

ORDINANCE NO. 7476

**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.**

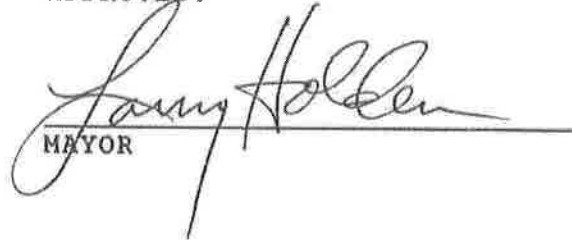
Whenever in this ordinance an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such ordinance, the doing of an act is required or the failure to do any act is declared to be unlawful, the violation of any such provision shall be punished by a fine 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:

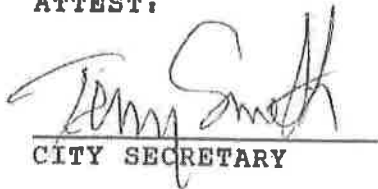
  
CITY SECRETARY





Exhibit B

3.0 PLANNED DEVELOPMENT - MULTI-FAMILY

Tract B-1

3.01 General Description: Multi-Family units are attached housing units. These units will consist of flats (single level units) and studios (two level 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 B-1, 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 it, it counts as wood siding. Regarding gables, if in front of an attic space, it is exempt from masonry requirement. If in front of a living space, it is considered into 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 Owner and/or 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 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" 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 units abut a single family zoning district, unless the multi-family units are less than two (2) stories in height.
- 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, unless the multi-family units are less than two (2) stories in height.

- 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 two (2) stories when located one hundred fifty (150) feet or less from a single family zoning district, unless otherwise approved by the City.
- 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, less the area required for buildings, garages or carports, driveways, paved areas, rights-of-way or easements for streets or alleys, be utilized for landscaping. Fifty (50) percent of the required landscaping area shall be located in the front yard. 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 - COMMERCIAL

##### Tracts C-1 & C-2

- 4.01 General Description: The Commercial area will provide the ability to encourage, and to accommodate the development of office, retail and commercial service centers.
- 4.02 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.
- 4.03 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".
- 4.04 Open Display Uses Permitted: In accordance with Article 3, Section 5.3 of the City of Sachse Zoning Ordinance, Ordinance No. 1255.
- 4.05 Area Regulations: In accordance with Article 3, Section 5.4 of the City of Sachse Zoning Ordinance, Ordinance No. 1255.
- 4.06 Building Regulations: In accordance with Article 3, Section 5.5 of the City of Sachse Zoning Ordinance, Ordinance No. 1255.
- 4.07 Shared Parking: Shared parking agreements must be submitted, in writing, by all owners or parties involved. The agreement must be approved by the City of Sachse. 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 will 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.

4.08 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.

4.09 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.

4.10 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 is acceptable to the city criteria.