

**ORDINANCE NO. OR-2169-20**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR SINGLE-FAMILY RESIDENTIAL USES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING 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 and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:**

**SECTION 1.**

That the Comprehensive Zoning Ordinance of the City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a new zoning district classification of PD, Planned Development; said property being described in Exhibit "A" attached hereto and made a part hereof for all purposes.

**SECTION 2.**

That the use and development of the hereinabove described property shall be in accordance with the development plan shown on Exhibits "B – D" attached hereto and made a part hereof for all purposes.

**SECTION 3.**

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.**

That the above described properties shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

**SECTION 5.**

Should any paragraph, sentence, 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 as a whole.

**SECTION 6.**

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 Mansfield, 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.**

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

**FIRST READING APPROVED ON THE 27<sup>TH</sup> DAY OF JANUARY, 2020.**

**SECOND READING APPROVED ON THE 10<sup>TH</sup> DAY OF FEBRUARY, 2020.**

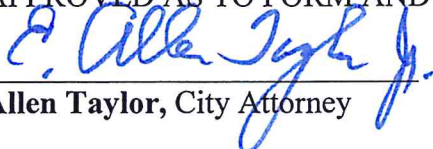
**DULY PASSED ON THE THIRD AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 24<sup>TH</sup> DAY OF FEBRUARY, 2020.**

  
\_\_\_\_\_  
David L. Cook, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Susana Marin, City Secretary

**APPROVED AS TO FORM AND LEGALITY**

  
\_\_\_\_\_  
Allen Taylor, City Attorney

ZONING LIMITS FOR FUTURE COLBY CROSSING, PHASE 2

BEING a portion of that certain tract of land in the William Howard Survey, Abstract Number 690, City of Mansfield, Tarrant County, Texas, described in a Warranty Deed with Vendor's Lien to Paul A. Sutton and Wife, Paula B. Sutton (hereinafter referred to as Sutton tract), as recorded in Volume 12220, Page 193, Deed Records, Tarrant County, Texas, and being all of that certain tract of land described as Lot 1, Block 1, Whaley Addition (hereinafter referred to as Whaley Addition), an addition to the City of Mansfield, Tarrant County, Texas, according to the plat recorded in Volume 388-166, Page 85, Plat Records, Tarrant County, Texas (P.R.T.C.T.) and being all of that certain tract of land described as Lot 1, Block 1, Kyle Addition (hereinafter referred to as Kyle Addition), an addition to the City of Mansfield, Tarrant County, Texas, according to the plat recorded in Volume 388-206, Page 55, P.R.T.C.T. and being all of that certain tract of land described in a Warranty Deed to Ronnie D. Whaley and wife, Wanda J. Whaley, as recorded in Volume 7512, Page 1609, Deed Records, Tarrant County, Texas (D.R.T.C.T.), now owned by Marilyn G. Richardson (hereinafter referred to as Richardson tract), as recorded in Instrument Number D219205849, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.), and being more particularly described, by metes and bounds, as follows:

**BEGINNING** at a one-half inch iron rod with plastic cap stamped "JLLANE" found for the existing Northeasterly right-of-way line of North Miller Road (variable width right-of-way), as recorded in Instrument Number D201181461, O.P.R.T.C.T., same being the Southerly corner of that certain tract of land described as Lot 1, Block 1, Tarrant Healthcare Realty Addition (hereinafter referred to as Lot 1), an addition to the City of Mansfield, Tarrant County, Texas, according to the plat recorded in Instrument Number D213320199, O.P.R.T.C.T., same also being the Westerly corner of said Richardson tract;

**THENCE** North 59 degrees 23 minutes 12 seconds East, departing the existing Northeasterly right-of-way line of North Miller Road and with the common line between said Richardson tract and said Lot 1, a distance of 625.72 feet to the Northerly corner of said Richardson tract, same being the Easterly corner of said Lot 1, same also being a Southwesterly line of that certain tract of land described as Lot 1, Block 1, Mansfield High School Addition (hereinafter referred to as Mansfield High School Addition), an addition to the City of Mansfield, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slide 6072, P.R.T.C.T.;

**THENCE** South 29 degrees 33 minutes 12 seconds East with the common line between said Richardson tract and said Mansfield High School Addition, a distance of 317.91 feet to the Easterly corner of said Richardson tract, same being an angle point in the Southwesterly line of said Mansfield High School Addition, same also being the Northwesterly line of said Kyle Addition;

**THENCE** North 59 degrees 13 minutes 12 seconds East with the common line between said Kyle Addition and said Mansfield High School Addition, a distance of 118.20 feet to the Northerly corner of said Kyle Addition, same being an angle point in the Southwesterly line of said Mansfield High School Addition;

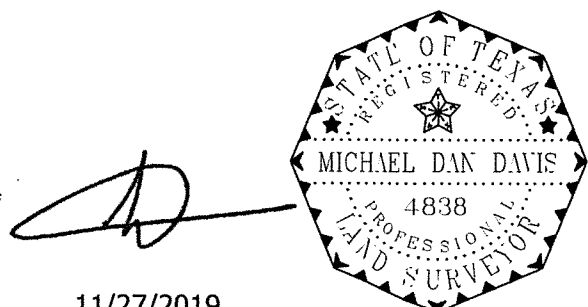
**THENCE** South 30 degrees 46 minutes 45 seconds East, continue with the common line between said Kyle Addition and said Mansfield High School Addition, a distance of 290.00 feet to the Easterly corner of said Kyle Addition, same being the Northerly corner of that certain tract of land described as Palos Verdes Estates (hereinafter referred to as Palos Verdes Estates), an addition to the City of Mansfield, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slide 10012, P.R.T.C.T.;

**THENCE** South 59 degrees 12 minutes 53 seconds West, departing the Southwesterly line of said Mansfield High School Addition and with the common line between said Kyle Addition and said Palos Verdes Estates, passing at a distance of 746.30 feet, the Westerly corner of said Palos Verdes Estates, same being the existing Northeasterly right-of-way line of North Miller Road (variable width right-of-way), and continue with said course and with the common line between said Kyle Addition and the existing Northeasterly right-of-way line of said North Miller Road, a distance of 751.00 feet to the Southerly corner of said Kyle Addition;

**THENCE** North 30 degrees 46 minutes 45 seconds West, continue with the common line between said Kyle Addition and the existing Northeasterly right-of-way line of said North Miller Road, pass at a distance of 290.00 feet, the Westerly corner of said Kyle Addition, same being the Southerly corner of the aforesaid Whaley Addition and continue with said course and the common line between said Whaley Addition and the existing Northeasterly right-of-way line of said North Miller Road, pass at a distance of 433.01 feet, the Westerly corner of said Whaley Addition, same being a Southerly corner of said Richardson tract and continue with said course and the common line between said Richardson tract and the existing Northeasterly right-of-way line of said North Miller Road, a distance of 470.01 feet to an angle point;

**THENCE** North 59 degrees 12 minutes 53 seconds East, continue Richardson tract and the existing Northeasterly right-of-way line of said North Miller Road, a distance of 13.46 feet to an angle point;

**THENCE** North 30 degrees 36 minutes 26 seconds West, continue Richardson tract and the existing Northeasterly right-of-way line of said North Miller Road, a distance of 139.71 feet to the **PLACE OF BEGINNING**, and containing a calculated area of 9.612 acres (418,706 square feet) of land.



11/27/2019