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## ORDINANCE NO. 2002-93

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, THAT BEING ORDINANCE NO. 2001-64, AS HERETOFORE AMENDED, BY PROVIDING A CHANGE IN ZONING CLASSIFICATION FROM PDC-95-210-A TO A "PD" PLANNED DEVELOPMENT FOR RETAIL, OFFICE AND SERVICES USES ON LAND WITHIN ABSTRACT 492 SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING FOR IMMEDIATE EFFECT.

WHEREAS, a request for change in zoning classification was duly filed with The City of Cedar Hill, Texas, concerning the hereinafter described property and was assigned case number 01-76, and

WHEREAS, due notice of hearing was made in the time and manner prescribed by law and the Planning and Zoning Commission of the City of Cedar Hill, Texas, duly convened and conducted a public hearing for the purpose of assessing a zoning classification change on the hereinafter described property located in the City of Cedar Hill, Texas; and

WHEREAS, an additional opportunity for all interested persons to be heard was provided by the City Council of the City of Cedar Hill, Texas, at an open meeting, with proper notices posted;

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

### SECTION 1. PROPERTY DESCRIPTION

The Zoning District Map of the City of Cedar Hill is hereby amended by changing only that portion of the map containing 15.121-acres of land, generally located at the southwest corner of Mansfield Highway and Lake Ridge Parkway, more specifically described in Exhibit "B".

### SECTION 2. CHANGE IN ZONING CLASSIFICATION

The Zoning Classification of that property described herein is hereby changed from "PDC" Planned Development Combining District 95-210-A to "PD" Planned Development for retail, office and service uses as specified in Exhibit "A". Said uses and development of the property shall be subject to the standards, restrictions, and special conditions described in Exhibit "A".

### SECTION 3. PURPOSE AND INTENT

The purpose and intent of this planned development district is to provide for a quality retail and office development meeting the standards of the Lake Ridge

area. Buildings should have architectural elements that are complementary to each other and have a consistent theme of architecture.

#### **SECTION 4. CONCEPT PLAN**

Development of this property shall be generally consistent with the concept plan labeled herein as Exhibit "B".

#### **SECTION 5. SITE PLAN**

A Site Plan shall be submitted and approved by the Planning & Zoning Commission before or with the approval of a preliminary or final plat of property within the Planned Development. Said site plan shall, at a minimum, contain the information required by section 3.19.8 of the Cedar Hill Zoning Code. Unless waived by the City Council, an application for Site Plan approval shall be accompanied by a letter from an Architectural Review Committee, created by the City Council, stating that the Committee has reviewed the proposed site plan, building design and architecture. The report shall also state whether the Committee supports the design as shown and what alterations, if any, the Committee is seeking.

#### **SECTION 6. AUTHORIZED LAND USES**

The land uses authorized within this planned development are limited to only those uses specified in Exhibit "A".

#### **SECTION 7. MAXIMUM INTENSITY**

The maximum floor area on any lot within this Planned Development District shall not be greater than 35% of the lot area.

#### **SECTION 8. DEVELOPMENT STANDARDS**

The site plan shall, at a minimum, contain the information required by section 3.19.8 of the Cedar Hill Zoning Code and shall comply with all the standards and requirements contained in Exhibit "A" attached hereto.

#### **SECTION 9. CURRENT ZONING DISTRICT STANDARDS**

Except for the standards specifically stated in Exhibit "A" contained herein, all the zoning standards of the City of Cedar Hill, as here and after may be amended, shall apply to this Planned Development.

#### **SECTION 10. VARIABLE STANDARDS**

1. The City Council may, upon the recommendation from the Planning and Zoning Commission, require a Traffic Impact Analysis.
2. No development plan shall be required.

#### **SECTION 11. OPEN SPACE**

Consolidated open space shall be required in the form of buffering adjacent to platted, single-family developable, lots and as buffering between the street right-of-way and off-street parking areas as specifically stated in Exhibit "A".

**SECTION 12. AMENITIES**

Amenities shall be provided in the form of enhanced architecture, pitched roofs and landscaping as specifically stated in Exhibit "A".

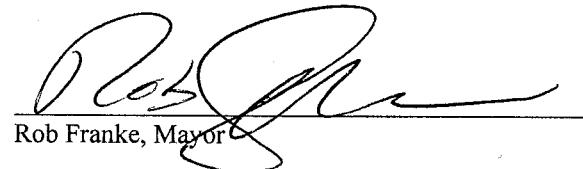
**SECTION 13. ADDITIONAL CONDITIONS**

No additional conditions shall be required with this Planned Development provided the subject property is developed in accordance with the concept plan and standards contained here.

**SECTION 14. EFFECTIVE DATE**

The zoning classification of this "PD" Planned Development will take immediate effect after the passage of this Ordinance by the City Council of the City of Cedar Hill, Texas.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Cedar Hill, Texas, on this the 8<sup>th</sup> day of January, 2002.



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Rob Franke, Mayor

ATTEST:



\_\_\_\_\_  
Frankie Lee, City Secretary

## EXHIBIT "A"

### Development Standards

The following use regulations and development standards ("conditions") apply to this planned development district:

- (a) Definitions and interpretations.
  - (1) Unless otherwise stated, the definitions contained in City of Cedar Hill Zoning Ordinance, as amended, apply to this ordinance.
  - (2) All attached exhibits are a part of this ordinance.
  - (3) This district is considered to be a nonresidential zoning district.
- (b) Concept plan. Development and use of the Property shall comply with the attached concept plan labeled herein as EXHIBIT "B". No Development Plan shall be required. A Site Plan shall be submitted and approved by the Planning & Zoning Commission with or before approval of a preliminary or final plat of property within the Planned Development. Said site plan shall, at a minimum, contain the information required by section 3.19.8 of the Cedar Hill Zoning Code. The City Council may, upon the recommendation from the Planning and Zoning Commission, require a Traffic Impact Analysis at the time of Site Plan approval.
- (c) Main uses permitted. All uses shown below are authorized uses within this PD District. Uses marked with a "C" are authorized uses with this Planned Development District provided a Conditional Use Permit is first issued by the City Council; pursuant to Section 3.20 of the Cedar Hill Zoning Code.
  - Accessory Building Structure (Non-residential)
  - Agricultural
  - Alcoholic Beverage Sales & Consumption (C)
  - Animal Boarding (Indoor)
  - Antenna (Non-Commercial)
  - Antique Shop
  - Any Incidental and/or Occasional Uses (C)
  - Appliance Repair
  - Aquarium
  - Armed Services Recruiting Center
  - Art Dealer
  - Art Gallery
  - Artist Studio
  - Auto Financing & Leasing (Indoor) (C)
  - Auto Supply Store for New & Rebuilt Parts
  - Automatic Teller Machines (ATM's)
  - Automobile Driving School
  - Bakery (Retail)
  - Bank
  - Barber Shop (Non-College)
  - Batching Plant (Temporary)
  - Beauty Shop (Non-College)
  - Bed & Breakfast Inn or Facility
  - Bike Sales and/or Repair
  - Book or Stationery Store

- Building Material Sales (C)
- Cabinet Shop (C)
- Cafeteria
- Candy, Cigars and Tobaccos, Retail Sales Only
- Child Day Care (Business)
- Church/Place of Worship
- Civic Club
- Clinic
- College and/or University
- Communication Equip. Install and/or Repair – No Outdoor Sales or Storage
- Community Center
- Computer Sales
- Confectionery Store (Retail)
- Consignment Shop
- Contractor's Temporary On-Site Construction Office
- Convenience Store with or without Gas Sales
- Credit Agency
- Credit Unions
- Curtain cleaning shop having an area of not more than 6,000 square feet
- Dance/Drama/Music Schools (Performing Arts)
- Day Camp (C)
- Department Store
- Dinner Theater
- Drapery Shop
- Drug, Drug Proprietors, Druggist, Sundries
- Earth Satellite Dish (3'>10' in diameter) Sales (C)
- Earth Satellite Dish (Private, less than 3' in diameter)
- Electric Substation
- Electrical Goods, Retail Sales Only
- Electrical Transmission Line (C)
- Emergency Care Clinic
- Exterminating Company, Retail
- Film Developing and Printing
- Financial Services (Advice/Invest)
- Fire Station
- Florist
- Food or Grocery Store
- Franchised Private Utility
- Fraternal Organization
- Funeral Home (C)
- Furniture Sales (Indoor)
- Garden Shop (Inside Storage)
- Gasoline and Fuel Sales
- Gas Transmission Line (C)
- Governmental Building
- Groceries/Related Products
- Group Day Care Home (C)
- Handicraft Shop
- Hardware Store
- Health Club (Physical Fitness)
- Home Improvement Center
- Hotel or Motel (C)
- Insurance agency offices

- Karate School
- Laundry/Dry Cleaning (Drop Off/Pick Up)
- Library
- Loan Agency
- Locksmith
- Mailing Service (Private)
- Major Appliance Sales (Indoor)
- Meat Market, Retail Sales Only
- Membership Sports
- Micro Brewery (Onsite Mfg. & Sales) (C)
- Monastery/Convent (C)
- Motorcycle Shop
- Museum
- Needlework Shop
- Non-Profit Activities by Church
- Office for all professions and businesses
- Park and/or Playground
- Pet Shop
- Philanthropic Organization
- Phone Exchange/Switching Station (C)
- Photo Studio
- Photocopying/Duplicating
- Photographers or Artists Studio
- Piano and Musical Instruments, Retail Sales Only
- Plant Nursery (Retail Sales/Outdoors)
- Plumbing shop, retail sales only
- Police Station
- Post Office (Governmental)
- Real Estate Offices
- Recreational Club (Members Only) (C)
- Rectory/Parsonage
- Restaurant
- Retail store other than listed (C)
- Retail store with gasoline as an associated use (C)
- Sales Center for Residential Subdivisions
- Savings and Loan
- School, K through 12 (Private)
- School, K through 12 (Public)
- Security Systems Installation Company (C)
- Seed Store (C)
- Shoe Repair
- Skating Rink (C)
- Snack Bars/Vending Machines on land (outside) (C)
- Studios for dance, music, drama, health
- Swimming Pool (Public/Private)
- Tailor Shop
- Telemarketing Agency (C)
- Temporary Outdoor Retail Sales/Commercial Promotion (C)
- Theater (C)
- Tool Rental (Indoor Storage) (C)
- Travel Agency
- Travel Bureau or Travel Consultant
- Utility Distribution Line

- Vacuum Cleaner Sales and Repair
- Variety Store
- Veterinarian (Indoor Kennels) (C)
- Video Rental/Sales

(d) Yard, lot, and space regulations.

- (1) Front yard. The minimum front yard is 20 feet.
- (2) Side and rear yard. The minimum side and rear yard is 10 feet.
- (3) Floor area. No building on the Property may exceed 40,000 square feet of floor area. Two buildings on the Property may exceed 30,000 square feet of floor area. All other buildings may not exceed 30,000 square feet of floor area. All buildings must be separated from each other and may not be connected by a canopy, roof or breezeway. Excluded from the calculation of floor area are all areas within omitted wall lines that are used solely for the following:
  - (i) pedestrian traffic wherever located, including plazas and seating areas (no portion of this area, however, may be used for storage or sales); and
  - (ii) outside dining.

(e) Height. No structure shall exceed 35 feet, as measured from the grade of the structure to one-half of the height of the gable or parapet (excluding architectural features).

(f) Hours of operation. The hours of operation for all uses except restaurants, convenience stores and fueling stations are limited to the hours between 6:00 a.m. and 10:00 p.m. The hours of operation for restaurants, convenience stores and fueling stations shall be between 6:00 a.m. and midnight.

(g) Masonry Requirement. All new buildings in this PD District shall have a similar finish. Ninety percent (90%) of all street facing facades of all new buildings (excluding doors and windows) shall be finished in one or more of the following (or similar) materials:

- (1) Brick, stone, cast stone, rock, stucco, marble, granite or similar simulated masonry materials.
- (2) Glass with less than twenty percent (20%) reflectance. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass.

(h) Stone Requirement. The preference is that the facades of all buildings in the PD consist of Austin stone or a similar stone material. However, at least a minimum of 15% of the front facade must be finished in stone, Austin stone or simulated stone materials in order to establish a local architectural theme for the area.

(i) Accent Materials. In addition, the following accent materials may be allowed up to 10% of the masonry requirement of a facade, excluding all windows, doors, and glass construction materials:

- (1) Standing seam metal,
- (2) Tile,
- (3) Split-face block.

- (j) Side and Rear Facades. Side and rear facades shall be finished in a similar color and texture as the main front facade of the building.
- (k) Roofs. Roofline variations are desirable to reduce the visual scale of buildings and to create additional interest. All roofs must have an average slope of at least 5:12. Roofs shall be finished with low reflective standing seam metal, copper, slate, tile or similar materials to create an architectural theme. No roof mounted equipment shall be permitted.
- (l) Screening of Waste Containers
  - (1) Waste containers shall be located on the side or rear of the building and screened.
  - (2) Waste containers shall be located outside of the building setback areas and, when adjacent to residentially zoned property, must be located at least fifty feet (50') away from residential property lines.
  - (3) Waste containers shall be screened on four (4) sides with a roof, using an enclosure that is seven (7) feet tall or of a height that is a minimum of one (1) foot above the top of the dumpster, whichever is taller. Screening walls shall be comprised of brick, stone, decorative concrete block or other similar masonry materials that have a similar finish to the primary building facade finish.
- (m) Lighting Standards. Light sources (e.g. light bulbs) shall be oriented downwards and towards 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. Light poles shall not exceed 20-feet in height. Neon, internally lit signs, and decorative lighting with bulb wattage of 15 watts or less are exempted from this paragraph provided such lights are oriented away from any residential use.
- (n) Signs within the District. All provisions of the ordinance of the Cedar Hill Zoning Ordinance shall apply to development within the district, with the exceptions noted below as follows:
  - (1) Pole-mounted signs are not permitted within the district.
  - (2) All other signs for new development or expansion or existing buildings within the District shall be ground mounted monument signs or wall mounted signs.
  - (3) Except as set forth herein, the maximum area of any sign within the District shall be as permitted by the Cedar Hill Sign Ordinance.
  - (4) Ground mounted monument signs shall have a consistent architecture with a distinctive base, middle and top.
  - (5) Monument signs shall be no taller than eight feet (8') and must be spaced a minimum of eighty feet (80') apart.
  - (6) The structure of monument signs shall be constructed of materials and colors similar to those utilized on the building's primary facade.
  - (7) Landscaping around the base of monument signs is encouraged to blend the sign with other landscaped areas around the sign.
  - (8) Wall mounted signs shall not exceed four feet (4') in height.

(o) Off-street parking and loading. Consult the off-street parking and loading regulations contained in the City of Cedar Hill Zoning Ordinance for information regarding off-street parking and loading. Except for driveways that access the street, all parking and drive areas shall be located at least twenty feet (20') from right-of-way lines along public streets and platted single-family developable lots and shall be screened and landscaped as below. All parking shall be screened from public rights-of-way using a solid screen in the landscape strip. The screen shall be at least thirty-six inches (36") 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.

(p) Landscaping. Landscaping shall be provided in accordance with the following standards:

- (1) Except for driveways that access a street, a minimum 20-foot landscaping buffer or greenbelt shall be maintained adjacent to any street right-of-way or platted single-family developable lot. A minimum six (6) foot fence shall be required adjacent to platted single-family developable lots. Said fence shall be constructed of wrought iron, brick or masonry.
- (2) The Property shall be landscaped in accordance with the retail landscape provisions of Section 5.2 of the City Zoning Code Ordinance No. 2001-64. The developer is encouraged (but is not required) to preserve natural features such as natural grades, trees, creeks and ponds to the extent practical and said natural features can be used to help meet the City's retail landscape requirements.

