

ORDINANCE NO. 1476

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACHSE, TEXAS AS HERETOFORE AMENDED, SO AS TO GIVE THE HEREINAFTER DESCRIBED TRACT OF LAND "PD - PLANNED DEVELOPMENT ZONING"; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION AND PROVIDING FOR AN EFFECTIVE DATE.

An Ordinance amending the basic Zoning Ordinance of the City of Sachse as enacted by the City Council by permitting the property described in Exhibit "A" to the ordinance to be used under Planned Development District No. 11 for multi-family dwellings and commercial development, that Planned Development District No. 11 shall be granted with reference to the property described in Exhibit "A":, subject, however, to the special conditions hereinafter more fully expressed.

WHEREAS, the Planning and Zoning Commission of the City of Sachse and the Governing Body of the City of Sachse, in compliance with the rules and regulations of the City of Sachse and the State Law, with reference to the granting of Planned Development Districts under the Zoning Ordinance Regulations, have given the requisite notices by publications and otherwise and after holding due hearing and affording a full and fair hearing to all property owners, generally, and to the persons interested situated in the affected area and in the vicinity thereof regarding the rezoning, proposed use or improvements of the property described in Exhibit "A", the Governing Body of the City of Sachse is of the opinion that said Planned Development District should be granted, subject to the conditions set out herein:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS;

SECTION I.

That the basic Zoning Ordinances of the City of Sachse as enacted by the City Council be, and they are hereby amended insofar as they apply to the property described in Exhibit "B" which shall be used under Planned Development District No. 11, for multi-family dwellings and commercial development.

SECTION II.

That this Planned Development District No. 11 for multi-family dwellings and commercial development with reference to the property described in Exhibit "A" is approved and granted upon the following express condition, and adopted as part of the City of Sachse Zoning Ordinance.

- (1). Subdivision Plat: A subdivision plat, meeting the requirements of the City of Sachse Subdivision Ordinances shall be submitted. Said plat shall be filed for record with the County Clerk.
- (2). Uses: The uses shall conform to the requirements listed in Exhibit "B", as attached.

SECTION III.

That all ordinances of the City of Sachse in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other provisions of the ordinances of the City of Sachse not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION IV.

That the provisions of this ordinance are severable, so that the invalidity of one or more provisions shall not affect the validity of those valid portions.

SECTION V.

That the above-described tract of land shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Sachse, as heretofore amended, and as amended herein by the granting of this zoning classification.

SECTION VI.

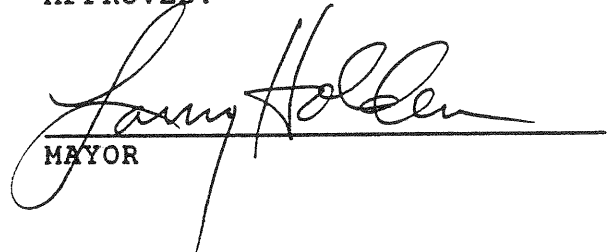
Whenever in this ordinance an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such ordinance, the doing of an act is required or the failure to do any act is declared to be unlawful, the violation of any such provision shall be punished by a fine as provided in Chapter 1, Section 7 of the City of Sachse Code of Ordinances provided, that no penalty shall be greater or less than the penalty provided for the same or similar offense under the laws of the State. Each day any violation of this ordinance shall continue shall constitute a separate offense.

SECTION VII.

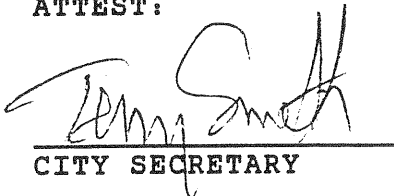
The fact that it appears that the above described property required that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Sachse, creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage, and the publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED by the City Council on this the 19th day of May, 1997.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

[illegible]

EXHIBIT "C"
PLANNED DEVELOPMENT DISTRICT
DEVELOPMENT STANDARDS
CITY OF SACHSE, TEXAS

1.0 PLANNED DEVELOPMENT DISTRICT

1.01 Purpose:

The purpose of this Planned Development District is to provide for flexibility in the combination of allowed uses while insuring appropriate land use regulations and development standards. Each permitted use is planned, developed or operated as an integral land use unit while providing flexibility in the use and design of land and buildings where modification of specific provisions of this ordinance is not contrary to its intent and purpose or significantly inconsistent with the planning on which it is based and will not be harmful to the neighborhood. While flexibility is given to provide special restrictions which allow for new and innovative concepts in land utilization and development not otherwise permitted, procedures are established to insure against misuse of the increased flexibility.

2.0 PLANNED DEVELOPMENT - COMMERCIAL

Tract 1

- 2.01 General Description:** The Commercial area will provide the ability to encourage, and to accommodate the development of office, retail and commercial service centers.
- 2.02 Permitted Uses:** The uses permitted in the commercial area, indicated as Tracts C-1 & C-2 on Exhibit "A", shall be the uses permitted in C-1 Neighborhood Shopping District and C-2 General Commercial District of the City of Sachse Zoning Ordinance, Ordinance No. 1225 as it currently exists or may be amended. 1255
- 2.03 Restricted Uses:** Unless otherwise approved by the City of Sachse, no food product centers or food service uses shall be permitted within two hundred (200) feet of the northern boundary of Tract A-1 as shown on Exhibit "A".
- 2.04 Open Display Uses Permitted:** Open display uses are permitted in accordance with Article 3, Section 5.3 of the City of Sachse Zoning Ordinance, Ordinance No. 1255.
- 2.05 Area Regulations:** Area regulations are to be in accordance with Article 3, Section 5.4 of the City of Sachse Zoning Ordinance, Ordinance No. 1255.
- 2.06 Building Regulations:** Building regulations are to be in accordance with Article 3, Section 5.5 of the City of Sachse Zoning Ordinance, Ordinance No. 1255.
- 2.07 Shared Parking:** Shared parking agreements must be submitted, in writing, by all owners involved. The agreement must be approved by the City Council. If approved, the reduction shall be tied to the uses listed in the shared agreement. If any of the uses change, a reassessment of the shared parking agreement may be required. New uses shall not be permitted by the City until another agreement is approved by the City or the individual parking requirements are met.
- 2.08 Lot Area:** No minimum lot areas or lot sizes are prescribed for commercial and office uses. It is the intent of this ordinance that lots of sufficient size be used by any business to provide adequate parking off of any public or private street, including unloading and loading space required for operation of the enterprise and comply with all open space requirements.
- 2.09 Landscape Plans:** Landscape plans for proposed development areas shall be submitted by the applicant to the Planning and Zoning Commission and City Council, or their designee and approved in accordance with Article 3, Section 5.7

"Site Landscaping". The content of the site plan shall define all items to be included.

2.10 Screening Wall:

- a. Unless otherwise approved by the City Council or their designee, a six (6) foot screening wall shall be provided between areas developed for residential uses and those areas developed for commercial uses. The commercial user shall be responsible for the construction and maintenance of the six (6) foot screening wall. This screening wall shall be constructed on the property of the commercial tract at the time a commercial property is developed and shall only be required adjacent to the specific commercial property that is being developed. The screening wall shall be maintained by the owner of the commercial property. Repairs shall be made to keep the wall in good condition as determined by the opinion of the city building inspector.
- b. Unless otherwise approved by the City Council or their designee, the above referenced six (6) foot screening wall shall be constructed of stone, stucco, brick, tile, concrete or similar materials (as approved by the City of Sachse), or any combination thereof. Plans for the above mentioned screening wall shall bear the stamp of a registered professional engineer in the State of Texas. The design shall include a foundation and support structure which complies with the city's ordinances.

3.0 PLANNED DEVELOPMENT - MULTI-FAMILY

Tract 2

- 3.01 General Description:** Multi-Family units are attached housing units. These units will consist of flats (single level dwelling units) and studios (two level dwelling units), or a combination thereof. Access shall be allowed from access drives or parking areas connecting to an adjacent public or private street. These multi-family units will range from two (2) units per building to twenty-four (24) units per building. Requirements for multi-family development shall be governed by standards as described below.
- 3.02 Permitted Uses:** Land uses permitted within multi-family areas, indicated as Tract B-1 on Exhibit "A", are as follows:
- a. Multi-family residential units and uses normally permitted as accessory to these uses.
 - b. Concrete batch plant, temporary during construction when permitted by code enforcement.
- 3.03 Density:** Allowed densities for the multi-family tract, known as Tract 2, shall be 24 units per gross acre of land.
- 3.04 Required Parking:** Parking requirements for multi-family development areas shall be as follows:
- a. Two (2) covered off-street parking spaces shall be provided for each multi-family dwelling unit.
 - b. Parking shall be permitted within all required side and rear yard areas. No parking shall be permitted within the required front yard area.
 - c. Required off-street parking spaces shall be used for parking and shall not be used for storage of boats, trailers, campers and recreational motor vehicles.
- 3.05 Building Materials:** All multi-family structures shall have an exterior finish of glass, stone, stucco, brick, tile, exterior wood or similar materials, (as approved by the City of Sachse) or any combination thereof. The use of wood as a primary, exterior building material shall be limited to a maximum of twenty-five (25) percent of the total exterior wall surfaces. If there is a window or door, including garage doors, that is on a wall with masonry on both sides, then it can count as part of the masonry requirement. If there is wood siding around any window or door, including garage doors, the opening counts as wood siding. Gables located

in front of an attic space shall be exempt from masonry requirement. Gables located in front of a living space shall be included in the calculation of masonry.

3.06 General Requirements: General requirements for multi-family development shall be as follows:

- a. Unless otherwise approved by the City Council or their designee, a six (6) foot screening fence shall be constructed by the Developer of the multi-family property between areas developed for multi-family uses and those areas developed for single family residential uses. The above referenced six (6) foot screening fence shall be constructed of exterior wood, stone, stucco, brick, tile, concrete or similar materials or any combination thereof. Design of the aforementioned screening fence shall be approved by the City Council at the time of Development Plan approval.
- b. A concrete walkway shall connect the front door of each ground floor unit to a parking area.
- c. Exterior lighting fixtures, whether attached to buildings or free-standing, shall be of a harmonious design. A lighting plan, showing fixtures and lighting levels, shall be approved by the City at the time of development plan approval. In no event shall "area" lighting other than "cut off" or shielded type fixtures mounted twelve (12) feet or less above grade be allowed to be mounted on a building wall. All exterior lighting will have "cut off" or shielded fixtures.
- d. Lighting shall be in accordance with any fixture lighting standards adopted by the City, or these standards, whichever is more stringent.
- e. Any carport roof must be constructed of materials that are architecturally compatible with the roof of the main structure. Flat built-up roofs will be allowed only when all other materials meet the intent of this paragraph (i.e., prefabricated or other metal units are not considered compatible with brick, stone, stucco or wood siding and trim).

3.07 Minimum Dwelling Size: The minimum floor area for multi-family units shall be six hundred fifty (650) square feet, exclusive of garages, open breezeways and porticos.

3.08 Lot Area: The minimum area of any lot shall be ten thousand (10,000) square feet.

3.09 Lot Coverage: In no case shall more than fifty (50) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings.

- 3.10 **Lot Width:** The width of any lot shall not be less than eighty (80) feet.
- 3.11 **Lot Depth:** The minimum depth of any lot shall not be less than one hundred twenty (120) feet.
- 3.12 **Front Yard:** The minimum depth of the front yard shall be twenty five (25) feet.
- 3.13 **Side Yard:** The minimum side yard on each side of the lot shall be fifteen (15) feet. A side yard adjacent to a street shall be a minimum of twenty five (25) feet. A building separation of fifteen (15) feet shall be provided between multi-family structures. A minimum side yard of one hundred (100) feet shall be required where two (2) story units abut a single family zoning district and fifteen (15) feet for single story units abutting a single family zoning district.
- 3.14 **Rear Yard:** The minimum depth of the rear yard shall be twenty (20) feet. A minimum rear yard of one hundred (100) feet shall be required where units abut a single family zoning district and twenty (20) feet for single story units abutting a single family zoning district.
- 3.15 **Building Height:** The permitted height of all multi-family structures shall not exceed three (3) stories; provided, however, no multi-family structure shall exceed the side yard and rear yard requirements previously defined.
- 3.16 **Access Stairs:** The use of exterior stairways for any multi-family building shall include provisions in the design to cover, shield, or enclose the walkway from view of the street. Do not extend stairways outward from building to create an offensive design.
- 3.17 **Landscaping:**
- a. Each lot shall provide for a minimum of five (5) percent of the lot area to be landscaped. The area required for buildings, garages or carports, driveways, paved areas, rights-of-way or easements for streets or alleys shall be excluded from the lot area calculation. Fifty (50) percent of the required landscaping area shall be located in the front yard of each lot. Screening walls and fences may be located within the required landscaping area.
 - b. All required landscape areas shall consist of a combination of trees, grass, shrubs, ground cover and other live plant material to be shown on the landscape plan to be included in the non-residential development plan.
 - c. All landscape areas that are visible from a public street shall be irrigated.

4.0 PLANNED DEVELOPMENT - GENERAL CONDITIONS

4.01 Conformance to the Sachse Zoning Ordinance: Except as amended herein, this Planned Development shall conform to any and all applicable articles and sections of the City of Sachse Zoning Ordinance, Ordinance No. 1255, as it presently exists.

4.02 Procedures of the Planned Development District:

- a. Zoning Exhibit: A zoning exhibit is hereby attached and made a part of the approval for this Planned Development District. This exhibit, indicated as Exhibit "A" sets forth an overall property boundary description, and the designation of zoning tract(s), identified by numbers which correspond to tracts in Exhibit "C".
- b. Conceptual Plan: The Conceptual Plan is hereby attached and made a part of the approval for this Planned Development District. This plan, indicated as Exhibit "D", sets forth the following:
 1. The Conceptual Plan shall be drawn to scale and show: (a) topography; (b) land uses; (c) proposed ingress and egress; (d) physical features of the site; (e) existing streets, alleys and easements; (f) and other information to adequately describe the proposed development and to provide data for approval which is to be used in drafting the Development Plan.
 2. A public hearing shall be required to consider the approval of any Conceptual Plan by the Planning and Zoning Commission and City Council. A Conceptual Plan submitted for approval may be for one or multiple tracts. The approved Conceptual Plan shall be the basis for preparing a Development Plan.
 3. If a specific project requires a traffic engineering report concerning safety, access, traffic, etc. as determined by the city, the developer shall furnish the prescribed report to the city for its review and evaluation.
- c. Development Plan: A Development Plan submission, for non-residential areas, shall contain a scaled drawing of the specific parcel to be developed showing:
 1. Approximate locations for any proposed public or private streets.
 2. Approximate locations for any proposed alleys, loading or service corridors.

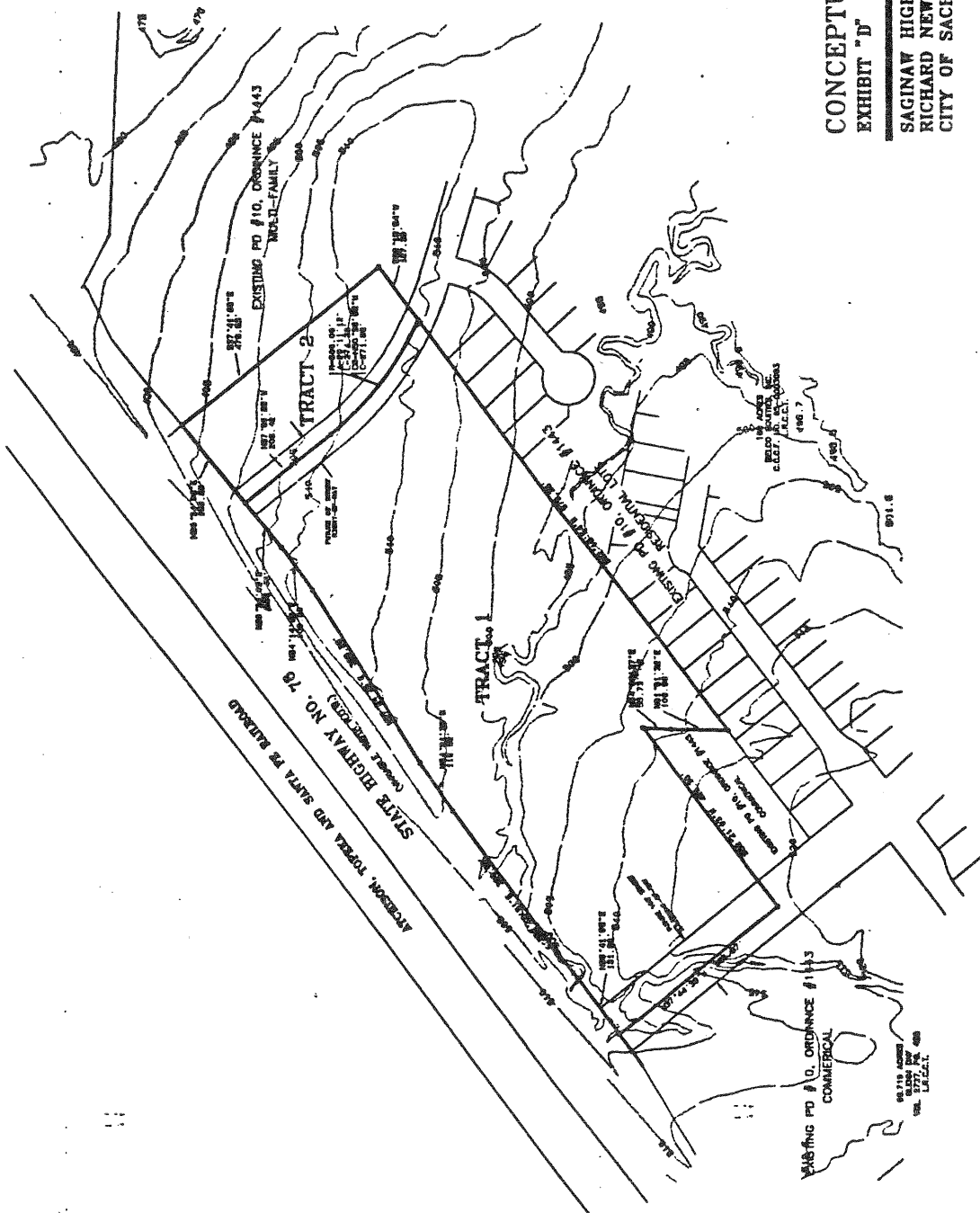
3. Approximate locations for any proposed buildings or structures.
4. Proposed building lines, setback lines and proposed roadway right-of-way lines.
5. Existing roadway or utility easements or right-of-way.
6. An accurate boundary description.
7. Existing topography with a contour interval of not less than two (2) feet based on the USGS MSL datum.
8. Parking area layout with a table indicating the parking requirements, reductions and shared parking agreements.
9. Building coverage.
10. All adjacent land uses, including any future points of access to adjacent areas, and any shared uses with adjacent properties.
11. Floodplain and floodway boundaries (if applicable).
12. Proposed open space or amenity areas.
13. Proposed screening and buffering elements.
14. Proposed building heights of multi-story, non-residential structures.
15. Landscape plan.

d. Preliminary Plat/Final Plat:

1. A Preliminary Plat or Development Plan for each phase of development must be submitted to the City of Sachse and must be approved in accordance with applicable law prior to completion of the Final Plat. A Final Plat with construction plans, as required by the Sachse Subdivision Ordinance as it presently exists, must be submitted to the City of Sachse and must be approved and construction completed in accordance with applicable law prior to issuance of a building permit within that phase.
2. All Final Plats must conform to the approved Preliminary Plat or Development Plan and be recorded within the county or counties where the property is located.

4.03 General Compliance: Except as amended by these conditions, development of property within this Planned Development must comply with the requirements of all ordinances, rules and regulations of the City of Sachse as they presently exist.

- 4.04 **Corner Visibility Easements:** A corner visibility easement shall be maintained at the intersection of streets. This easement shall be kept clear of all structures or other visual obstructions located between two (2) feet six (6) inches and six (6) feet in height above the top of curb of the adjacent street. The easement is defined by a line connecting two points on perpendicular or perpendicularly adjacent lot lines, said points being located twelve (12) feet on one street and sixty (60) feet on the adjoining street from the intersecting lot corner in both directions.
- 4.05 **Street Design Standards:** All paved areas, permanent drives, streets, (dedicated or private) and drainage structures must be constructed in accordance with standard City of Sachse specifications as they presently exist. However, the following criteria shall apply:
- a. The minimum centerline radius for a major thoroughfare (minimum eighty (80) foot to maximum one hundred forty (140) foot right-of-way) shall be one thousand (1,000) feet, a secondary thoroughfare (minimum sixty (60) foot right-of-way) shall be two hundred fifty (250) feet and a minor residential street (minimum 50 foot right-of-way) shall be one hundred fifty (150) feet.
 - b. A cul-de-sac shall not be longer than six hundred (600) feet.
- 4.06 **Fences:** Fences in non-residential areas shall conform to City of Sachse requirements and standards.
- 4.07 **Permits and Certificates of Occupancy:** The Building Official shall not issue a building permit or a certificate of occupancy for a use in a phase of this Planned Development District until there has been full compliance with these conditions, the construction codes and all other rules and regulations of the City of Sachse as they presently exist and are applicable to that phase.



NORTH

SCALE: 1" = 100'

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