

ORDINANCE NO. 2016-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIDLOTHIAN, TEXAS, AMENDING THE CITY OF MIDLOTHIAN ZONING ORDINANCE AND ZONING MAP RELATING TO THE USE AND DEVELOPMENT LOTS 6 THROUGH 14, BLOCK 4, HAWKINS ADDITION, BY CHANGING THE ZONING FROM COMMUNITY RETAIL (CR) TO AN URBAN VILLAGE PLANNED DEVELOPMENT DISTRICT (UVPD) FOR COMMUNITY RETAIL (CR) USES; ADOPTING DEVELOPMENT REGULATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Midlothian, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Midlothian, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that the City of Midlothian Zoning Ordinance and Zoning Map of the City of Midlothian, Texas, as previously amended, should be amended.

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

SECTION 1. CHANGE OF ZONING CLASSIFICATION

The City of Midlothian Zoning Ordinance ("the Zoning Ordinance"), and the Zoning Map of the City of Midlothian, Texas, as previously amended, is further amended relating to the use and development of Lots 6 through 14, Block 4, Hawkins Addition, an addition to the City of Midlothian, Ellis County, Texas, according to the plat thereof recorded in Volume 32, Page 383, Deed Records, Ellis County, Texas ("the Property") by changing the zoning from Community Retail (CR) to an Urban Village Planned Development District (UVPD) for Community Retail (CR)(PD ____), which shall be subject to the use and development regulations set forth in Section 2 of this Ordinance .

SECTION 2. LAND USE AND DEVELOPMENT STANDARDS

The Property shall be developed and used in accordance with the applicable provisions of the Zoning Ordinance, as amended. In addition, the Property may be developed and used for a historic district for retail, office, Live-Work, one-family residential, and restaurant uses subject to the following: except to the extent modified by the Land Use and Development Standards set forth below:

A. Detailed Site Plan Required:

- (1) Development of the Property shall substantially comply with the Conceptual Site Plan attached hereto as Exhibit "A" and incorporated herein by reference.
- (2) A Detailed Site Plan shall be submitted to and obtain approval from the City's Development Review Committee for each platted lot prior to the issuance of a building permit. In reviewing each Detailed Site Plan, the Development Review Committee ("DRC") shall limit its review and approval to a determination as to whether or not the Detailed Site Plan complies with this Ordinance. The DRC shall have no authority to approve a Detailed Site Plan that does not comply with this Ordinance.
- (3) The Detailed Site Plan for a lot shall include, as a minimum:
 - (a) A depiction of the boundaries of the lot;
 - (b) The proposed uses for the lot;
 - (c) The location of the main structure, all proposed accessory structures, driveways, parking areas (both on-street and off-street), with dimensions showing their relationship to each other and the lot boundaries;
 - (d) Location of existing and proposed easements;
 - (e) Exterior building elevations, in color, for all sides of all structures to be located on the lot with dimensions;
 - (f) A color and materials board showing samples of the materials to be applied in the construction of the exterior of the structures to be located on the lot;
 - (g) A detailed landscape plan showing all landscape materials and locations of trees and planting areas, both existing and proposed, located or to be located on the lot; and
 - (h) If proposed for a non-residential use, a detailed sign plan showing the type, location, design (inclusive of materials to be used), and dimensions of all signs to be located on the lot.
- (3) Detailed Site Plans that do not substantially comply with this Ordinance may, at the request of the applicant, be submitted for review and recommendation by the Planning and Zoning Commission and request for approval by the City Council in the same manner as an amendment to the zoning regulations for the Property.
- (4) Detailed Site Plan submissions reflecting architectural styles, or styles that do not specifically fit into the sub-classifications described in Section 2.D. of this Ordinance shall be reviewed by the DRC for a determination of the design's architectural compatibility within the context of surrounding properties.

Architectural styles denied by the DRC may be appealed to the Planning and Zoning Commission and City Council and approved in the same manner as an amendment to the zoning regulations applicable to the Property.

B. Definitions

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Arcade, in reference to an architectural feature, means a series of arches and the columns supporting them.

Baluster means a short, upright column or urn-shaped support of a railing.

Balustrade means a row of balusters and the railing connecting them. Used as a stair rail and also above the cornice on the outside of a building.

Bay Window means a group of windows that project beyond the plane of the exterior wall, forming a bay (extra space) in the internal space. Such window shall be constructed with a roof overhang and eave that rests on the exterior walls that have windows on a minimum of three sides of the window structure. These windows protrude outward with a larger window being placed in the center, parallel to the exterior wall, flanked by one or more smaller windows at a 90, 135 or 150-degree angles. The DRC shall have the authority to determine if the scale and dimensions for a proposed bay window is consistent with this definition and the architectural style of the building into which the bay window will be installed as compared against the elevations set forth in Section 2.D. of this Ordinance.

Bracket means a supporting member for a projecting roof element or shelf, sometimes in the shape of an inverted L and sometimes as a solid piece or a triangular roof truss.

Clapboards means narrow, horizontal, overlapping boards, usually thicker along the bottom edge, that form the outer skin of the walls of many wood frame houses. The horizontal lines of the overlaps generally are from four to six inches apart.

Cornice means the continuous projection at the top of a wall which, when it serves as a crowning member, shall be the top course or molding of a wall.

Dentil Molding means a rectangular block that is arranged with others to look like a row of teeth, used as a form of architectural decoration.

Development Review Committee (DRC) means the committee of City employees established in Section 3.12.3 of the Subdivision Regulations of the City of Midlothian, Texas.

Dormer means a window set upright in a sloping roof. The term is also used to refer to the roofed projection in which this window is set.

Double-Hung Window means a window with two sashes, the framework in which window panes are set, each moveable by a means of cords, weights or friction.

Eave means the underside of a sloping roof projecting beyond the exterior wall of a building.

Form means the overall shape of a structure (e.g., most structures are rectangular in form).

Gable means the portion, above eave level, of an end wall of a building with a pitched or gambrel roof. In the case of a pitched roof this takes the form of a triangle on the end wall of an exterior facade.

Live-Work Unit means a room or rooms used by a single household both as a dwelling unit and as a "Work Space," as defined herein, where such Work Space occupies not less than fifty percent (50%) of the unit's total floor area. The living space of a Live-Work unit shall contain a kitchen area and sanitary facilities.

Modification means revision or adjustment to a requirement established by this Ordinance.

Molding means a decorative profile given to architectural cavities or projections such as cornices, bases, or door and window jambs/heads.

Office Building means a building used primarily for permitted business uses providing direct services to consumers, such as insurance agencies, title companies, real estate offices, travel agencies, ticket sales, stockbrokers, lawyers and similar uses permitted on the Property. It is characteristic of a business office that retail or wholesale goods are not displayed on the premises to a customer.

Parapet means an upward extension of a building wall above the roofline, sometimes ornamented and sometimes plain, used to give a building a greater feeling of height or a better sense of proportion.

Pediment means a triangular section framed by a horizontal molding on its base and two sloping moldings on each of its sides. Usually used as a crowning member for porch roofs, doors, windows and mantles.

Portico Entry means a porch or covered walk consisting of a roof supported by columns at the entrance or across the front of a building.

Retail Storefront Window means a display window of a building housing a retail, commercial or restaurant use visible from a street, alley, sidewalk, or other public pedestrian way accessible to the public, with such window or opening being constructed in the exterior wall of the building through which merchandise, services, or business are displayed or advertised.

Substantially Conform shall refer to the demonstrated level of compliance and consistency, as depicted in the applicant's Detailed Site Plan submittal, with the architectural guidelines

described herein for the architectural style chosen for the development that fulfills the purpose and intent of this Ordinance.

Transom Window means a small window or series of panes above a door, or above a casement or double hung window.

Tripartite Window means a window that is divided into three parts as defined by the window sash pattern.

Turret (tower) element means a round, octagonal or square tower element, topped by a pitched roof form, which is located at an outside or inside corner of a street facing façade. The scale and dimensions for such element shall be approved by the DRC.

Work Space means an area within a Live-Work Unit that is designed or equipped, exclusively or principally, for use by one (1) or more occupants of the unit for the conduct of work activities as an owner and/or proprietor of a business, with such space to be regularly used for such work activities.

C. Architecture / Site Plan Design:

- (1) The Property shall be developed with lot widths of not less than sixty (60) feet.
- (2) The minimum setbacks for lots developed within the Property shall be as follows:

Front yard setback: 15 feet
Side yard setback: 7 feet
Street yard setback: 10 feet
Rear yard setback: 15 feet

D. Classification of Architectural Styles Design:

- (1) The application of architectural styles and building standards for buildings constructed on the Property shall be based on the type of building proposed for the land use function established by this Subsection D. Such building types shall substantially conform to one or more of the following four development classifications, and their sub-classifications, as indicated below. A blending of architectural styles and standards may be incorporated into a single building design that are deemed to be in substantial compliance with the architectural guidelines described herein, and that are executed in a manner that fulfills the purpose and intent of this Ordinance.
 1. Residential Building Type (Division “R”).
 - a. Dimensional regulations for Division “R” building types shall be established at time of Detailed Site Plan approval.
 - b. Division “R” buildings may be constructed to house both non-residential and a residential Live-Work Unit

2. Commercial, Retail and General Office Building Type (Division "C").
 - a. Dimensional regulations for Division "C" building types shall be established at time of Detailed Site Plan approval.
 - b. Division "C" buildings may be constructed to house both non-residential and a residential Live-Work Unit.
3. Civic and Institutional Building Type (Division "I").
 - a. Dimensional regulations for Division "I" building types shall be established at time of Detailed Site Plan approval.
 - b. Division "I" buildings may be constructed to house both non-residential and a residential Live-Work Unit.
4. Specialized and Adaptive Re-Use Building Type (Division "S").
 - a. Dimensional regulations for Division "S" building types shall be established at time of Detailed Site Plan approval.
 - b. Division "S" buildings may be constructed to house both non-residential and a residential Live-Work Unit.
5. Residential Building Type (Division "R"): Conceptual design parameters for Division "R" buildings shall consist of the architectural style-classifications listed below.



Figure 1 – Photo examples

Windows and Door Elements

- Symmetrical placement of doors and Windows.
- Entrance door located in the center of wide houses, or at the side corner of narrow houses.
- Double hung windows depicting multiple panes.
- At least one tripartite window used on front façade.

Rectangular plan;
one or two stories;
smaller and less
ornate than Craftsman.



Figure 2 – Basic design elements

1) **Bungalow** (1900's to 1925)

Building Form Elements

- Two story height maximum.
- Clad Lap siding or shingles (Cementitious Fiber Board shall be permitted).
- Prominent entrance with a covered porch containing a minimum of sixty square feet (60 SF) in area.
- At least two-thirds ($\frac{2}{3}$) of the street facing edge(s) of the porch structure shall be enclosed with vertical wood or iron railing, or solid masonry bulkhead that has a minimum height of 36-inches.
- Porch columns shall be optional features. If such are provided, at least three street facing columns, in which at least the lower forty percent (40%) of said column height is clad in brick masonry, wood or stone at a finished thickness at column of no less than 16-inches in width.

Roof Elements

- Hip Roof with overhang.
- A Gable pediment or roof dormer feature shall be above the porch structure.
- Roof pitch Max. = 6:12, Min. = 2:12 with 30-year architectural grade shingles.
- Gabled Dormers.
- Painted exposed roof rafters at eave.



Figure 3 – Photo examples

Windows and Door Elements

- Asymmetrical placement of doors and windows.
- Double hung (tripartite) windows with decorative crowns depicting multiple panes.

rectangular plans;
one or two stories.

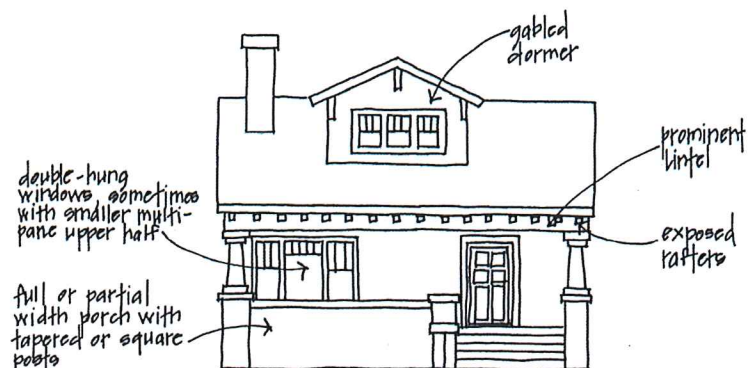


Figure 4 – Basic design elements

2) Craftsman (1900's to 1930)

Building Form Elements

- Two story height maximum.
- Hip roof type with overhang.
- Clad lap siding or shingles (Cementitious Fiber Board shall be permitted)
- Decorative corbels (bracket work).
- Prominent entrance with a covered porch containing a minimum of eighty square feet (80 SF) in area.
- Porch to be supported by tapered square columns or pedestals extending to ground level of porch floor.
- At least two-thirds (2/3) of the street facing edge(s) of the porch structure shall be enclosed with vertical wood or iron railing, or solid masonry bulkhead that has a minimum height of 36-inches.
- At least three street facing columns, in which at least the lower forty percent (40%) of said column height is clad in brick masonry, wood or stone at a finished thickness at column of no less than 16-inches in width.

Roof Elements

- 12"-24" max overhang.
- Roof pitch Max. = 8:12, Min. = 3:12 with 30-year architectural grade shingles.
- Gabled or single pitched dormers.
- Low-pitched, gabled roof (occasionally hipped) with wide, unenclosed eave overhang.
- Roof Rafters to be exposed; or provide false decorative beams or braces under gables.



Figure 5 – Photo examples

Windows and Door Elements

- Minimum of one bay window required on a street facing building façade at a size and scale appropriate to the size and scale of the main structure.

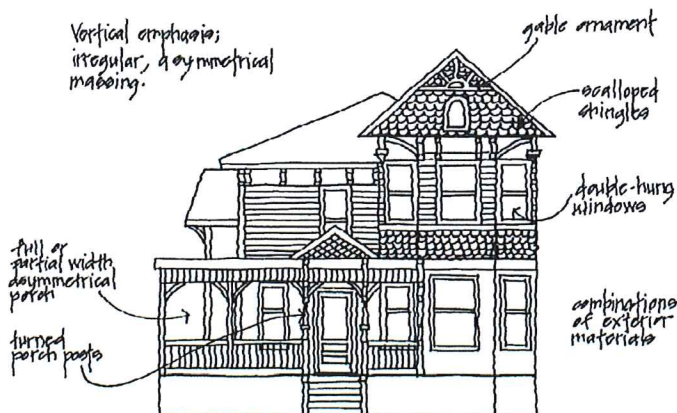


Figure 6 – Basic design elements

3) Queen Anne (1870's to 1910)

Building Form Elements

- Asymmetrical floor plan and building form.
- Fish scales, diamond shingles, saw tooth, coursed, and staggered siding shall be permitted on walls (Cementitious Fiber Board shall be permitted).
- Prominent entrance with a covered porch containing a minimum of one hundred square feet (100 SF) in area that consumes no less than 60% of the width of the front, street facing façade.
- Porch to be supported by slender and ornate wood or iron type columns with bracket work, carved spindle work or capital ornamentation at top of column.
- Porch railings to be milled wood top and bottom rails with square, turned, or flat sawn balusters.
- At least two-thirds (2/3) of the street facing edge(s) of the porch structure shall be enclosed with vertical wood or iron type railing.
- Contrasting wall and trim colors in muted (subdued, soft) shades.

Roof Elements

- Gables, hips and steep roof form.
- 12"-24" max overhang.
- Roof pitch Max.= 8:12, Min.= 5:12.
- Fiberglass shingles (30-year architectural grade), cementitious shingles. Slate and faux slate materials, standing-seam metal, and pressed metal shingles shall be permitted.
- Minimum of one turret (tower) element required.
- All roof protruding exterior chimneys structures for wood burning fireplaces to be constructed with a kiln-fired brick, masonry finish.



Figure 7 – Photo examples

4) **Tudor Revival** (1920's to 1940)

Building Form Elements

- Non symmetrical building form.
- Facade dominated by cross timber elements.
- Dominant, masonry chimney on front façade, commonly crowned with decorative chimney pottery.
- A mixture of more than one wall materials - brick, stone, ornamental half-timbering with light colored stucco infill (Cementitious Fiber Board shall be permitted).
- Small front covered porch with an arched entryway (design as a small portico, or recessed into the main facade) containing a minimum of forty square feet (40 SF) in area.

Roof Elements

- Steep roof, decorative end gables, curvilinear and mansard roof accents.
- 12"-24" max overhang.
- Roof pitch Max.= 12:12, Min.= 7:12.
- Composite, fiberglass shingles (30-year architectural grade), cementitious shingles, slate and faux slate materials.

Windows and Door Elements

- Tall, narrow windows in grouping of 3 to 4 side-by-side.
- Multi-pane glazing or stained glass.
- Casement style windows, built of wood or metal, shall be permitted.

*Asymmetrical
with irregular
plan and massing.*



Figure 8 – Basic design elements



Figure 9 – Photo examples

Rectangular plan;
one or two
stories;
symmetrical.



Figure 10 - Basic design elements

5) Colonial Revival (1910's to 1935)

Building Form Elements

- One, one and a half, or two stories in height.
- Facade is usually symmetrical, but may have side porches or sunrooms on either or both sides.
- Rectangular building mass.
- Dominant, masonry chimney on side façade.
- Entrance is centered and accented with columns, pilasters, pediment, and/or hooded cover to create a covered porch minimum of forty square feet (40 SF) in area.
- Simulated or engineered wood (with a fire rating complying with the adopted building code) clapboard (6") siding most common exterior wall material (Cementitious Fiber Board and brick masonry shall be permitted as well).
- Classical columns, two-story pilasters, dentils under eaves.

Roof Elements

- Steep roof, with side-facing gables.
- 6"-18" max overhang.
- Roof pitch Max. = 12:12, Min. = 6:12 with 30-year architectural grade shingles.
- Hipped roof and dormers are occasionally evident.

Windows and Door Elements

- Fanlight or transom, sidelights built with paneled door.
- Multi-pane (six-over-six or six-over-one lights are common), double-hung windows with shutters.
- Palladian accent windows shall be permitted.



Figure 11 – Photo examples

6) Spanish Colonial Revival (1900's to 1920)

Building Form Elements

- One or two story with rectangular, "U" or irregular plan and either symmetrical or asymmetrical massing.
- Incorporates stucco siding in light colors.
- A walled and covered patio leading to the front door entrance containing a minimum of one hundred square feet (100 SF) in area enclosed with round arched openings.

Roof Elements

- Flat, gabled (front or side facing), low-hipped roof with terra cotta tiles, decorative roof parapets, and ornamented gutters and down spouts are also common.
- 6"-18" max overhang.
- Roof pitch Max. = 6:12, Min. = 3:12.
- Red clay, slate or cementitious tile roof.
- Stucco / terra cotta accents.

Windows and Door Elements

- Arched entries or windows or arcaded spaces.
- Wood casement windows often in groups; especially in front elevation (prominent windows on front may have wood or wrought iron grill or classical ornamentation).

Rectangular or "U" plan;
asymmetrical or symmetrical;
one or two stories.



Figure 12 – Basic design elements



Figure 13 – Photo examples

7) Prairie Style (1900's to 1920)

Building Form Elements

- Exhibits solid geometric forms with minimal ornamentation.
- Complex massing, usually two stories with one story wings.
- Horizontal lines and massing (intended to unify the structure with the native prairie landscape).
- Oversized front entry porch minimum of eighty square feet (80 SF) in area.
- Masonry, stucco with cast stone accents on exterior.
- Entrance is typically secluded.
- Massive central chimney constructed of kiln-fired masonry.
- Masonry belt-courses between the stories.

Roof Elements

- Hipped or gabled roof.
- Roof pitch Max. = 5:12, Min. = 2:12.
- Wide, over-sized eaves extending up to 48-inches out from exterior wall.
- Composition, simulated or engineered wood shingles (with a fire rating complying with the adopted building code), slate or cementitious tile roof.

Windows and Door Elements

- Casement style windows grouped in bands with shared projecting sills that appear to wrap around the building, frequently including leaded glass.
- Clerestory windows.
- Windows and doors surrounded by large 4" to 6" moldings that set them apart from the plane of the wall.
- Doors are commonly stained in a natural color and are punctuated with a glass opening.

Strong horizontal emphasis.



Figure 14 – Basic design elements



Figure 15 – Photo examples

8) American Foursquare (1900's to 1930)

Building Form Elements

- Square shape in plan and usually symmetrical facades.
- Minimum height is two-stories.
- Brick, stone, cast stone used at base of structure minimum of 5-feet in height. Simulated or engineered wood (with a fire rating complying with the adopted building code) siding and shakes used on second story exterior (Cementitious Fiber Board shall be permitted).
- A water table composed of a 2" x 12" board, or cast stone string course element, with a continuous drip-cap which separates the masonry base from the upper cladding materials.
- Prominent Entrance with a covered porch containing a minimum of eighty square feet (80 SF) in area.
- At least two-thirds (2/3) of the street facing edge(s) of the porch structure shall be enclosed with vertical wood or iron railing, or a solid masonry bulkhead that has a minimum height of 36-inches.
- At least three street facing columns, in which at least the lower forty percent (40%) of said column height is clad in brick masonry, wood or stone at a finished thickness at column of no less than 16-inches in width.

Roof Elements

- Hipped roof and often dominant projecting dormers
- Minimum of one roof dormer with a minimum base width of 5-feet.
- Composition (30-year architectural grade) shingles, wood shingle, slate or cementitious tile roof.

Windows and Door Elements

- Double-hung windows with various patterns of glazing.
- Boxed or bay windows shall be permitted.



Figure 16 – Basic design elements

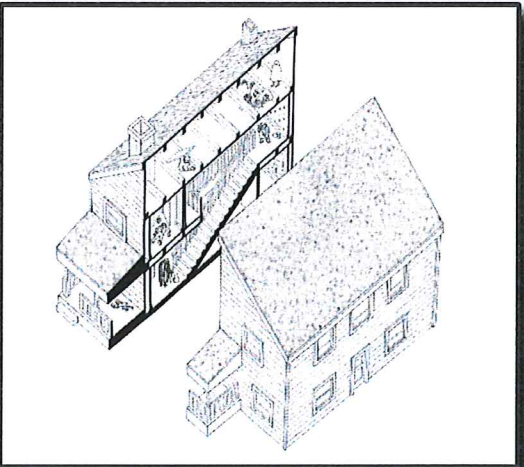


Figure 17 – Photo examples and axonometric view

9) **Rural Farmhouse** (1850's to 1920)

Building Form Elements

- Two story height maximum.
- Clad lap siding or shingles (Cementitious Fiber Board shall be acceptable)
- Prominent entrance with a covered porch containing a minimum of one hundred square feet (100 SF) in area.
- Porch railings to be milled wood top and bottom rails with square, turned, or flat sawn balusters.
- At least two-thirds ($\frac{2}{3}$) of the street facing edge(s) of the porch structure shall be enclosed with vertical wood or iron railing, or solid masonry bulkhead that has a minimum height of 36-inches.

Roof Elements

- Side gabled roof.
- 12"-24" max overhang.
- Roof pitch Max. = 7:12. Min. = 5:12.
- Boxed (concealed) eave.
- Gabled dormers.
- Fiberglass shingles (30-year architectural grade), cementitious shingles, Slate and faux slate materials, standing-seam metal, and pressed metal shingles shall be permitted.
- Decorative corbels (bracket work).

Windows and Door Elements

- Symmetrical placement of doors and windows.
- Entrance door located in the center of wide houses, or at the side corner of narrow houses.
- Multi paned, double hung windows with or without decorative side shutters.



Figure 18 – Photo examples and rendering

10) **Folk Victorian** (1850's to 1930)

Building Form Elements

- Two story height maximum.
- Simulated or engineered wood (with a fire rating complying with the adopted building code) siding and trim (Cementitious Fiber Board shall be permitted).
- Decorative corbels (bracket work).
- Prominent entrance with a covered porch containing a minimum of one hundred square feet (100 SF) in area
- Porch to be supported by slender and ornate wood or iron type columns with bracket work, carved spindle work or capital ornamentation at top of column.
- Porch railings to be milled wood top and bottom rails with square, turned, or flat sawn balusters.
- At least two-thirds (2/3) of the street facing edge(s) of the porch structure shall be enclosed with vertical wood or iron type railing.

Roof Elements

- 12"-24" max overhang
- Roof pitch Max.= 8:12, Min.= 5:12.
- Fiberglass shingles (30-year architectural grade), cementitious shingles. Slate and faux slate materials, standing-seam metal, and pressed metal shingles shall be permitted.
- Minimum of one gabled dormer with a minimum base width of 5-feet.
- Gable or Hip Roof with overhang.
- Apex of roof eave at end of gable to installed with ornamental bracket work. Minimum two (2) elements typical.

Windows and Door Elements

- Asymmetrical placement of doors and windows.
- Double or single hung windows with decorative crowns.



Figure 19 – Photo examples

11) **Federal Style** (1780's to 1820)

Building Form Elements

- Two-story, rectangular construction.
- Commonly used style for townhome/row house development.
- Cornice emphasized with decorative molding (usually modillions – refined dentils).
- Brick, stone, cast stone used at base of structure. Simulated or engineered wood siding and shakes (with a fire rating complying with the adopted building code) used on second story exterior (Cementitious Fiber Board shall be permitted).
- Decorative balustrade roof parapet on front porch structure covering a minimum of forty square feet (40 SF) in area.

Roof Elements

- Side gable or low-hipped roofs.
- Flat roof to minimum 3:12 maximum slope.
- Composition, simulated or engineered wood shingles (with a fire rating complying with the adopted building code), slate or cementitious tile roof.
- Decorative balustrade roof parapet for flat roofs.

Windows and Door Elements

- Semi-circular or elliptical fanlights over front entry.
- Elaborate door surrounds with decorative crowns or small entry porches (often elliptical or semicircular).
- Double-hung sash windows (six over six) sash separated by thin wooden muntins.
- Windows arranged in symmetrical rows, usually five-ranked (less commonly three or seven).
- Louvered shutters.

2. Commercial, Retail and General Office Building Type (Division “C”)

a. The following conceptual design parameters shall also be required for Division “C” Building Types.

1) The Vernacular Commercial Storefront (1860’s to 1920) shall serve as the model architectural style for Division “C” buildings. This style appears in commercial districts throughout rural Texas communities.

(a) Characteristics of a Vernacular Commercial Storefront

- Vertical ordering of front façade into a definitive Base, Body and Cap.
- Larger display windows with a window pediment or base.
- First floor transom windows.
- Recessed street entry
- Double street entry doors
- Tall second-story windows
- Cornice molding and accents at roof parapet.



Figure 20 Contemporary examples of the Vernacular Commercial Storefront.

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- (b) The dominant primary cladding material of masonry or wood should transition at a reasonable distance around building corners. (See Figure 21 below for acceptable examples)



Figure 21 Examples of acceptable building corner treatments

- (c) Façades for Division “C” buildings shall be organized into three major components; the base, body, and the cap, where:

- BASE: Is the ground level, where the building makes contact with the earth,
- BODY: Is the upper middle portion of the architecture, forming the majority of the structure, and
- CAP: Is the parapet, entablature or roofline, where the building meets the sky.

3. Civic and Institutional Building Type (Division “I”)

- a. Civic, Institutional and Light Industrial structures historically have a special or unique form due to the nature of their use. Examples include, but are not limited to, church sanctuaries, governmental and civic buildings, schools or institutions of higher learning, theatres, and museums.
- b. Acceptable architectural styles for Division “I” buildings are listed below (these styles may also be chosen for Division “C” buildings):
 - (1) **Second Empire Victorian** (1850’s to 1885). This style was created as part of the picturesque movement that looked to the romantic past for inspiration. The squared mansard roof line is not only considered to be aesthetically pleasing, but also practical as it allows for the utilization of an additional story (See Figure 22 below).

- (a) Characteristics of Second Empire Victorian style:

- Two to three stories in height.

- Roof composed of patterned shingle, Mansard roof with straight, flared, and concave shapes; elaborate dormers.
- Windows: Tall and narrow double hung, elaborate surrounds.
- Ornamentation: Decorative brackets and/or ironwork.
- Siding: Brick and stone with simulated or engineered wood (with a fire rating complying with the adopted building code) moldings slate type shingles for mansard roof.

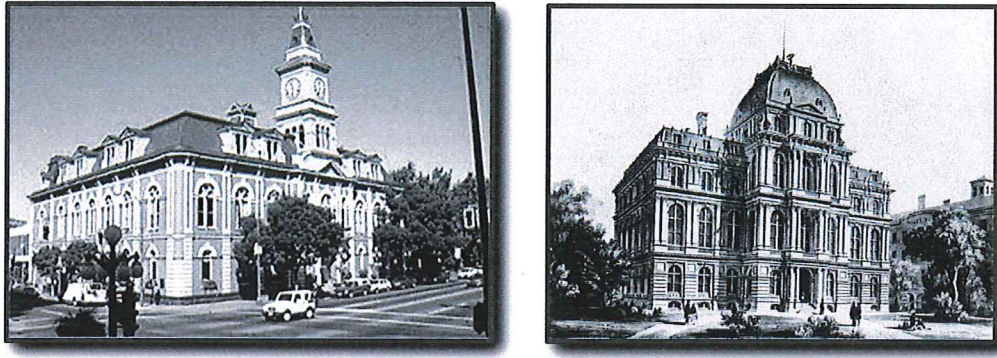


Figure 22 Example of Second Empire Victorian style

(2) **Italianate** (1850's to 1885) Originally inspired by Renaissance buildings of Italy, this style is considered a blending of classical and romantic features that became one of the most popular styles in the United States. Because of its ornate details, such as bracketed cornices, this style is easily adapted to storefronts (See Figure 23 below).

(a) Characteristics of the Italianate style:

- Double-hung, narrow windows, often with round arch heads.
- Window panes are either one-over-one or two-over-two.
- Ornate treatment of the eaves, including the use of brackets, medallions and dentil courses.
- Quoins (projecting square surface pattern) at building corners.
- Flat roof or sloped with a maximum 3:12 pitch.
- Exaggerated roof parapet molding.
- Transom, often curved, above the front door.
- Brackets, modillions and dentil courses.
- Overall, a vertical emphasis in building proportions.



Figure 23 Examples of Italianate style.

(3) **Neoclassical/Georgian Revival** (1880's to 1950) The Neoclassical and Georgian Revival styles borrowed elements from earlier Greek and Colonial Revival architectural styles from the early to mid-1800s. It was the 1893 World Columbian Exposition in Chicago that propelled both styles into the forefront of the City Beautiful movement for civic and institutional design that dominated college campuses and governmental buildings into the 1950s (See Figure 24 below).

(a) Characteristics of the Neoclassical/Georgian Revival style:

- Two to four stories in height.
- Full-height entrance porch, full-façade portico or porch with round columns with complex capitals.
- Flat roof with parapet and metal or cast stone cornice; or low-pitched hip roof, with roof-line balustrades, dormers in Classical style.
- Rectangular windows (sometimes arched) with double-hung sashes, symmetrical, multi-paned.
- Prominent center window on second story often arched or curved.
- Decorative pediments, brackets, cantilevered wall extensions, masonry columns and quoins, botanic garlands, rosettes, trim and brackets.
- Exterior walls of brick, quarried stone and granite, limestone panels.



Figure 24 Examples of Neoclassical/Georgian Revival style

(4) **Art Deco/Moderne** (1930's to 1950) This style is most easily identified by its architectural ornament, which includes stylized floral patterns and repetitive geometric forms incorporating sharp angles and segments of circles. Zigzags, chevrons and diamond patterns are typical and often are applied as decorative moldings or are integral to masonry patterns themselves. Glass brick and rounded or angular corner windows are often used. Building entrances are embellished with decoration which extended to hardware and light fixtures (See Figure 25 below).

(a) Characteristics of the Art Deco/ Moderne style:

- Variety of colors and textures.
- Zigzag or chevron moldings.
- Stucco and tile combined.
- Colored brick or tile.
- Rounded corner windows.
- Molded metal panels or grills.
- Stylized floral patterns.
- Repetitive geometric forms.

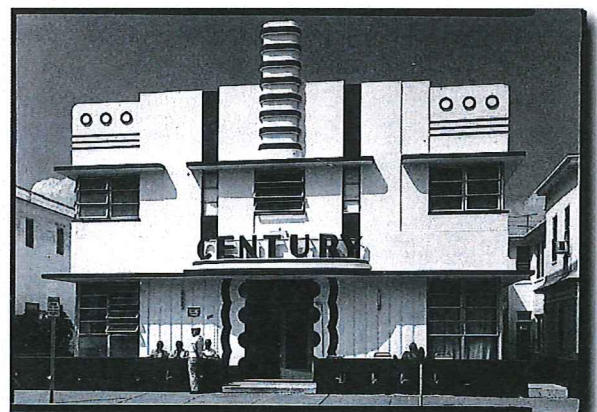


Figure 25 Examples of Art Deco/Moderne style.

(5) **Romanesque Revival - Richardsonian Romanesque** (1830's to 1885) Named after architect Henry Hobson Richardson (1838-1886), this style is characterized by heavy, rock-faced stone, round masonry arches, contrasting colors, transom windows arranged in ribbon-like patterns, square towers, and sparse fenestration. Other characteristics include the asymmetrical arrangement of compound arches and square towers of different heights and various roof

shapes. A crenellated tower parapet is common (See Figure 26 below).

(a) Characteristics of the Romanesque Revival - Richardsonian Romanesque style:

- Semicircular arch.
- Compound arch.
- Square tower.
- Rock-faced stone.
- Round masonry arches.
- Contrasting colors.
- Transom windows in ribbon.



Figure 26 Examples of Romanesque Revival - Richardsonian Romanesque style

E. Fences:

- (1) No fence shall be required on any lot developed within the Property. Fences constructed on the Property shall be wrought iron with a maximum height of four (4) feet.
- (2) All dumpster enclosures must comply with Section 4.5205 of the Zoning Ordinance.

F. Landscaping: All landscaping installed shall comply with Section 4.5404 of the Zoning Ordinance, unless otherwise specified in this Ordinance.

G. Parking

- (1) At least 18 off-street vehicle parking spaces, located at the rear of the Property, shall be constructed before issuance of a certificate of occupancy for any building constructed on the Property.

- (2) Prior to or concurrently with the filing of the replat of the Property, and in any case before any building permit may be issued for any portion of the Property, the owner of the Property shall sign and record in the Official Public Records of Ellis County, Texas, a cross-access and mutual parking easement applicable to all of the Property that provides for the mutual use and maintenance by the owners of all lots within the Property of all off-street and on-street parking constructed on the Property. Such easement shall be in a form approved by the City and may not be terminated or amended in a manner that precludes the use of any parking areas by any lot owner within the Property without the prior consent of the City.

H. Alley Improvements

- (1) Any alley improvements shall require either a right-of-way encroachment or right-of-way abandonment with a utility and cross access easement through approval of a required plat prior to the commencement of construction of such improvements.
- (2) The design of the alley improvements shall be substantially as shown as on Exhibit "C," attached hereto and incorporated herein by reference.
- (3) Brick pavers shall be installed along the improved concrete surface.
- (4) Brick entrance columns shall be placed running parallel to 11th and 12th Streets and shall be substantially as shown as on Exhibit "C," attached hereto and incorporated herein by reference.

I. Lighting

- (1) Any lighting standards on the Property provided shall be pedestrian-scale, shielded and downcast.
- (2) Lighting standards shall be no taller than 10 feet high.
- (3) Lighting standards shall have a historic look in both character and appearance.
- (4) The DRC shall have the authority to determine if the proposed items comply with the above requirements.

J. Signage

- (1) All signs to be located on this Property shall only be externally lit and have a historic look in both character and appearance.
- (2) Ground/monument signs shall not exceed a height of five (5) feet or a sign face area of 25 square feet.
- (3) All signs to be located on the Property must be indicated on the Detailed Site Plan. The DRC shall have the authority to determine if the signs comply with this Ordinance and the provisions of the Zoning Ordinance.

SECTION 3. CONFLICTS.

To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Midlothian governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling. In the event there is an irreconcilable conflict within the text of this Ordinance, including any exhibits attached hereto, relating to the applicable standard to be enforced with respect to development of the Property, the strictest standard shall be controlling unless the City Council determines by approval of a motion or resolution that the less stringent standard is to apply.

SECTION 4. SEVERABILITY CLAUSE.

Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the City of Midlothian Zoning Ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the City of Midlothian Zoning Ordinance, as amended hereby, which shall remain in full force and effect.

SECTION 5. SAVINGS CLAUSE.

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the City of Midlothian Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

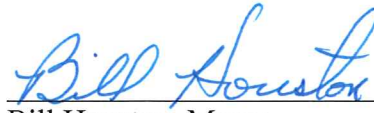
SECTION 6. PENALTY.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

SECTION 7. EFFECTIVE DATE.

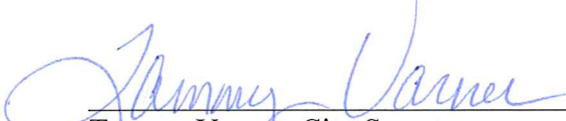
This Ordinance shall become effective from and after the date of its passage and final publication in accordance with the Charter of the City of Midlothian and/or applicable state law and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MIDLOTHIAN,
TEXAS ON THIS THE 11TH DAY OF OCTOBER, 2016.



Bill Houston, Mayor

ATTEST:


Tammy Varner, City Secretary

APPROVED AS TO FORM:


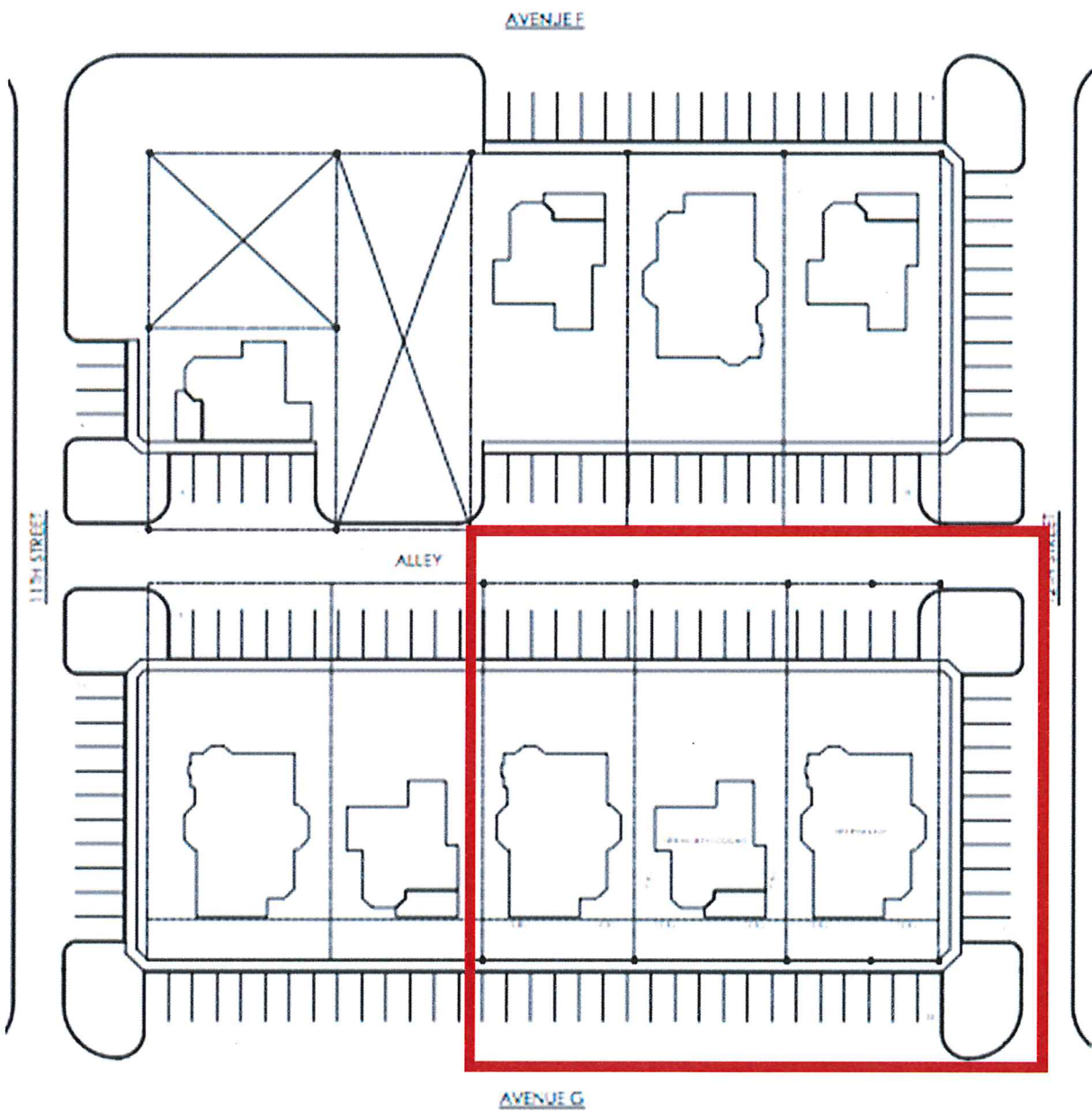

Joseph J. Gorfida, Jr., City Attorney
(kbl:10/5/16:80108)



EXHIBIT A
Site Plan



Subject Area

EXHIBIT B
Elevations/Architecture







Exhibit C
Alley Improvements

