

TOWN OF TROPHY CLUB, TEXAS

ORDINANCE NO. 2003 – 29 P&Z

AN ORDINANCE OF THE TOWN OF TROPHY CLUB, TEXAS, AMENDING ORDINANCE NO. 2000-06 P&Z OF THE TOWN, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE TOWN BY CHANGING THE ZONING ON A CERTAIN TRACT OF LAND DESCRIBED AS A 5.601 ACRE TRACT OF LAND LOCATED GENERALLY TO THE NORTH OF STATE HIGHWAY 114, WEST OF TW KING ROAD, AND SOUTH OF HANNA COURT, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN, FROM ITS CURRENT ZONING OF "CG", COMMERCIAL GENERAL, TO PD PLANNED DEVELOPMENT NO. 26, TROPHY CLUB PHYSICIAN'S HOSPITAL; PROVIDING THAT SUCH TRACT OF LAND SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE TOWN; PROVIDING THAT THE ZONING MAP SHALL REFLECT THE PD PLANNED DEVELOPMENT NO. 26 ZONING DISTRICT FOR THE SUBJECT PROPERTY; PROVIDING A DEVELOPMENT/SITE PLAN; PROVIDING DEVELOPMENT STANDARDS; PROVIDING BUILDING ELEVATIONS; PROVIDING SITE LINE STUDIES; PROVIDING A LANDSCAPE PLAN AND PLANT LIST; PROVIDING A CIVIL SITE PLAN; PROVIDING FOR A PHOTOMETRIC PLAN AND LIGHT FIXTURES; ESTABLISHING SIGNAGE CRITERIA; ESTABLISHING RETAINING WALL PROVISIONS; SETTING FORTH A DEVELOPMENT SCHEDULE; PROVIDING A FACILITY OVERVIEW; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Trophy Club, Texas (the "Town"), is authorized and empowered by law, in accordance with Chapter 212 of the Texas Local Government Code, to regulate the subdivision of land and property development within the Town;

WHEREAS, the owner of the tract of land (the "Land"), collectively described as a 5.601 acre tract of land currently zoned "CG" Commercial General, such Land being more specifically described in Exhibit "A" attached hereto and incorporated herein, filed an application with the Town Planning and Zoning Commission requesting a change in zoning of

the Land into PD Planned Development No. 26. Such application further requested an amendment to the official Zoning District Map of the Town in accordance with Ordinance No. 2000-06 P&Z of the Town (the "Comprehensive Zoning Ordinance"); and

WHEREAS, all legal notices, requirements and conditions having been complied with, the case to rezone the Land came before the Planning and Zoning Commission; and

WHEREAS, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials, the Planning and Zoning Commission of the Town has recommended to the Town Council the adoption of the amendments to Comprehensive Zoning Ordinance No. 2000-06 P&Z as set forth in this Ordinance; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before Town Council at which the Town Council considered, among other things, the character of the land and its suitability for particular uses, with a view of encouraging the most appropriate use of land in the Town, and does hereby find that the rezoning approved hereby accomplishes such objectives; and

WHEREAS, the Town Council has determined that there is a necessity and need for the change in zoning and that the proposed change is consistent with the Comprehensive Land Use Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TROPHY CLUB, TEXAS:

SECTION 1.
INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2.
FINDINGS

After due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the Town Council has concluded that the adoption of this Ordinance is in the best interests of the Town of Trophy Club, Texas, and of the public health, safety and welfare.

SECTION 3.
REZONING

Ordinance No. 2000-06 P&Z of the Town of Trophy Club, Texas, the same being the Town's Comprehensive Zoning Ordinance, is hereby amended in the following particulars, and all other articles, chapters, sections, paragraphs, sentences, phrases and words are not amended but are hereby ratified and affirmed:

- A. The zoning on the Land, more particularly described in Exhibit "A", attached hereto and incorporated herein, is hereby changed from "CG" Commercial General to PD Planned Development District No. 26, consisting of approximately 5.601 acres of land, for use in accordance with the requirements of this Ordinance and all other applicable ordinances, rules, and regulations of the Town. Requirements of this Ordinance are more specifically described and set forth in Exhibits "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K" and "L", which are attached hereto and incorporated herein for all purposes. In the event of any ambiguities or conflicts between the written word in the Development Standards and the illustrations provided in the Exhibits to this ordinance, the Exhibits shall control.
1. Development/Site Plan. A planned development/site plan for the Land, and all parts thereof, is attached hereto as Exhibit "B", "Planned Development/Site Plan" and incorporated herein as if copied in its entirety. Such Planned Development/Site Plan shall be adhered to in carrying out the development of the land in accordance with this Ordinance, and compliance with each and every part of such plan shall constitute a condition precedent to the issuance of any building permit for the land in this PD Planned Development District.
 2. Development Standards. The development standards for this PD Planned Development are attached hereto as Exhibit "C", "Development Standards", and are incorporated herein as if copied in their entirety. Such standards and regulations include, but are not limited to, a general purpose; size of tracts; uses generally, as specified for; limitation of uses; area, building and site regulations; off-street parking; off-street loading; landscaping requirements; tree preservation; design requirements; signs; fire lanes; mechanical and electrical equipment; construction trailer, hours of operation; and development schedule. Such Development Standards shall be adhered to in carrying out the development of the land in accordance with this Ordinance, and shall individually and collectively constitute conditions precedent to the granting of any Certificate of Occupancy for all structures within PD Planned Development No. 26.
 3. Building Elevations. The building standards for this PD Planned Development are attached hereto as Exhibit "D", "Building Elevations", and are incorporated herein as if copied in their entirety.
 4. Site Line Studies. The site line studies for this PD Planned Development are attached hereto as Exhibit "E", "Site Line Studies", and are incorporated herein as if copied in their entirety.
 5. Landscape Plan and Plant List. The landscape plan and plant list for this PD Planned Development are attached hereto as Exhibit "F", "Landscape Plan and Plant List", and are incorporated herein as if copied in their entirety.
 6. Civil Site Plan. The civil site plan for this PD Planned Development is attached hereto as Exhibit "G", "Civil Site Plan", and is incorporated herein as if copied in its entirety.

7. Photometric Plan and Light Fixtures. A photometric plan and light fixture requirements for this PD Planned Development are set forth in Exhibit "H", "Photometric Plan and Light Fixtures", which is attached hereto and incorporated herein as if copied in its entirety.
8. Signage Criteria. Signage requirements for this PD Planned Development are set forth in Exhibit "I", "Sign Criteria", which is attached and incorporated herein as if copied in its entirety.
9. Retaining Wall Criteria. The retaining wall and fence requirements for this PD Planned Development are set forth in Exhibit "J", "Retaining Wall and Fence Criteria", which is attached hereto and incorporated herein as if copied in its entirety.
10. Development Schedule. The development schedule is set forth in Exhibit "K", "Development Schedule", which is attached hereto and incorporated herein as if copied in its entirety.
11. Facility Overview. The facility overview is set forth in Exhibit "L", "Facility Overview", which is attached hereto and incorporated herein as if copied in its entirety.

SECTION 4.
APPLICABLE REGULATIONS

In all respects the Land shall be subject to the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances and regulations of the Town.

SECTION 5.
ZONING MAP

The Planning and Zoning Coordinator is hereby directed to mark and indicate on the official Zoning District Map of the Town the zoning change herein made.

SECTION 6.
CUMULATIVE

That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance.

SECTION 7.
SAVINGS

All rights and remedies of the Town of Trophy Club, Texas, are expressly saved as to any and all violations of the provisions of any other Ordinance affecting regulations governing and regulating the zoning, platting, and subdivision of land which have secured at the time of the

effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 8.
SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 9.
PENALTY

It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

SECTION 10.
PUBLICATION

The Town Secretary of the Town of Trophy Club is hereby directed to publish the Caption, Penalty and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

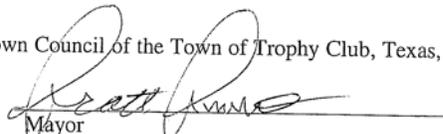
SECTION 11.
ENGROSSMENT AND ENROLLMENT

The Town Secretary of the Town of Trophy Club is hereby directed to engross and enroll this Ordinance by copying the exact Caption, Penalty and Effective Date in the minutes of the Town Council and by filing this Ordinance in the ordinance records of the Town.

SECTION 12.
EFFECTIVE DATE.

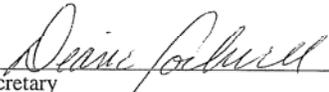
This Ordinance shall become effective from and after its date of adoption and publication as provided by law, and it is so ordained.

PASSED AND APPROVED by the Town Council of the Town of Trophy Club, Texas, this 1st day of December, 2003.


Mayor
Town of Trophy Club, Texas

Effective Date: DECEMBER 6, 2003

ATTEST:



Town Secretary
Town of Trophy Club, Texas



APPROVED TO AS FORM:



Town Attorney
Town of Trophy Club, Texas

DEVELOPMENT STANDARDS
TROPHY CLUB PHYSICIAN'S HOSPITAL
TROPHY CLUB, TEXAS

The development of the Land described in Exhibit "A" – Legal Description (a copy of which is attached hereto and incorporated herein) consisting of approximately 5.601 acres of land shall be in accordance with 'Exhibit "B" – Development/Site Plan of the development (a copy of which is attached hereto and incorporated herein), all other Exhibits attached to or incorporated herein, the Comprehensive Zoning Ordinance, all other applicable ordinances and regulations of the Town of Trophy Club, and the following Development Standards, conditions and requirements:

In the event of a conflict between the terms and requirements of this Ordinance and the foregoing, the requirements of this Ordinance shall control.

A. Purpose: The purpose of the Planned Development is to provide locations to accommodate low intensity business or professional offices that are designed and sited to be compatible with nearby residential uses and which primarily provide services to residents of the community. The use and development of the hospital as shown on Exhibit "B" – Development/Site Plan, shall be in accordance with the following:

1. Tract 1: The following standards shall apply:

- a. Size of Tract: Tract 1 shall contain approximately 243,980 SF (5.6 01acres) of land.
- b. Uses Generally: In the development and use of Tract 1, no land shall be used and no building or structure shall be installed, erected or converted to any use other than the following:
 - (i) Permitted Uses: General Hospital as established by the Texas Department of Health – Health Facility Licensing and Compliance Division – Title 25 Texas Administrative Code Chapter 133.2(22) and other health care related uses as permitted for hospitals by the Town's CZO and all amendments thereto.
 - (ii) Conditional Uses: Conditional uses may be permitted within Tract 1 in accordance with the regulations provided in the *Comprehensive Zoning Ordinance, Section 44, Conditional Permit*.
- c. Limitation of Uses: Any use not expressly permitted or allowed by permit herein is prohibited.

- d. Area, Building and Site Regulations: The following minimum standards shall be required, measured from property lines.
- (i) Density Regulations: None
 - (ii) Height Regulations: No building shall exceed thirty six (36) feet or one story in height.
 - (iii) Open Space: At least twenty percent (20%) of the total lot area shall be devoted to non-vehicular open space.
 - (iv) Maximum Building Coverage: The combined area covered by all main and accessory buildings and structures shall not exceed sixty percent (60%) of the total lot area.
 - (v) Maximum Impervious Area: The combined area occupied by all buildings, structures, off-street parking and paved areas shall not exceed eighty percent (80%) of the lot area.
 - (vi) Depth of front yard: Thirty (30) foot minimum.
 - (vii) Depth of rear yard: Thirty (30) foot minimum.
 - (viii) Width of side yard on each side: Fifteen (15) foot minimum each side.
 - (ix) Buffered Area Regulations:
North Property Line: Whenever located adjacent to an existing residential development or an area zoned for residential purposes with an existing fence or wall, all principal buildings or structures shall be set back a minimum of forty (40) feet from the adjoining property line. The setback area shall contain only off-street parking, retaining walls, and trees to supplement the existing fence. The landscape buffer adjacent to a residential development shall contain large shade trees and/or large shrubs and/or ornamental trees and shall be evergreen to provide adequate screening year-round.
- e. Off-Street Parking: Off-street parking shall be provided in accordance with the provisions of the *Comprehensive Zoning Ordinance, Section 48, Off-Street Parking Requirements*, and all

other applicable ordinances of the Town, except as defined below:

- (1) Parking Ratio as established by the Texas Department of Health – Health Facility Licensing and Compliance Division – Title 25 Texas Administrative Code Chapter 133.162(c)(2)(A) – One parking space shall be provided for each day shift employee plus one space for each patient bed, and 133.162(c)(2)(B) – Additional parking shall be required to accommodate medical staff, outpatient and other services when such services are provided.
 - (i) Parking lots shall be designed with compartmentalized parking lots for all areas of over one hundred (100) spaces. Island requirements will be maintained as per item (vii) in this section.
 - (ii) Total driveway entrances shall not exceed three (3) entrances.
 - (iii) Driveway shall have a minimum separation of one hundred fifty (150) feet.
 - (iv) Driveway access for Trophy Wood King Road will be subject to review, approval and permitting by the appropriate governing entities.
 - (v) Parking spaces shall not be permitted within the rear building line setback areas unless noted on Exhibit "B". Parking spaces and drive lanes are permitted in the front and side building line setback but shall not be permitted within ten (10) feet of the property line.
 - (vi) A minimum of ten percent of the gross parking areas shall be devoted to living landscaping which includes grass, ground cover, plants, shrubs and trees, as specified in Exhibit "F" – Landscape Plan & Plant List (a copy of which is attached hereto and incorporated herein). Gross parking area is to measure from the edge of the parking and/or driveway paving and sidewalk.
 - (vii) There shall be a maximum of twelve (12) consecutive spaces between planter islands with at least one four (4) inch caliper tree in each island or between parking aisles. Interior planter islands shall have a minimum size of eight

by eighteen feet. Landscaping in the islands shall include a combination of ground cover in addition to the required tree. Such landscaping shall be as specified in Exhibit "F".

- (viii) A raised curb shall be required for all parking and driving surfaces.
- (ix) Curb stops shall be required on all parking spaces that "head-in" to any landscaped area. These curb stops shall be placed such that the overhang of a vehicle is contained totally within the limits of the parking space.
- f. Off-Street Loading: A minimum of one off-street truck loading zone or dock at least twelve (12) feet wide, fourteen (14) feet height and thirty-five (35) feet long shall be provided for each 100,000 square feet of aggregate gross floor area.
- g. Landscaping Requirements: Landscaping shall be required in accordance with the *Comprehensive Zoning Ordinance, Section 47, Landscaping Regulations*, except as defined below.
 - (i) The owner/developer of the land shall maintain landscaping. Any dead landscaping material shall be removed and replaced within forty-five (45) days of written notification from the Town.
 - (ii) All trees shall be nursery-grown containerized trees.
 - (iii) The back landscape buffer (Tract 1) shall contain trees of four (4) inch minimum caliper measured twelve (12) inches from the ground and shall be twelve feet in height planted on thirty (30) foot centers. In addition large shrubs and ornamental trees shall be evergreen to aid in year-round screening.
 - (iv) All landscaped areas shall be irrigated.
 - (v) All plant material must be selected from the mandatory list attached hereto as Exhibit "F" – Landscape Plan and Plant List.

Exhibit "F" has been included with this Ordinance to generally illustrate the intent and location of landscaping tree massing. Trees shall be four (4) inch minimum caliper at the time of installation.

- h Tree Preservation: Removal of existing trees shall be mitigated as required by the Town's Tree Preservation Ordinance, as amended. Existing protected trees in the northwest and southeast corners will be preserved as shown on attached Exhibit "F".

Detailed landscape plans, as illustrated in Exhibit "F" sealed by a registered landscape architect, shall be provided for approval at the time of construction plan submittal.

- i. Design Requirements:
 - (i) All trash receptacles shall be screened with a masonry and wood fence of material similar to the main structure, with appropriate landscaping on two sides and shall have a screening gate, which shall remain closed except when being serviced.
 - (ii) Mechanical and electrical equipment, including air conditioning units, shall be designed, installed and operated to minimize noise impact on surrounding property. All such equipment shall be screened from public view from the west, south, and east with EIFS screening. All such equipment shall be screened from public view from the north by the existing fence and landscape buffer. All ground-mounted equipment shall be screened from view with wood fencing and landscape screening. Line of sight drawings as shown on Exhibit "E" – Site Line Studies (a copy of which is attached and incorporated herein) will be required to illustrate that adequate screening is provided.
 - (iii) Parking lot lighting has been included with this Ordinance to generally illustrate the intent and location as shown on Exhibit "H" – Photometric Plan & Light Fixtures, (a copy of which is attached hereto and incorporated herein). Exterior lighting shall conform to the requirements as specified in Exhibit "H".
 - a) Exterior lighting fixtures shall be mounted on twenty-five (25) foot poles on two (2) foot concrete bases, measured from the adjacent ground, shall direct light toward the ground, and shall be shielded. Exterior lighting fixtures shall not exceed a maximum of twenty-seven (27) feet total. Perimeter lighting shall

- be designed to reflect away from any adjacent residential area.
- b) Building lighting shall be mounted to building face or in ground fixtures and oriented to wash building with light.
 - c) Ceiling mounted lights will be provided at the entry canopies and porte-cochere.
 - d) Spillover lighting shall not exceed 0.25 foot-candles at any residential property line.
 - e) The maximum foot-candles on site shall not exceed twenty (20) foot-candles.
 - f) All freestanding parking lot lights shall have a maximum cut-off of eighty degrees.
 - g) The final site plan shall provide a photometric plan of the site for approval.
- (iv) Design of structures shall include relief to walls and roofs. The roof of structures shall be a flat roof construction, but may provide a variation of roofline.
 - (v) The entry canopy system shall provide columns constructed of similar or complimentary masonry material as the primary structure.
 - (vi) Uniform architectural treatment shall be provided to all sides of the structure.
 - (vii) All principal and accessory buildings and structures shall be constructed having one hundred percent of the total exterior walls, excluding doors, windows, porches, balconies, canopies and mechanical screening, constructed of brick or tinted split face concrete masonry. E.I.F.S. and/or metal panels shall be used only as an accent material and screening. All windows and doors shall be of aluminum construction. Typical elevations are provided with this Ordinance as Exhibit "D" – Building Elevations (a copy of which is attached hereto and incorporated herein) to illustrate the architectural style and detail.

j. Signs:

(i) Monument Signs: A Monument Sign shall be located at the primary and secondary entrance to the site, as shown in Exhibit "B". The entrance monument signs shall be a maximum of eight (8) feet in height, above finish grade of the adjacent concrete curb and maximum of sixteen (16) feet in length. The Monument Signs shall be placed on a masonry stone wall of material similar to the main structure, as illustrated in Exhibit "I" – Sign Criteria (a copy of which is attached hereto and incorporated herein).

(i) Directional Signage: Directional signage shall be located in close proximity to the primary entrance and along the East side of the facility to help route traffic.

(ii) Construction Sign: A Construction sign will be permitted during construction. The Construction sign will be constructed from painted ¾" thick exterior-grade plywood on a suitable wood frame and will not exceed one hundred twenty (120) SF. The sign will be supported on a minimum of two 4 x 4 posts securely embedded and braced to resist wind load. The surface of the sign, frame and supports will be painted with 2 coats of exterior oil paint. The sign shall be lettered by a qualified sign painter and shall be maintained in good condition for the duration of the job.

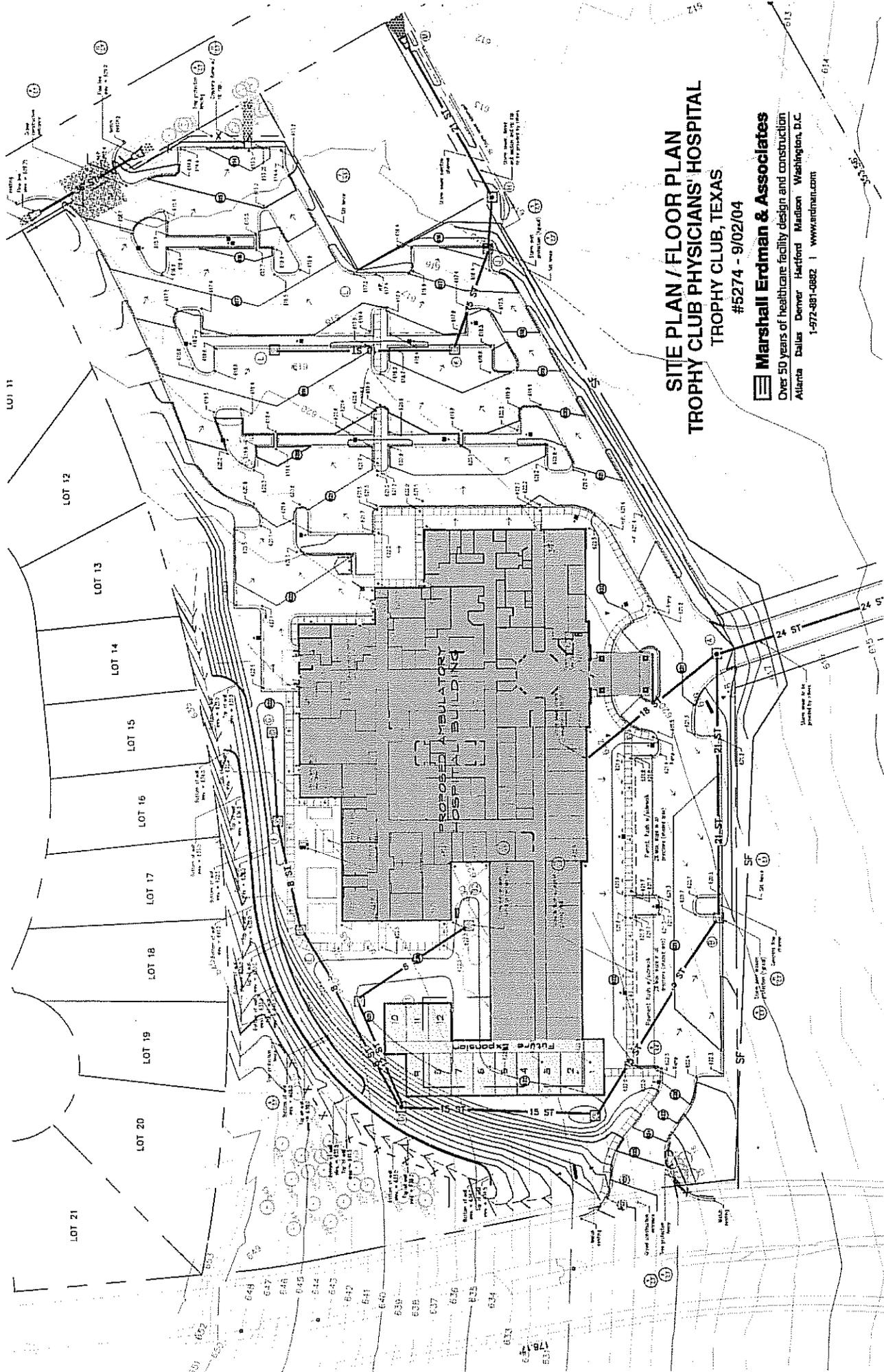
(iii) No signage and/or advertising of any type shall be displayed in window areas of any building. No banner or temporary sign shall be allowed on the exterior of any building with the exception of the grand opening if the permanent sign is not available at opening. Banner signs, as allowed by ordinance shall be permitted in accordance with the time regulations and other requirements outlined in applicable Town ordinances.

k. Fire Lanes: Fire lanes are shown on Exhibit "G" Civil Site Plan, (a copy of which is attached hereto and incorporated herein). Location and detail shall be provided at the time of Final Site Plan approval and shall be approved by the fire department.

l. Mechanical and Electrical Equipment: Mechanical and Electrical equipment shall be designed, installed and operated to minimize noise impact on surrounding property. All such

equipment shall be screened from public view as illustrated in Exhibit "D".

- m. Construction Trailer: A Construction Office used temporarily by contractors during the improvements and/or construction of the site, shall be permitted for a period of and in connection with the construction of the project, but in no event shall the Developer have such right for a period in excess of that permitted by the Town of Trophy Club. A permit for the Construction Office shall be renewed annually.
- n. Hours of Operation:
 - (i) Hours of operation for the uses set forth herein, shall be twenty-four hours a day.
- o. Development Schedule: The facility shall be developed in accordance with The Development Schedule – Exhibit "K" (a copy of which is attached hereto and incorporated herein).



SITE PLAN / FLOOR PLAN
TROPHY CLUB PHYSICIANS' HOSPITAL
TROPHY CLUB, TEXAS
 #5274 - 9/02/04

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LOT 11

LOT 12

LOT 13

LOT 14

LOT 15

LOT 16

LOT 17

LOT 18

LOT 19

LOT 20

LOT 21

PROPOSED REGULATORY
 HOSPITAL BUILDING

Future Expansion

SF

24 ST

23 ST

22 ST

21 ST

20 ST

15 ST