

ORDINANCE NO. 3775

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED BY CREATING PLANNED DEVELOPMENT NO. 34 ("PD-34") LOCATED IN THE TURNPIKE OVERLAY ZONE ("TRANSITION ZONE") WITH A BASE ZONING OF C-2 GENERAL COMMERCIAL DISTRICT ("C-2") TO ALLOW FOR THE DEVELOPMENT OF A SENIOR HOUSING COMPLEX, ON ±10.538 ACRES, BEING PART OF THE THOMAS D. JAMES SURVEY, ABSTRACT NO. 477, AND LOCATED SOUTH OF SEWELL ELEMENTARY, EAST OF MILES ROAD AND WEST OF HERITAGE PARK, CITY OF SACHSE, DALLAS COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR THE APPROVAL OF THE SITE PLAN ATTACHED AS EXHIBIT "B"; PROVIDING FOR THE APPROVAL OF THE ELEVATIONS PLAN ATTACHED AS EXHIBIT "C"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Sachse and the governing body of the City of Sachse, in compliance with state laws applying to amending the Comprehensive Zoning Ordinance and Map, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the City of Sachse is of the opinion that said comprehensive Zoning Ordinance should be amended as provided herein;

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Sachse, Texas, as heretofore amended, be and the same are hereby further amended by creating Planned Development No. 34 ("PD-34") located in the Turnpike Overlay Zone ("Transition Zone") with a base zoning of C-2 General Commercial District ("C-2") to allow for the development of a senior housing complex on ±10.538 acres of land, being part of the Thomas D. James Survey, Abstract No. 477, and located south of Sewell Elementary, east of Miles Road and West of Heritage Park, City of Sachse, Dallas County, Texas (the "Property"), being more particularly described in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION 2. That the property shall be developed and used only in accordance with the following development standards:

- A. **Purpose.** The purpose of this Planned Development District is to allow for the development of a senior living complex.
- B. **Base Zoning District.** The Property shall be used and developed in accordance with the Turnpike Overlay Zone (“Transition Zone”) and C-2 General Commercial District (“C-2”) regulations of the Comprehensive Zoning Ordinance, except as otherwise provided herein:
- C. **Permitted Uses.** The Property shall be developed and used only for a senior living complex, with a mix of assisted living, independent living, and memory care units, for persons fifty-five (55) years of age or older.
- D. **Deed Restrictions.** No certificate of occupancy for the any building located on the Property shall be approved until the owner(s) of the Property has signed and recorded in the Real Property Records of Dallas County, Texas, a restrictive covenant in a form approved by the City Attorney restricting use of the senior living facility to residential uses by people fifty-five (55) years of age or older to the extent such restriction is consistent with the Federal Fair Housing Act and other applicable law.
- E. **Development Standards for Senior Living, Assisted Living and Memory Care Uses.**
- (1) Dwelling Units/Acre. Senior housing shall be allowed a density of 13 living units per acre, with a mix of sixty-one (61) units for assisted living; one hundred and twenty units (120) units for independent living and twenty-four (24) units for memory care.
 - (2) Maximum Building Height. The maximum building height shall be forty feet (40’).
 - (3) Access and Layout. The developer shall provide two (2) pedestrian connections into Heritage Park, and decorative paving at the development’s two (2) entrances off Miles Road.
 - (4) Parking. A minimum of two hundred (200) parking spaces shall be provided with a minimum of one (1) bike rack provided on-site near the building’s entrance.
 - (5) Architectural Design. The architecture design for the primary buildings shall be 100% brick and stone.
 - (6) Accessory Buildings. Detached garages are allowed and shall be constructed with the same masonry as the primary buildings.

(7) Landscaping.

- (a) Large canopy trees shall be provided at 1:50 around the perimeter of the site.
- (b) Large canopy trees shall be provided at 1:40 along the Miles Road right-of-way frontage.
- (c) A continuous evergreen hedge shall be provided on areas adjacent to Miles Road.
- (d) The terminus of each parking row and each parking island shall have a large canopy tree.

F. **Site Plan.** The Property shall be developed and used substantially in accordance with the Site Plan attached as Exhibit "B", and which is hereby approved.

G. **Elevations Plan.** The buildings shall be designed and constructed substantially in accordance with the elevation and renderings attached as Exhibit "C," and which is hereby approved.

SECTION 3. That the above Property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Sachse, as heretofore amended, and as amended herein.

SECTION 4. That all provisions of the ordinances of the City of Sachse in conflict with the provisions of this ordinance be and the same are hereby repealed.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.


SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Sachse, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas on the 5 day of December, 2016.




APPROVED:



Mike J. Felix
Mayor

DULY ENROLLED:



Michelle Lewis Sirianni
City Secretary

APPROVED AS TO FORM:


Peter G. Smith
City Attorney
(11-10-2016/81549)

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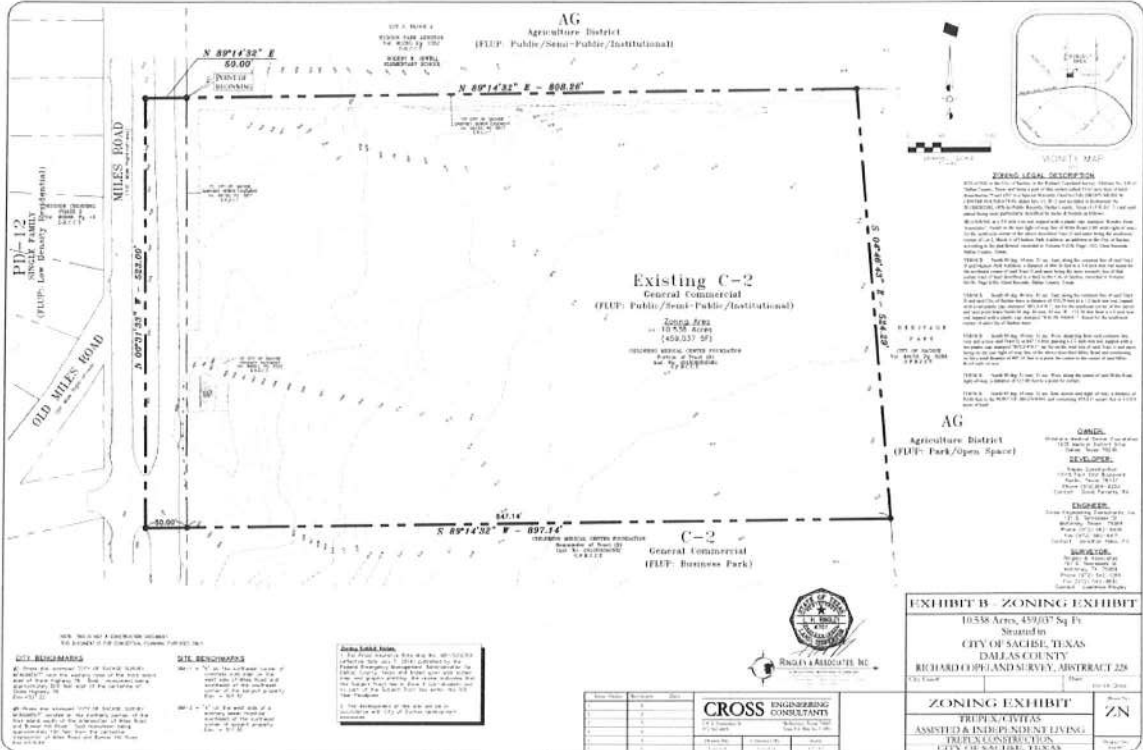
Michelle Lewis Sirianni
City Secretary

APPROVED AS TO FORM:



Peter G. Smith
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EXHIBIT "A" DESCRIPTION AND DEPICTION



ZONING LEGAL DESCRIPTION

AG - Agriculture District (FUP: Public/Semi-Public/Institutional)

C-2 - General Commercial (FUP: Business Park)

AG - Agriculture District (FUP: Park/Open Space)

CITY REQUIREMENTS

1. The applicant shall submit a site plan showing the proposed building footprint, parking, and other site improvements.

2. The applicant shall submit a site plan showing the proposed building footprint, parking, and other site improvements.

SITE REQUIREMENTS

1. The site shall be a minimum of 10,000 square feet in area.

2. The site shall be a minimum of 100 feet wide.

Other Notes:

1. The applicant shall submit a site plan showing the proposed building footprint, parking, and other site improvements.

2. The applicant shall submit a site plan showing the proposed building footprint, parking, and other site improvements.

Item	Description	Quantity	Unit
1	Site Plan	1	Set
2	Site Plan	1	Set
3	Site Plan	1	Set
4	Site Plan	1	Set
5	Site Plan	1	Set

EXHIBIT B - ZONING EXHIBIT

10338 Acres, 45000' Sq Ft

Situated in
CITY OF SACHS, TEXAS
DALLAS COUNTY
RICHARD O'LAND SURVEY, ABSTRACT 228

ZONING EXHIBIT

TRIPLEX/THITAS
ASSISTED HOUSING FOR ELDERLY LIVING
MULTI-FAMILY CONSTRUCTION
CITY OF SACHS, TEXAS

EXHIBIT "C" ELEVATIONS PLAN

The architectural elevations plan consists of the following elements:

- AL-B SOUTH ELEVATION:** A long, low-profile building with a gabled roof and multiple windows.
- AL-SOUTH ELEVATION:** A long, low-profile building with a gabled roof and multiple windows, similar to the AL-B South Elevation.
- AL-B COMMUNITY CLUB ELEVATION:** A building with a prominent arched entrance and a gabled roof.
- AL-B PORT COCHERE:** A multi-story building with a prominent central entrance and a gabled roof.
- AL-SOUTH ELEVATION:** A long, low-profile building with a gabled roof and multiple windows, similar to the AL-South Elevation.
- Site Plan:** A small diagram showing the building's location on a site.
- Section View:** A cross-section of the building showing the roof structure and interior layout.

Logos for CROSS and TRAPEX are visible in the top right corner. The text "TRAPEX ASSISTED LIVING, MEMORY CARE & INDEPENDENT LIVING" is written vertically on the right side. The code "A12.0" is located in the bottom right corner.