

AN ORDINANCE AMENDING THE ZONING MAP AND ORDINANCE TO REZONE A 16.22 ACRE TRACT OF LAND SITUATED IN THE BALIS ESTES SURVEY, ABSTRACT NO. 483, TARRANT COUNTY, AND ABSTRACT NO. 1707, DALLAS COUNTY, CITY OF GRAND PRAIRIE, TEXAS, AND A 16.70 ACRE TRACT OF LAND SITUATED IN THE BALIS ESTES SURVEY, ABSTRACT NO. 483, TARRANT COUNTY, AND ABSTRACT NO. 1707, DALLAS COUNTY, CITY OF GRAND PRAIRIE, TEXAS GENERALLY LOCATED ON THE NORTHWEST CORNERS OF HANGER LOWE ROAD AND LAKE RIDGE PARKWAY, **FROM (A) AGRICULTURAL DISTRICT AND (PD-202) PLANNED DEVELOPMENT DISTRICT FOR GENERAL RETAIL USES TO (PD-202-A) PLANNED DEVELOPMENT DISTRICT FOR GENERAL RETAIL USES WITH BUILDING ARTICULATION STANDARDS AND ARCHITECTURAL CONTROLS**; 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 rezone and reclassify said property (the zoning area) from its classification as follows:

From (A) Agricultural District and (PD-202) Planned Development District for General Retail Uses to (PD-202-A) Planned Development District for General Retail Uses with Building Articulation Standards and Architectural Controls, and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on March 11, 2003 after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification 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 8 to 0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property (the zoning area) be rezoned from its classification as follows:

From (A) Agricultural District and (PD-202) Planned Development District for General Retail Uses to (PD-202-A) Planned Development District for General Retail Uses with Building Articulation Standards and Architectural Controls, 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 March 25, 2003 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 Grand Prairie Morning News addition of the Dallas Morning News, Dallas, 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 proposed rezoning 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 as follows:

From (A) Agricultural District and (PD-202) Planned Development District for General Retail Uses to (PD-202-A) Planned Development District for General Retail Uses with Building Articulation Standards and Architectural Controls 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:

I.

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:

"AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 28 OF THE CODE OF ORDINANCES KNOWN AS THE ZONING ORDINANCE 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..."

and passed and approved November 20, 1990, as amended, is hereby further amended so as to rezone the above described area all within the zoning area as described as shown on the attached Exhibit "A" incorporated herein by reference.

II.**DEVELOPMENT STANDARDS**

The purpose of this Planned Development District is to modify and expand the zoning boundary of Planned Development District No. 202 (PD-202) to encompass the above described 16.22 acre tract of land situated in the Balis Estes Survey, Abstract No. 483, Tarrant County, and Abstract No. 1707, Dallas County, City Of Grand Prairie, Texas, to provide appropriate restrictions and development controls to permit the development of general retail uses in a manner compatible with the surrounding development and zoning in compliance with the City's Comprehensive Plan and the Unified Development Code.

A Planned Development Site Plan shall be reviewed and approved by the City prior to the issuance of any building permits. All site plan submittals shall conform to the requirements specified in Article 16 of the Unified Development Code. The Planning and Zoning Commission and City Council reserve the right to table or deny any site plan application that does not meet submittal requirements.

A. Permitted uses

Permitted uses shall be as designated in Planned Development District No. 202 (PD-202) established by Ordinance No. 4645 except as otherwise specified below:

1. Pawn Shop use shall be deleted from Section 2.E of Ordinance No.4645.
2. Section 2.F, AUTOMOBILE AND RELATED SERVICE USES, shall be deleted from Ordinance No.4645.
3. All development must meet the minimum requirements of Ordinance No.4645 and the General Retail (GR) zoning district prescribed in the Unified Development Code. A Planned Development Site Plan and final plat of this site must be reviewed, approved and signed by the City prior to building permits being issued.
4. Sections 2.D, 3, 4 and 5 of Ordinance No. 4645 shall be deleted and be replaced by new building articulation standards and architectural controls specified below:

B. Building Articulation Required

All facades of a building which are adjacent to and face a roadway, public park or residential district shall comply with the following standards:

1. Horizontal Articulation – No building façade shall extend for a distance greater than three times the mean elevation of the wall's height without having an off-set of fifteen percent (15%) or more of the wall's height. This off-set shall extend for

a distance equal to at least twenty-five percent (25%) of the maximum length of either adjacent plane.

2. Vertical articulation – No horizontal wall shall extend for a distance greater than three times height of the wall without changing height by a minimum of fifteen percent (15%) of the wall's height. This height change shall continue for a minimum distance equal to at least twenty-five percent (25%) of the maximum length of either adjacent plane.

(Refer to Figures 1 and 2 on the following page for examples of Articulation Standards.)

C. Building Set Back along Public Street

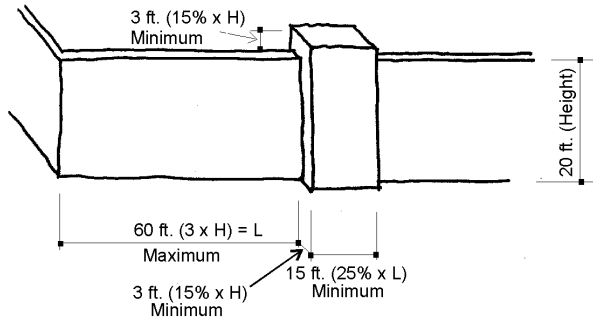
Minimum building set back along a public street right-of-way shall be 55-feet. This set back would include the required 30-foot landscaped parking lot buffer specified in Section H.2.a. below. This setback applies to all vertical structures (buildings and canopies) to be constructed within the zoning area.

D. Building Set Back along Residentially Zoned Property

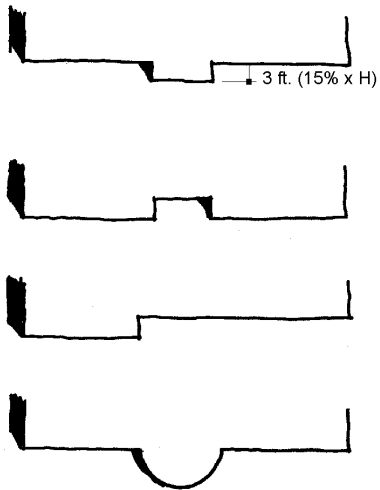
Minimum building set back along residentially zoned property shall be 100-feet. This set back would include the required 5-foot landscaped buffer located inside the required masonry screening fence. This setback applies to all vertical structures (buildings and canopies) to be constructed within the zoning area.

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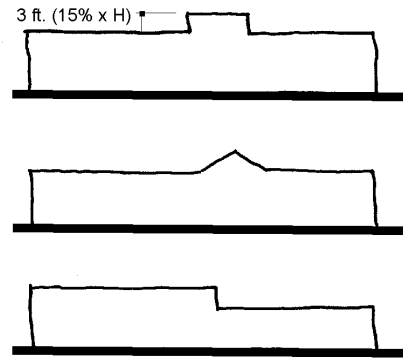
Articulation Standard Example



Possible Plans of Buildings:



Possible Elevations of Buildings:



Samples of Articulation Standard



FIGURES 1 AND 2

E. Exterior Building Material Requirements

1. Masonry Requirement - One hundred percent (100%) of the exterior of all new buildings (excluding doors and windows) shall be finished in one or more of the following materials indicated below. All building elevations submitted for site plan and building permit review shall include area and percentage tabulations for all exterior wall materials and articulation features proposed for each wall elevation.

- a. Brick, stone, cast stone, rock, marble and granite.
- b. Exterior Insulating Finishing System (EIFS). However, the use of EIFS shall not exceed 25% of the exterior walls of the building.
- c. Architectural Glass with less than twenty percent (20%) reflectance. However, only a maximum of twenty-five percent (25%) of a building façade may be constructed in architectural glass.
- d. Split face concrete block, poured-in-place concrete, and tilt-wall concrete. Concrete products shall have an integrated color and be textured or patterned. Tilt-wall concrete structures shall include reveals, punch-outs, or other similar surface characteristics and adornments to enhance the façade on at least ten percent (10%) of each façade.

2. Stone Requirement - In addition, a minimum of 10% of the front façade shall be finished in stone, Austin stone or similar stone materials in order to establish a local architectural theme for the area.

3. Accent Materials – In addition, the following accent materials may be allowed up to 10% of a façade, excluding all windows, doors, and glass construction materials:

- a. Corrugated galvanized metal,
- b. Glass block,
- c. Tile, and
- d. Concrete board, such as Hardy Plank or other similar material, properly installed.

4. Side and Rear Facades - Side and rear facades shall be finished in a similar color and texture as the main front façade of the building.

F. Architectural Features**1. Facades**

- a. In addition to the features described in Section B above, the facades of all

primary commercial structures which face a street shall also include the following key architectural features:

- b. All primary structures shall be designed with distinguishable architectural elements, such as a distinct base, wall and cornice or top.
- c. The use of arcades, covered walkways, architectural awnings, canopies or porticos is required along 25% of the primary façade and/or street facing facades.
- d. Windows, which may include see-through doors, shall be provided along all facades which face streets, such that they comprise at least 50% of the length of that façade for buildings under 10,000 square feet in size, and 25% for buildings over 10,000 square feet in size. The Council may approve alternative treatments; however in no case shall there be less than 10% in windows and doors.

2. Roofs

- a. Roofline variations are required to reduce the visual scale of buildings, and to create visual interest. The roofs of non-residential buildings shall include at least two of the following elements:
 - i. Parapet walls that conceal flat roofs and rooftop equipment from eye level public view at adjacent public streets. Parapet walls shall vary in height, and will include architectural detailing, cornices, moldings, trims, variations in brick coursing, and other similar type detailing.
 - ii. Overhanging eaves, extending no less than three (3) feet past the supporting walls.
 - iii. Two or more roof slope planes.
 - iv. Sloping roofs that do not exceed the average height of the supporting walls, and that have an average slope of at least 8 in 12. Sloped roofs shall be finished with standing seam metal, corrugated metal, tile, or 30-year or better composite shingle.

3. Color

- a. All non-residential buildings shall comply with the standards in this section.
- b. Exterior colors shall be low reflectance, subtle, neutral or earth tone colors.
- c. The use of high intensity, primary, black, or fluorescent colors is prohibited, except as trim or accent areas. Where used as trim or accents, those colors shall not exceed ten percent (10%) of any single façade, excluding all windows, doors and glass construction materials.

G. Sign Regulations - Signage requirements of Article 9 of the Unified Development Code will apply to the subject property with the following exception:

- a. Individual tenant pole signs shall not be permitted.

H. Landscaping Requirement - Landscape requirements of Article 8 of the Unified Development Code will apply to the subject property along with the following supplemental requirements.

1. Tree Preservation Incentives

- a. The following credits shall be provided to the developer for each existing tree in excess of a 6-inch caliper width, as measured 4-feet and 6-inches (4'-6") above ground that is preserved and incorporated into the site plan design. This requirement applies to those species of trees listed in Exhibit 2 of Article VIII, "Landscaping and Screening" of the Unified Development Code.
 - i. Parking requirement may be reduced by 6 paved parking spaces, including access drive paving that serve same spaces, for each tree preserved. Maximum parking reduction not to exceed 20% of total parking requirement; plus,
- b. A Tree Protection Plan shall be required at the time of building permit submittal and shall be approved by the Development Review Committee. Such plan shall include the following:
 - i. Identification of all existing trees to be preserved, including species type and size in caliper inches;
 - ii. Provide note prohibiting the storage of building materials, equipment and vehicles under the drip-line of all existing trees to be preserved;
 - iii. Indicate type of temporary fencing or barricade devices to be used to protect critical root zones (CRZ) of all existing trees to be preserved during the construction period. The CRZ shall be defined in accordance with Section 8.13.1 of Article VIII, "Landscaping and Screening" of the Unified Development Code.
 - iv. Providing grading plan indicating both existing and new final grade elevation inside drip line of all existing trees to be preserved

- c. Replacement trees shall be required at a ratio (in caliper inches) of 1:1 for any tree designated for preservation on the Tree Protection Plan that is significantly damaged or destroyed during the construction period. Replacement trees shall be no less than 3-inches in caliper width.

2. Parking Lot Location and Screening Requirements

- a. All parking or drive areas shall be located a minimum of thirty (30) feet from right of way lines along public streets. The area inside the thirty (30) foot parking setback shall be credited towards the landscaping requirement prescribed by Article 8 of the Unified Development Code.
- b. All parking shall be screened from public rights-of-way and public park areas in accordance with Article 8, “Landscape and Screening” of the Unified Development Code, using a solid screen in the landscape strip. The screen shall be at least thirty six (36) inches in height, and be achieved through one of the following methods:
 - i. A berm;
 - ii. A planting screen (hedge);
 - iii. A wall, using masonry materials similar to those used in the main building façade; or
 - iv. A combination of the above.

3. Internal Parking Lot Landscaping Standards - Landscaped areas in a parking lot shall be provided in accordance with Article 8, “Landscape and Screening” of the Unified Development Code along with the following supplemental requirements.

- a. Perimeter parking lot screening shall be offset at least six (6) feet for every sixty (60) linear feet of screening area length.

I. Service Area Screening and Fencing Requirements

1. Screening of Mechanical Equipment

- a. Properties that may be viewed from residential uses, streets or public park areas shall screen all roof, ground and wall mounted mechanical equipment (e.g. air handling equipment, compressors, duct work, transformers and elevator equipment) from view at ground level on adjacent properties or public streets or parks.

- b. Roof-mounted mechanical equipment shall be shielded from view on four sides. Screening shall consist of materials consistent with the primary building materials, and may include metal screening or louvers that are painted to blend with the primary building.
- c. Screening shall result in the mechanical equipment blending in with the primary building, and not appearing separate from the building.
- d. Wall or ground-mounted equipment screening shall be constructed of:
 - i Planting screens; or
 - ii Brick, stone, reinforced concrete, or other similar masonry materials; or
 - iii Redwood, cedar, preservative pressure treated wood, or other similar materials; and
 - iv All fence posts shall be rust-protected metal, concrete-based masonry or concrete pillars.
 - v A combination of the above.

2. Screening of Outside Storage

- a. Outside storage shall be located on the side or rear of the primary building and shall be screened from public view on public streets.
- b. Outside storage shall be screened with a minimum seven (7) foot tall screen or a screen that is a minimum of one (1) foot above the top of the storage materials, whichever is taller. Screening shall be:
 - i. A masonry wall or other material that is similar to the primary structure
 - ii. A berm.
 - iii. A planting enclosure of large evergreen shrubs planted a maximum of four (4) feet apart that shall create a solid screen to a minimum height of seven (7) feet within two (2) years as determined by a registered landscape architect, certified nurseryman 3. or master gardener, or as determined by the Director of Planning and Development or appointed designee.
 - iv. A combination of the above.

3. Screening of Garage Bays

- a. This section shall apply to all sites with garage bays in non-industrially zoned tracts within the district.
- b. Garage bay doors shall be located at the side or rear of buildings and shall not directly face residentially zoned properties.
- c. Garage bay door areas shall be screened from adjacent properties, streets or public areas by a 36” high screen.
- d. Screening materials shall be comprised of:
 - i A wall that has a similar finish to the primary structure, or
 - ii A combination of trees and shrubs that will result in solid screening to the required height within two (2) years as determined by a registered landscape architect, certified nurseryman or master gardener.

J. Lighting Standards

1. Screening of Light Fixtures

- a. In order to preserve the night sky and to reduce glare on roadways, pedestrian areas and adjacent development, light sources (e.g. light bulbs) shall be oriented toward the center of the site or shielded so as to not be visible from the nearest property line. This applies to refractory lenses that extend beyond the lighting fixture and are designed to redirect the lighting source horizontally. This does not apply to neon or internally lit signs, or to decorative lighting with 15 watts or less per bulb.
- b. Historic or antique-style pedestrian light fixtures approved by the city are excluded from this standard.

2. Decorative Pedestrian Level Lighting

- 1. To accent entry areas and to enhance pedestrian safety, decorative pedestrian level pole or façade mounted lighting fixtures shall be used at entrances to the building and along major internal pedestrian routes.

K. Utilities

- a. All utilities shall be placed below ground, except for major high voltage transmission lines.
- b. Major utility access structures, which must be located above ground, shall be place in unobtrusive locations, and shall be

screened with landscaping that blends into the overall landscaping of the area.

L. Building Height

- a. No building shall exceed four (4) stories in height within 500-feet of the right-of-way line of Lake Ridge Parkway. No building shall exceed two (2) stories in height for all other locations within the zoning area.

IV.

All ordinances or parts of ordinances in conflict herewith are specifically repealed.

V.

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 1st day of April, 2003.

MAYOR
City of Grand Prairie, Texas

ATTEST:

City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Zoning Case No. Z030201

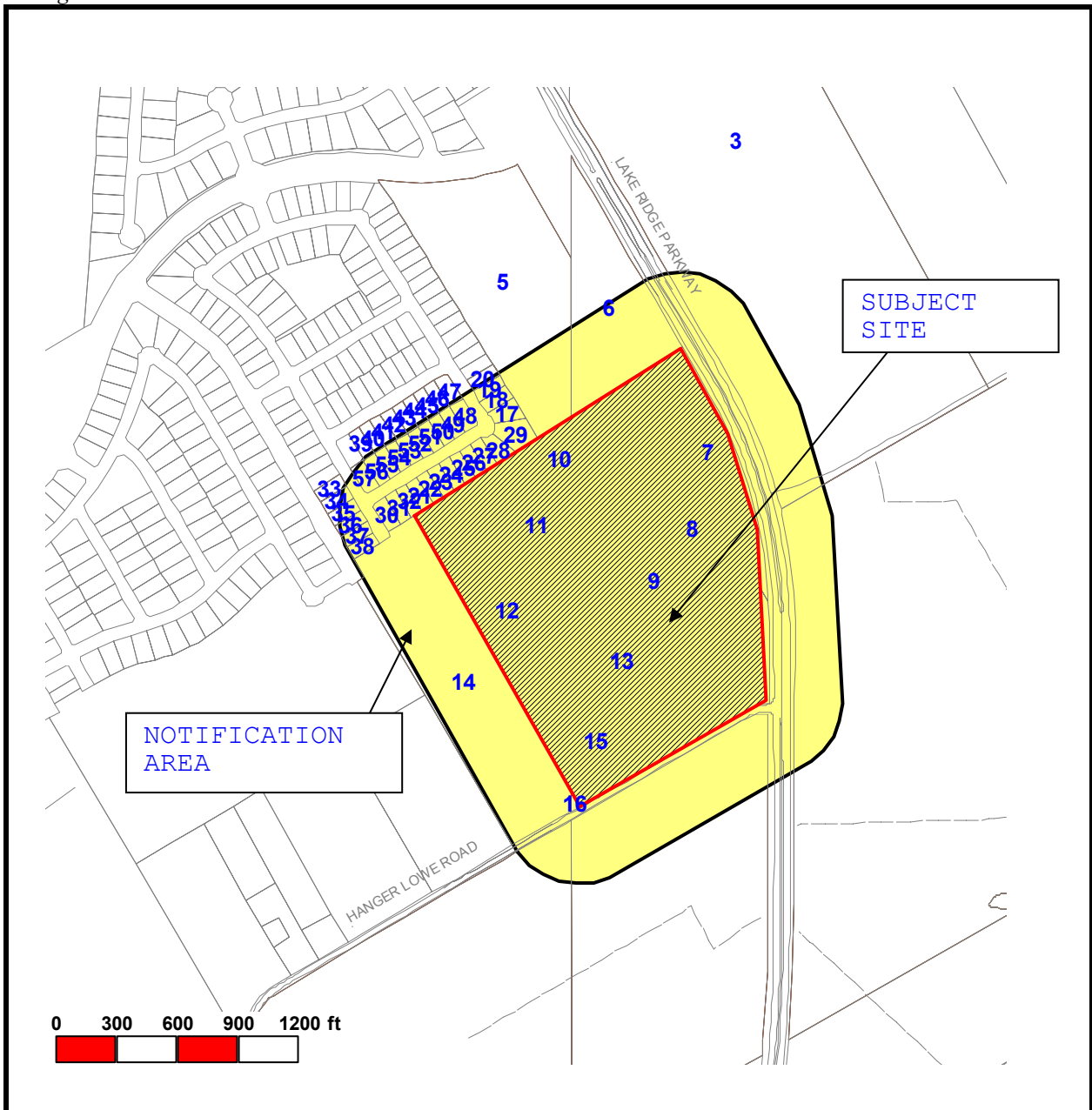


Exhibit "A"

Cross Hatched Area Indicates Property Being Zoned

Z030201

Zoning Change

From Planned Development No. 202 and Agricultural (A) to Planned Development 202-A with Architectural Controls