

ORDINANCE NO. 9857-2015

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE ZONING MAP AND ORDINANCE BY SHOWING THE LOCATION, BOUNDARY, AND USE OF A CERTAIN PROPERTY TO GRANT A ZONING CHANGE FROM COMMERCIAL (C) DISTRICT TO A PLANNED DEVELOPMENT FOR COMMERCIAL (C) DISTRICT USES ON 32.39 ACRES SITUATED IN THE ALLAN JENKINS SURVEY, ABSTRACT NO. 713, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, AND AS MORE FULLY DESCRIBED BELOW; SAID ZONING MAP AND ORDINANCE BEING NUMBERED ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL

WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and map of said city so as to change the zoning designation of said property **from Commercial (C) District to a Planned Development for Commercial (C) District uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on April 6, 2015 after written notice of such public hearing before the Planning and Zoning Commission on the proposed zoning change had been sent to owners of real property lying within 300 feet of the property on which the zoning change **from Commercial (C) District to a Planned Development for Commercial (C) District uses** is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 9 to 0 to recommend to the City Council of Grand Prairie, Texas, that said Zoning Ordinance and Map be amended to allow a zoning change **from Commercial (C) District to a Planned Development for Commercial (C) District uses**; and

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 o'clock P.M. on April 21, 2015, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the zoning change and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as, other property within the city limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance from its classification of **from Commercial (C) District to a Planned Development for Commercial (C) District uses**; and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. THAT Ordinance Number 4779, being the Zoning Ordinance and Map of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

"THE UNIFIED DEVELOPMENT CODE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN..."

being passed and approved November 20, 1990, as amended, is hereby further amended so as to change the zoning district from its classification of **Commercial (C) District** to a **Planned Development for Commercial (C) District uses**; and as described in Exhibit A - Legal Description and Exhibit B - Location Map, which are incorporated herein by reference.

SECTION 2. Purpose and Intent

The purpose of this Planned Development District is to provide the appropriate restrictions and development controls to permit commercial development of the subject property in a manner compatible with the surrounding development and zoning and in compliance with the City's Comprehensive Plan and the Unified Development Code.

SECTION 3. Permissible Uses

1. All principal uses of the subject property shall be limited to those uses listed under the Commercial (C) District column as contained within the Use Charts of Section 14, Article 4 of the Unified Development Code, as may be amended.
2. No principal use shall be permitted unless a symbol appears below the Commercial (C) District column and opposite the row of a listed use contained within the Use Charts of Section 14, Article 4 of the Unified Development Code, as may be amended.
 - a. The symbol "X" shall mean that the principal use is permitted as a use by right.
 - b. The symbol "S" shall mean that the principal use is permitted only after obtaining a "Specific Use Permit" as set forth in Article 5, "Specific Uses" of the Unified Development Code, as may be amended.
 - c. A blank square shall mean that the principal use is not allowed.
3. The following principal uses shall be permitted as a use by right without the additional requirement to obtain a specific use permit as may be mandated by Section 3.2.b of this Ordinance, provided said use is within and accessory to a large-box retailer use located on the

same property. Gas sales, as an accessory use to a large-box retailer, may be located on a separate property or outlot from the large box retailer, provided that said property or outlot is part of the same overall development.

- a. Auto Tire Repair - NAICS* Code 811198
- b. Auto Tire Sales & Installation - NAICS Code 441320
- c. Quick Lube & Tune (Oil Change) - NAICS Code 811191
- d. Large Retail (w/Gas Sales) - NAICS Code 447110
- e. Drive Through / In Retail Sales - NAICS Code 722200

**(NAICS - North America Industry Classification System)*

4. Accessory and temporary uses shall be permissible in accordance with Article 4 of the Unified Development Code, as may be amended.
5. Accessory outside display is neither allowed nor disallowed by this Ordinance. All outside display shall be reviewed and approved via the Site Plan approval process in accordance with Article 16 of the Unified Development Code.

SECTION 4. Dimensional and Development Standards

1. All development shall conform to the dimensional and development standards of the Commercial (C) District of the Unified Development Code, as may be amended.
2. Where there is a conflict between the Unified Development Code and this Ordinance, unless explicitly contained in this ordinance, the more restrictive will prevail.
3. Site Plan approval, in accordance with Article 16 of the Unified Development Code, shall be required for any application for a project.

SECTION 5. Conceptual Plan

Future development of the subject property shall be in substantial conformance with the approved conceptual plan as contained in Exhibit C- Conceptual Plan.

SECTION 6.

It is further provided, that in case a section, clause, sentence, or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 7. THAT all ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 8. THAT this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 21ST DAY OF APRIL, 2015.

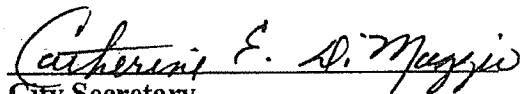
APPROVED:




Ron Jensen, Mayor

ATTEST:

APPROVED AS TO FORM:



Catherine E. DiMeglio
City Secretary



City Attorney

**ORDINANCE NO. 9857-2015
CASE NO. Z150201/CP150201
PLANNED DEVELOPMENT NO. 351**

Exhibit A - Legal Description

BEING all that certain tract of land situated in the Allen Jenkins Survey, Abstract No. 713, City of Grand Prairie, Dallas County, Texas, and being all of the remainder of a called 16.481 acre tract of land described in the deed to 303/Grand Prairie, LTD, recorded in Volume 97062, Page 4628, Deed Records of Dallas County, Texas, and being all of the remainder a called 24.197 acre tract of land described in the deed to Ruth L. Huang, Trustee, recorded in Volume 81118, Page 2742, Deed Records of Dallas County, Texas, (Centex Investments, Inc., Successor Trustee, Instrument No. 20090033914, Official Public Records of Dallas County, Texas), and including all of Lots 4, 5, 6, 7, 8, 9 and 10 in Block 1 of Park Place Addition, an addition to the City of Grand Prairie, according to the plat thereof recorded in Volume 90097, Page 3344, Map Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner at the northwest corner of a called 0.0977 acre tract of land described in the deed to City of Grand Prairie, recorded in Instrument No. 20080322250, said Official Public Records, and on the westerly line of said 16.481 acre tract, and at the intersection of the easterly right-of-way line of State Highway 161 (President George Bush Turnpike) as recorded in Volume 72100, Page 901, said Deed Records, and the northerly right-of-way line of Arkansas Lane, and from which the southwest corner of said 16.481 acre tract bears South 46°55'43" East, a distance of 23.08 feet, and from which a 1/2" inch disturbed iron rod found for witness bears North 32°46'38" West, a distance of 14.24 feet;

THENCE North 46°55'34" West, along the westerly line of said 16.481 acre tract, and along the easterly right-of-way line of State Highway 161, a distance of 201.96 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 3°28'20" West, continuing along the westerly line of said 16.481 acre tract, and along the easterly right-of-way line of State Highway 161, a distance of 485.40 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner at the southerly corner of a called 0.1116 acre tract of land described in the deed to State of Texas, recorded in Instrument No. 200402737974, said Official Public Records;

THENCE North 0°45'34" West, along the easterly line of said 0.1116 acre tract, a distance of 454.00 feet to a 1/2 inch iron rod found for corner at the northeast corner of said 0.1116 acre tract, and on a northerly line of said 16.481 acre tract, and on the southerly line of a called 1.539 acre tract of land described in the deed to Ruth L. Huang, Trustee, recorded in Volume, Page 3270, said Deed Records;

THENCE North 86°24'19" East, along a northerly line of said 16.481 acre tract, and along the southerly line of said 1.539 acre tract, a distance of 238.25 feet to a 3/8 inch iron rod found for corner at the southeast corner of said 1.539 acre tract, common to a re-entrant corner of said 16.481 acre tract;

THENCE North 5°44'18" East, along a westerly line of said 16.481 acre tract, and along the easterly line of said 1.539 acre tract, a distance of 257.99 feet to a 1/2 inch iron rod found for corner at the northeast corner of said 1.539 acre tract, common to a salient corner of said 16.481 acre tract, and on the southerly right-of-way line of West Pioneer Parkway (SH-303);

THENCE South 83°47'27" East, along a northerly line of said 16.481 acre tract, and along the southerly right-of-way line of West Pioneer Parkway, a distance of 62.04 feet to a 3/4 inch iron rod found for corner at a re-entrant corner of said 16.481 acre tract;

THENCE North 5°59'28" East, along a westerly line of said 16.481 acre tract, and along the southerly right-of-way line of West Pioneer Parkway, a distance of 85.59 feet to a 1/2 inch iron rod with plastic cap stamped "ESFA" found for corner at the northern-most northwest corner of said 16.481 acre tract, and at the beginning of a non-tangent curve to the left having a central angle of 2°23'29", a radius of 5794.58 feet, a chord bearing and distance of South 85°55'11" East, 241.85 feet;

THENCE in a southeasterly direction, along the northerly line of said 16.481 acre tract, and along the southerly right-of-way line of West Pioneer Parkway, and with said curve to the left, an arc distance of 241.87 feet to a 5/8 inch iron rod with plastic cap stamped "JBM" found for corner at the northeast corner of said 16.481 acre tract, common to the northwest corner of Lot 1 in Block 1 of said Park Place Addition, according to the plat thereof recorded in Volume 87215, Page 4983, said Map Records, and at the northeast corner of a 100 foot wide Electrical Easement to Texas Power and Light, described as Tract No. 1, recorded in Volume 87215, Page 4983, said Deed Records;

THENCE South 0°26'02" East, along the easterly line of said 16.481 acre tract, and along the westerly line of said Lot 1, and along the easterly line of said Electrical Easement, a distance of 149.67 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner at the southwest corner of said Lot 1, common to the northwest corner of said Lot 4;

THENCE North 89°26'37" East, along the northerly line of said Lot 4, and along the southerly line of said Lot 1 part of the way, passing en route at a distance of 67.46 feet a 3/8 inch iron rod found for witness at the southeast corner of said Lot 1, common to the southwest corner of Lot 2 in Block 1 of said Park Place Addition, according to the plat thereof recorded in Volume 87215, Page 4983, said Map Records, and continuing on said course and along the southerly line of said Lot 2, a total distance of 185.04 feet to a 3/8 inch iron rod found for corner at the northeast corner of said Lot 4, common to the southeast corner of said Lot 2, and on the westerly right-of-way line of Southgate Drive, and at the beginning of a non-tangent curve to the right having a central angle of 27°19'50", a radius of 133.42 feet, a chord bearing and distance of South 13°10'10" East, 63.04 feet;

THENCE in a southeasterly direction, along the easterly line of said Lot 4, and along the westerly right-of-way line of Southgate Drive, and with said curve to the right, an arc distance of 63.64 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner at the end of said curve;

THENCE South 0°13'44" West, along the easterly lines of said Lots 4, 5 and 6, and along the westerly right-of-way line of Southgate Drive, a distance of 202.94 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner at the beginning of a non-tangent curve to the left having a central angle of 197°09'46", a radius of 50.00 feet, a chord bearing and distance of

South 44°50'15" East, 98.88 feet, said curve being at a cul-de-sac where Southgate Drive running north-south intersects Southgate Drive running east-west;

THENCE in a southeasterly direction, along the easterly lines of Lots 6 and 7, and along the northerly line of said Lot 8, and along said cul-de-sac, and with said curve to the left, an arc distance of 172.06 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner at the northeast corner of said Lot 8, common to the northwest corner of said Lot 9;

THENCE North 89°42'48" East, continuing along the southerly right-of-way line of Southgate Drive, passing en route at a distance of 201.75 feet the northeast corner of said Lot 10, common to the southwest corner of a called 0.1870 acre tract of land described in the deed to City of Grand Prairie recorded in Volume 97109, Page 807, said Deed Records, and continuing on said course along the southerly line of said 0.1870 acre tract, a total distance of 406.71 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner at the northerly end of a corner clip at the intersection of the southerly right-of-way line of Southgate Drive and the westerly right-of-way line of Robinson Road;

THENCE South 45°18'17" East, continuing along the southerly line of said 0.1870 acre tract and along said corner clip, a distance of 22.59 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner on the westerly line of a called 33,314 square foot tract of land described in the deed to City of Grand Prairie recorded in Volume 88155, Page 442, said Deed Records, and on the westerly right-of-way line of Robinson Road;

THENCE South 0°06'48" East, along the westerly line of said 33,314 square foot tract and along the westerly right-of-way line of Robinson Road, a distance of 597.58 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE South 4°08'19" West, continuing along the westerly line of said 33,314 square foot tract and the westerly right-of-way line of Robinson Road, a distance of 150.48 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE South 0°06'48" East, continuing along the westerly line of said 33,314 square foot tract and the westerly right-of-way line of Robinson Road, a distance of 149.97 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner at the southwest corner of said 33,314 square foot tract, and on the northerly line of a called 0.4031 acre tract of land described in the deed to City of Grand Prairie, recorded in Volume 86227, Page 2449, said Deed Records, and at the northerly end of a corner clip at the intersection of westerly right-of-way line of Robinson Road and the northerly right-of-way line of Arkansas Lane;

THENCE South 46°55'05" West, along the northerly line of said 0.4031 acre tract, and along said corner clip, a distance of 29.49 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner on the northerly right-of-way line of Arkansas Lane;

THENCE South 89°22'48" West, along the northerly line of said 0.4031 acre tract and along the northerly right-of-way line of Arkansas Lane, a distance of 650.56 feet to a 5/8 inch iron rod

with plastic cap stamped "KHA" set for corner on the westerly line of said 24.197 acre tract, and on the easterly line of said 16.481 acre tract, and on the easterly line of said 0.0977 acre tract;

THENCE North 00°26'02" West, along the westerly line of said 24.197 acre tract, and along the easterly line of said 16.481 acre tract, and along the easterly line of said 0.0977 acre tract, a distance of 2.44 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE departing the easterly line of said 16.481 acre tract, and crossing said 16.481 acre tract along the northerly line of said 0.0977 acre tract and along the northerly right-of-way line of Arkansas Lane, the following five (5) courses:

1. South 89°37'11" West, a distance of 87.43 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner at the beginning of a tangent curve to the right having a central angle of 9°23'06", a radius of 583.00 feet, a chord bearing and distance of North 85°41'16" West, 95.39 feet;
2. In a northwesterly direction, with said curve to the right, an arc distance of 95.49 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner at the beginning of a reverse curve to the left having a central angle of 9°23'06", a radius of 313.50 feet, a chord bearing and distance of North 85°41'16" West, 51.29 feet;
3. In a northwesterly direction with said curve to the left, an arc distance of 51.35 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner
4. South 89°37'11" West, a distance of 13.96 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
5. South 89°36'47" West, a distance of 155.57 feet to the **POINT OF BEGINNING** and containing 32.391 acres (1,410,963 square feet) of land, more or less.

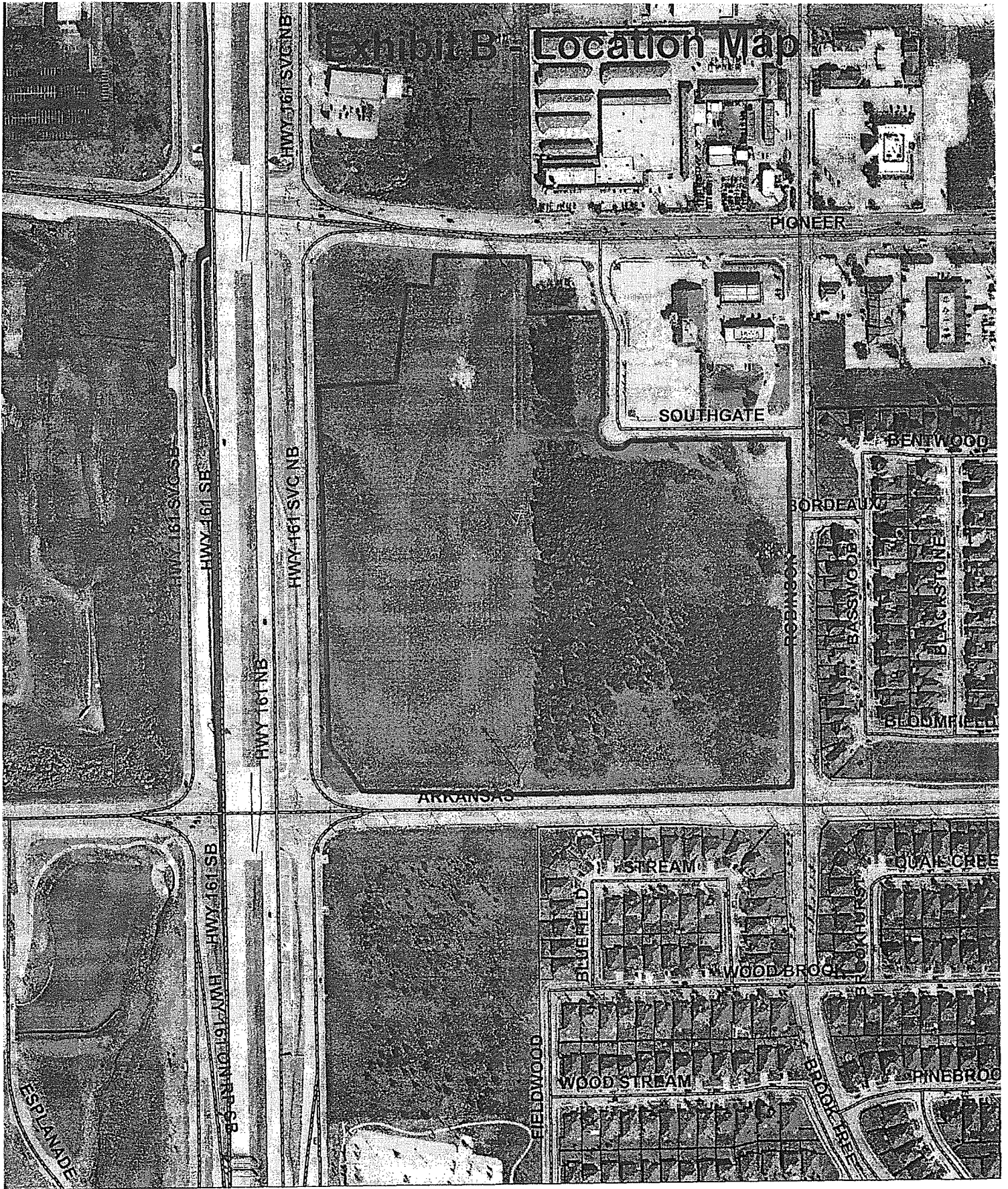


Exhibit B - Location Map

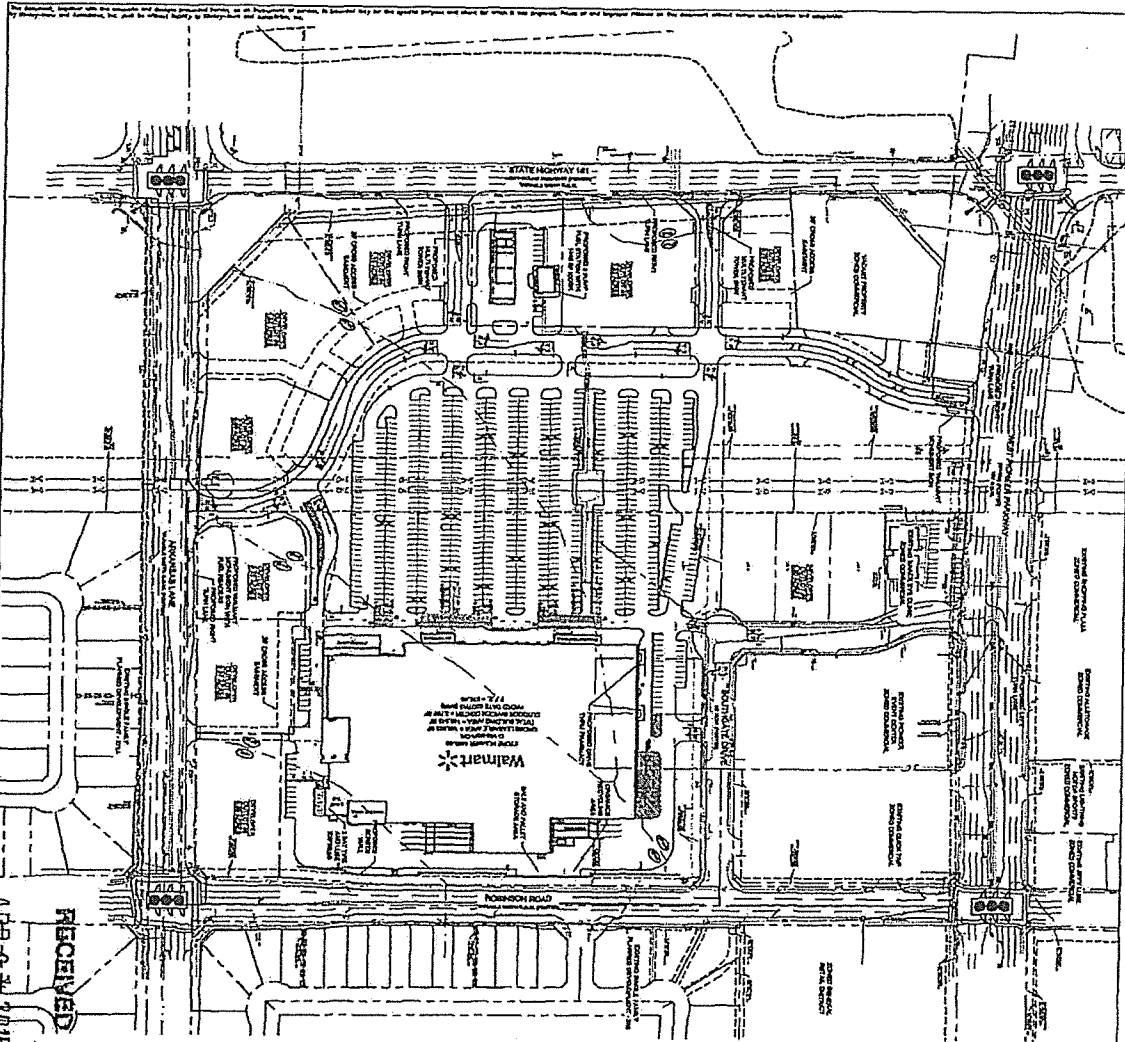


CASE LOCATION MAP
 Case Number Z150201
 WALMART STORE



City of Grand Prairie
 Planning and Development
 (972) 237-8257
 www.gptx.org

Exhibit C - Conceptual Plans



RECEIVED
 APR 02 2015
 PLANNING DEPARTMENT

OWNER
 WAL-MART STORE #4503-00
 GRAND PRAIRIE, TX 75052
DEVELOPER / OWNER
 WAL-MART REAL ESTATE
 BUSINESS TRUST

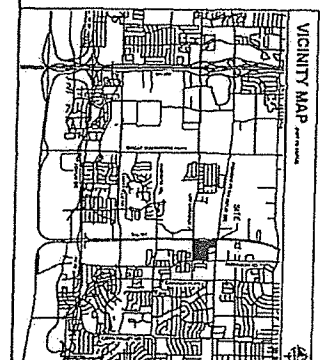
LEGEND
 CONCEPTUAL SITE PLAN
 CONCEPTUAL DRIVE AISLES
 CONCEPTUAL PARKING LOTS
 CONCEPTUAL SIGNAGE
 CONCEPTUAL FURNITURE
 CONCEPTUAL LIGHT FIXTURES
 CONCEPTUAL UTILITIES
 CONCEPTUAL LANDSCAPING

NOTES
 1. THIS PLAN IS A CONCEPTUAL SITE PLAN AND IS NOT TO BE USED FOR PERMITTING PURPOSES.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. SEE ATTACHED DRAWINGS FOR ALL DETAILS.
 4. ALL UTILITIES SHALL BE INSTALLED AND DEPTH SHALL BE AS SHOWN ON ALL ATTACHED DRAWINGS.
 5. ALL SIGNAGE SHALL BE INSTALLED AND SHALL BE AS SHOWN ON ALL ATTACHED DRAWINGS.
 6. ALL FURNITURE SHALL BE INSTALLED AND SHALL BE AS SHOWN ON ALL ATTACHED DRAWINGS.
 7. ALL LIGHT FIXTURES SHALL BE INSTALLED AND SHALL BE AS SHOWN ON ALL ATTACHED DRAWINGS.
 8. ALL LANDSCAPING SHALL BE INSTALLED AND SHALL BE AS SHOWN ON ALL ATTACHED DRAWINGS.

SYMBOL	DESCRIPTION
(Symbol)	CONCEPTUAL DRIVE AISLES
(Symbol)	CONCEPTUAL PARKING LOTS
(Symbol)	CONCEPTUAL SIGNAGE
(Symbol)	CONCEPTUAL FURNITURE
(Symbol)	CONCEPTUAL LIGHT FIXTURES
(Symbol)	CONCEPTUAL UTILITIES
(Symbol)	CONCEPTUAL LANDSCAPING

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(Symbol)	CONCEPTUAL FURNITURE
(Symbol)	CONCEPTUAL LIGHT FIXTURES
(Symbol)	CONCEPTUAL UTILITIES
(Symbol)	CONCEPTUAL LANDSCAPING



Walmart STORE #4503-00
 HIGHWAY 161 & PIONEER PKWY
 GRAND PRAIRIE, TX 75052
 WAL-MART REAL ESTATE
 BUSINESS TRUST

CONCEPTUAL
SITE PLAN

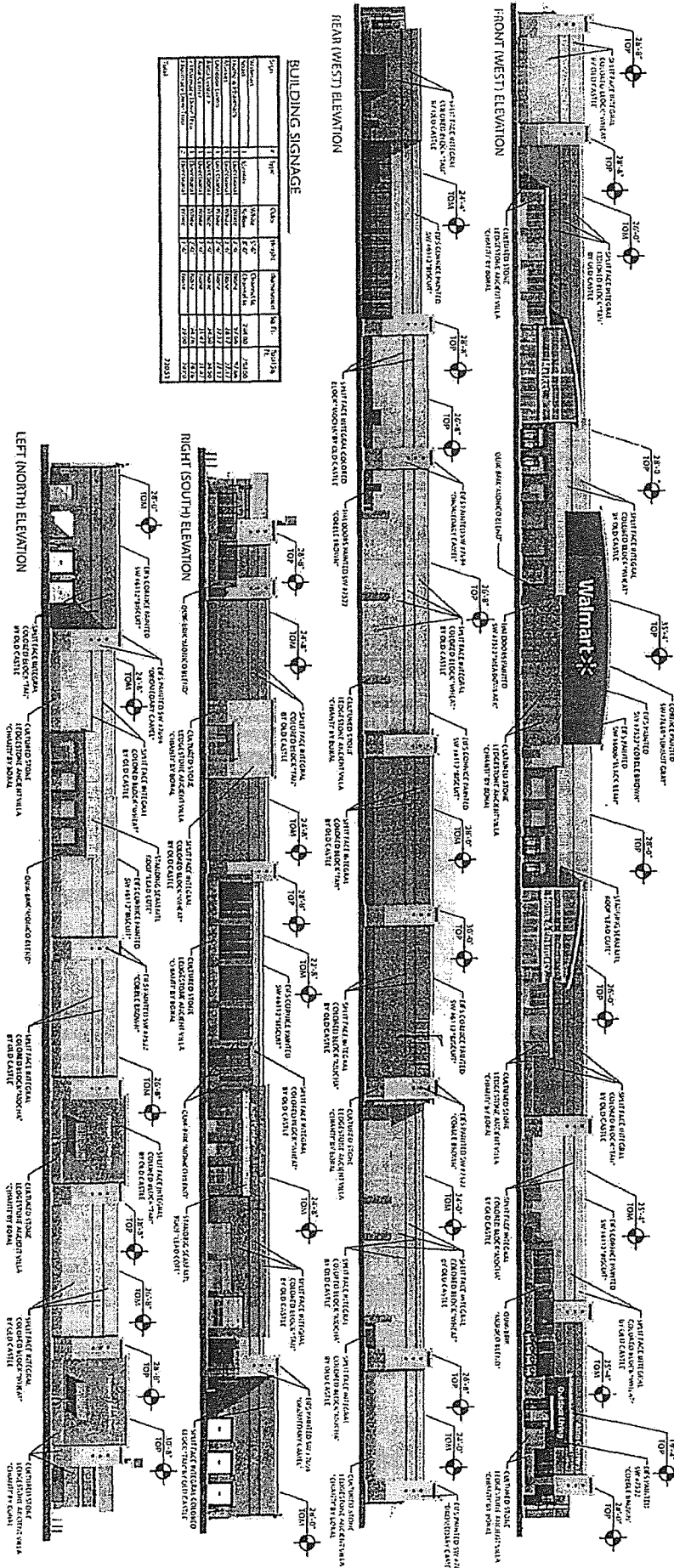
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 CHECKED BY: [Name]
 DESIGNED BY: [Name]

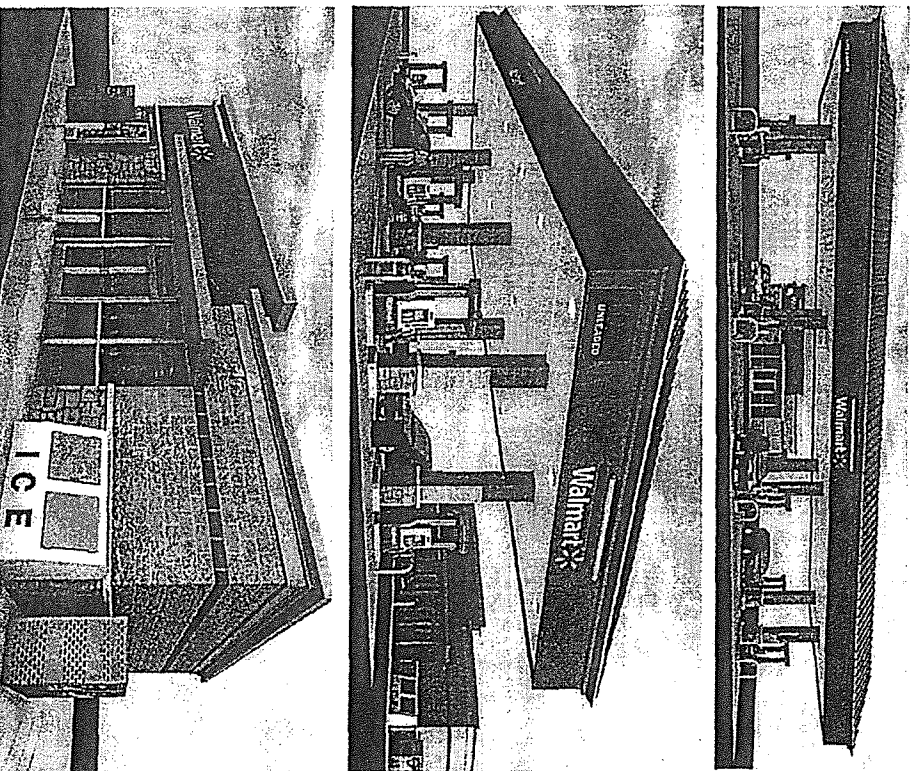
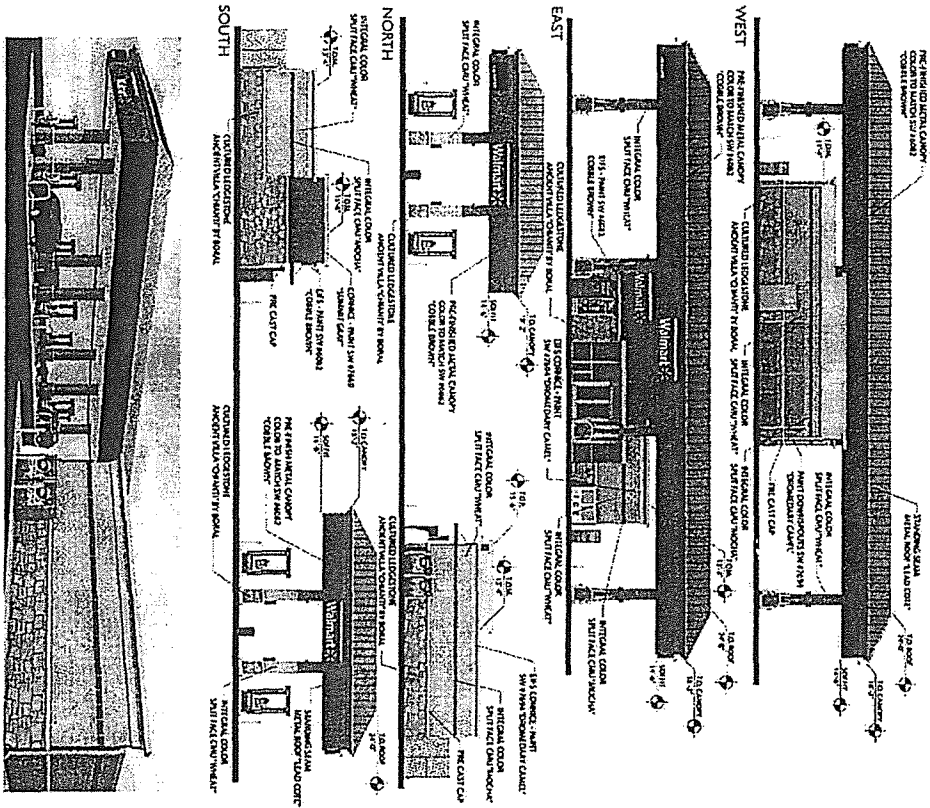
Kimley-Horn
 CONSULTING ENGINEERS
 1000 WEST 10TH STREET
 SUITE 300
 FORT WORTH, TEXAS 76104
 TEL: 817.335.4200
 WWW.KIMLEY-HORN.COM

REVISIONS	DATE

PLANNING DEPARTMENT

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION. The building images shown are a representation of the current design intent only. The building images may not reflect conditions in color, form, hue, etc. During ambient light intensity, materials, texture, contrast, and 1/8" construction conditions required by building codes or inspectors, materials or final design details.





Walmart

Sign	Qty.	Height	Area (SF)	Total (SF)
Walmart/Spoke	4	2'-0"	18.63	74.52
Canopy Price Sign	2	2'-10 1/4"	13.01	26.02
Total Fuel Signage				100.54

PEMA
ARCHITECTS

March 17, 2015

Grand Prairie, TX #4503

Fuel Station

2

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION THE BUILDING IMAGES SHOWN ARE A REPRESENTATION OF THE CURRENT DESIGN INTENT ONLY. THE BUILDING IMAGES MAY NOT REFLECT VARIATIONS IN COLOR, FORM, LINE, SHAPE, ANGLE OR LIGHT INTENSITY, MATERIAL, TEXTURE, OR FINISH. CONSULTATION WITH THE ARCHITECT IS REQUIRED FOR ANY VARIATIONS IN COLOR, FORM, LINE, SHAPE, ANGLE OR LIGHT INTENSITY, MATERIAL, TEXTURE, OR FINISH. CONSULTATION WITH THE ARCHITECT IS REQUIRED FOR ANY VARIATIONS IN COLOR, FORM, LINE, SHAPE, ANGLE OR LIGHT INTENSITY, MATERIAL, TEXTURE, OR FINISH.