, a minimum landscaped area of 600 square feet shall be located at the street intersection corner of the lot. This landscaped area shall be provided within an area measured a minimum distance of 40 feet from the projected corner of the intersection on both sides of the lot.
- f. A conventional automatic or manual underground irrigation system with freeze and moisture sensors must be used to ensure adequate watering of the plant materials in landscaped areas. No irrigation shall be required for undisturbed natural areas or undisturbed future development areas unless needed to establish turf or ground cover to prevent or mitigate erosion.

CONCEPT PLAN
MUSTANG CROSSING
 1350 ACRES OUT OF THE
 A. HYER SURVEY, ABSTRACT NO. 202,
 WARRIOR COUNTY, TEXAS

OWNER:
 MUSTANG CROSSING, LTD.
 1300 N. CENTRAL EXPRESSWAY
 DALLAS, TEXAS 75201
 (214) 241-2300
 (214) 241-2300

DATE: 10/27/78



NOTES (POINTS FROM 2004 LOCATIONS)

1. All points shall be shown on the site plan.

2. All points shall be shown on the site plan.

3. All points shall be shown on the site plan.

4. All points shall be shown on the site plan.

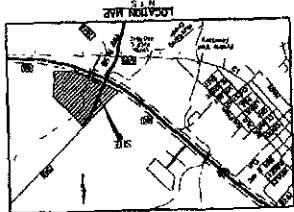
THE NOTES

1. All points shall be shown on the site plan.

2. All points shall be shown on the site plan.

3. All points shall be shown on the site plan.

4. All points shall be shown on the site plan.



LOT 1 SITE INFORMATION

LAND AREA: 1350 ACRES

PLANNING RECOMMENDATION: 1350 ACRES

PLANNING RECOMMENDATION: 1350 ACRES

LOT 2 SITE INFORMATION

LAND AREA: 1350 ACRES

PLANNING RECOMMENDATION: 1350 ACRES

PLANNING RECOMMENDATION: 1350 ACRES

LOT 3 SITE INFORMATION

LAND AREA: 1350 ACRES

PLANNING RECOMMENDATION: 1350 ACRES

PLANNING RECOMMENDATION: 1350 ACRES

LOT 4 SITE INFORMATION

LAND AREA: 1350 ACRES

PLANNING RECOMMENDATION: 1350 ACRES

PLANNING RECOMMENDATION: 1350 ACRES

LOT 5 SITE INFORMATION

LAND AREA: 1350 ACRES

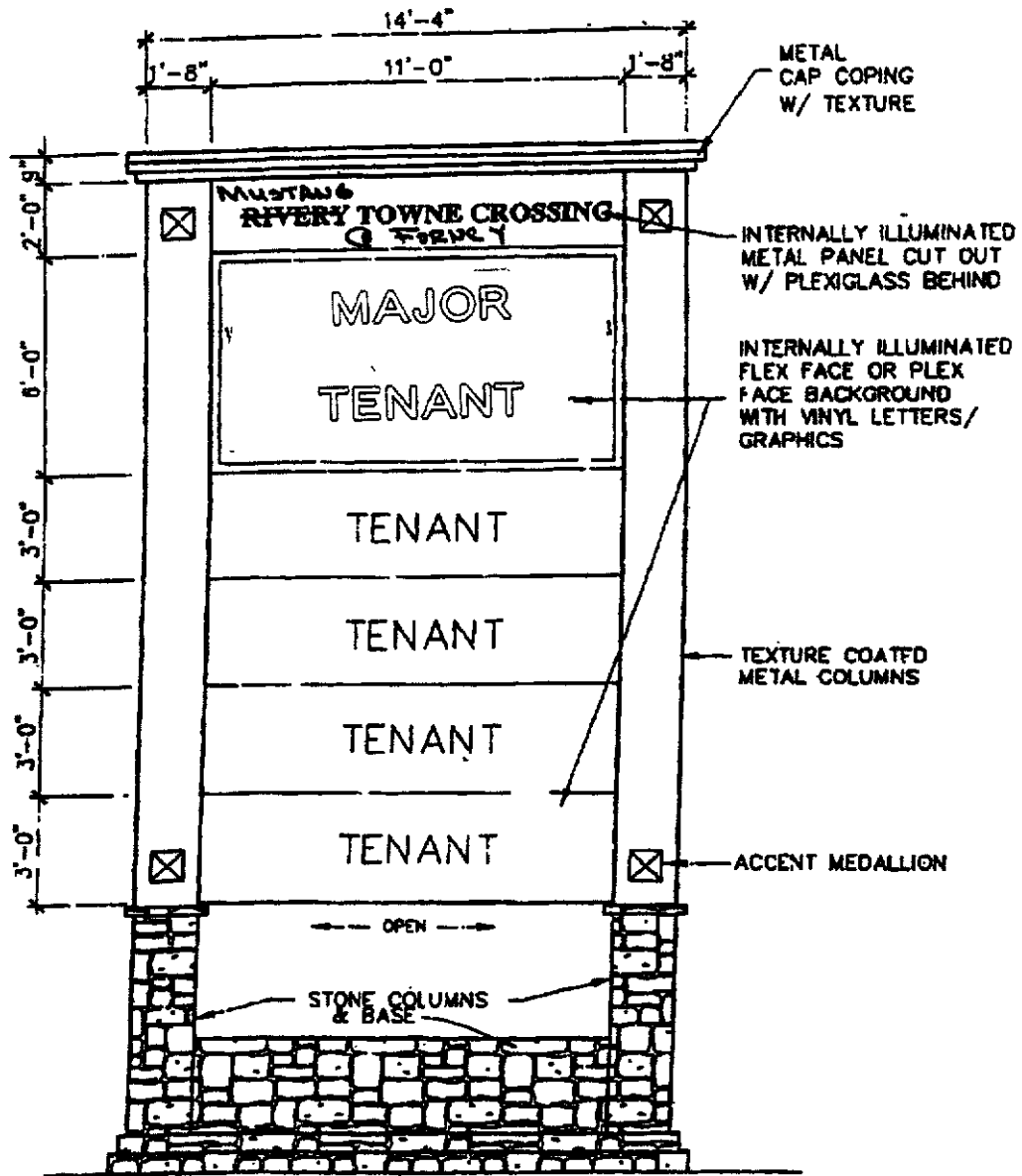
PLANNING RECOMMENDATION: 1350 ACRES

PLANNING RECOMMENDATION: 1350 ACRES

1350 ACRES OUT OF THE
 A. HYER SURVEY, ABSTRACT NO. 202,
 WARRIOR COUNTY, TEXAS

ALL RIGHTS RESERVED

EXHIBIT
CONCEPTUAL DESIGN
PYLON SIGN



Mustang Crossing PD

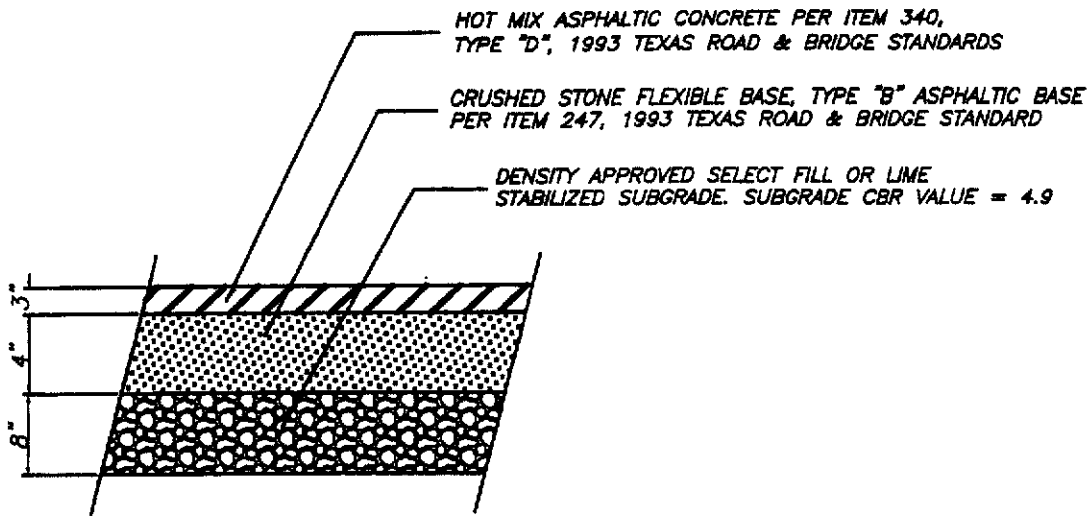
EXHIBIT

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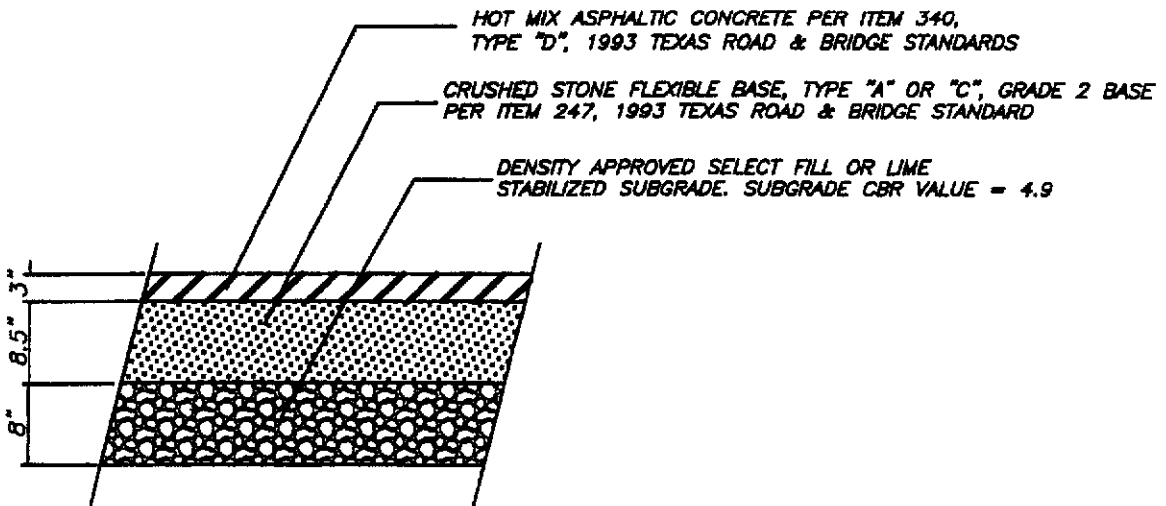
EXHIBIT

ASPHALT PAVING STANDARDS



ASPHALT SECTION
ESALs=866,483

**MINIMUM FULL DEPTH
ASPHALT PAVEMENT SECTION
(OPTION 1)**



ASPHALT SECTION
ESALs=866,483

**MINIMUM ASPHALT OVER CRUSHED
STONE PAVEMENT SECTION
(OPTION 2)**

offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9. 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 20 day of July, 2004.



CITY OF FORNEY, TEXAS

Danell Brown
MAYOR

ATTEST:

Odean Moore
CITY SECRETARY