



# Sachse, Texas

Sachse City Hall  
3815 Sachse Road  
Building B  
Sachse, Texas 75048

## Meeting Agenda

### City Council

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Monday, April 1, 2013

7:30 PM

Council Chambers

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*The Mayor and Sachse City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.*

The City Council of the City of Sachse will hold a Regular Meeting on Monday, April 1, 2013, at 7:30 p.m. in the Council Chambers at the Sachse City Hall, 3815 Sachse Road, Building B, Sachse, Texas to consider the following items of business:

#### **Invocation and Pledges of Allegiance to U.S. and Texas Flags.**

**A. Pledge of Allegiance to the Flag of the United States of America: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands: one nation under God, indivisible, with liberty and justice for all.**

**B. Pledge of Allegiance to the Texas State Flag: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.**

#### **1. CONSENT AGENDA.**

1.a ALL ITEMS LISTED ON THE CONSENT AGENDA WILL BE CONSIDERED BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION, THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER OR CITIZEN SO REQUESTS.

[13-1443](#) Consider approval of the minutes of the March 18, 2013, regular meeting.

#### *Executive Summary*

*Minutes from the recent Council meeting.*

**Attachments:** [Council.minutes.03.18.13.pdf](#)

[13-1442](#) Consider receiving the Monthly Revenue and Expenditure Report for the period ending February 28, 2013.

#### *Executive Summary*

*The Finance Department will prepare a report each month to update the City Council regarding revenues and expenditures of the City. The attached report is for the month ended February 28, 2013.*

**Attachments:** [All Funds 2-28-2013 Budget Report GF.pdf](#)  
[All Funds 2-28-2013 Budget Report UF.pdf](#)  
[All Funds 2-28-2013 Budget Report SEDC.pdf](#)  
[All Funds 2-28-2013 Budget Report DS.pdf](#)

[13-1457](#) Consider approval of the minutes of the March 25, 2013, special meeting.

*Executive Summary*  
*Minutes from the recent Council meeting.*

**Attachments:** [Council.minutes.03.25.13.pdf](#)

**2. MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS, CURRENT ACTIVITIES, AND LOCAL ACHIEVEMENTS.**

[13-1444](#) Interim Fire Chief Andy Jones Recognition.

*Executive Summary*  
*Interim Fire Chief Andy Jones term has ended with the City. This agenda item is to recognize his for his service to the City.*

**Attachments:** [Plaque of Appreciation.pdf](#)

[13-1456](#) Recognize employees for their service to the City of Sachse

*Executive Summary*  
*The City Council recognizes employees with service anniversaries.*

[13-1454](#) Proclamation recognizing Arbor Day in the City of Sachse as April 13, 2013.

*Executive Summary*  
*The Arbor Day event is sponsored by the Arbor Day Foundation in cooperation with the National Association of State Forester and the USDA Forest Service. Arbor Day is day that is recognized nationally and is usually in the early part of April but some communities celebrate it in the Fall or later in the Spring.*

**Attachments:** [Proc. Arbor Day.pdf](#)

[13-1455](#) Proclamation recognizing Keep America Beautiful's Great American Cleanup for the City of Sachse.

*Executive Summary*  
*This Proclamation is a kick off to our April 13, 2013 community event. Hundreds of volunteers show up to assist in cleaning up public parks, right of ways and green space.*

**Attachments:** [Proc. Great Amer. cleanup.pdf](#)

- [13-1432](#) Presentation of Texas Municipal Library Directors Association 2012 Achievement of Excellence Award to the Sachse Public Library

*Executive Summary*

*The "Achievement of Excellence of Libraries Award" is selected every year by the Texas Municipal Library Directors Association (TMLDA) members. The Sachse Public Library has received this prestigious award.*

- [13-1441](#) Staff Briefing: Library Department Update

*Executive Summary*

Library Manager will update Council on Library activities.

**Attachments:** [April 1 2013 Library Update pdf](#)

**3. CITIZEN INPUT.**

*The public is invited at this time to address the Council. The Mayor will ask you to come to the Microphone and state your name and address for the record. If your remarks pertain to a specific Agenda item, please hold them until that item, at which time the Mayor may solicit your comments.*

The City Council is prohibited from discussing any item not on the posted agenda according to the Texas Open Meetings Act.

**4. REGULAR AGENDA ITEMS.**

- [13-1445](#) Administer Oath of Office to newly appointed Board and Commission members.

*Executive Summary*

*Mayor Felix will administer the Oath of Office to the new Board members.*

**Attachments:** [Oath.pdf](#)

- [13-1447](#) Conduct a public hearing and consider approval of an Ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map so as to grant a Special Use Permit for a Preschool or Childcare Center use on an approximately 2.751 acre tract of land, generally located on the north side of Bunker Hill Road, approximately 625 feet south of State Highway 78, more particularly described in Exhibit "A" and located in General Commercial (C-2) zoning district.

*Executive Summary*

*The applicant is requesting a Special Use Permit for a preschool or childcare center for the 2.751-acre property located on the north side of Bunker Hill Road, approximately 625 feet south of State Highway 78.*

**Attachments:** [CD - BARNYARD GATE DAYCARE SUP CC - PRESENTATION.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - ATTACHMENT 1.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - ATTACHMENT 2.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - ATTACHMENT 3.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - DRAFT ORD.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - DRAFT ORD - EXHIBIT A.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - DRAFT ORD - EXHIBIT B.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - DRAFT ORD - EXHIBIT C.pdf](#)

[13-1449](#)

Conduct a public hearing and consider approval of an Ordinance of the City Council of the City of Sachse, Texas amending the Comprehensive Zoning Ordinance and Map, as heretofore amended; by amending Planned Development No. 19 (PD-19) more particularly described in Exhibit "B" attached hereto; by amending the site boundary for Tract C-2 to remove 17.166 acres for a new tract C-3 to be created; by amending Exhibit "A" to reflect the amended site area for Tract C-2 and C-3; by amending Exhibit "C" to amend Schedule "A" titled "Permitted Uses" to allow Garden Center Sales and Display uses and to permit Outside Storage for Retail Stores and Shops in excess of 100,000 square feet; by amending Exhibit "C" to amend Schedule "B" titled Parking Requirements for Retail Stores and Shops uses located on Tract C-3.

*Executive Summary*

*The applicant is requesting to amend the existing Planned Development Ordinance to divide the existing commercial Tract C-2 into commercial Tracts C-2 and C-3. The purpose of the amendment is to allow for reduced parking requirements on the newly created Tract C-3 as well as permitting ancillary Garden Center Sales and Display uses for certain retail uses. In addition, Outside Storage will be allowed for retail uses in excess of 100,000 square feet. A revised Development Plan will be submitted and attached to the Ordinance.*

**Attachments:** [CD - WOODBRIDGE TR C3 PD AMEND CC - PRESENTATION.pdf](#)  
[CD - WOODBRIDGE TR C3 PD AMEND CC - ATTACHMENT 1.pdf](#)  
[CD - WOODBRIDGE TR C3 PD AMEND CC - ATTACHMENT 2.pdf](#)  
[CD - WOODBRIDGE TR C3 PD AMEND CC - ATTACHMENT 3.pdf](#)  
[CD - WOODBRIDGE TR C3 PD AMEND CC - ATTACHMENT 4.pdf](#)  
[CD - WOODBRIDGE TR C3 PD AMEND CC - DRAFT ORD.pdf](#)  
[CD - WOODBRIDGE TR C3 PD AMEND CC - DRAFT ORD - EXHIBIT A.pdf](#)  
[CD - WOODBRIDGE TR C3 PD AMEND CC - DRAFT ORD - EXHIBIT B.pdf](#)  
[CD - WOODBRIDGE TR C3 PD AMEND CC - DRAFT ORD - EXHIBIT C.pdf](#)

[13-1462](#)

Consider approval of a Sign Variance request associated with the property generally located on the northwest side of SH78/KCRC Railroad, and on the south side of future Woodbridge Parkway adjacent to the SH78/KCRC Railroad rights-of-way.

*Executive Summary*

*A sign variance is being requested by the property owner to permit a pylon sign to be constructed as an off-premise sign and to permit deviations in the sign area for a monument-style general business sign.*

***(This item has been withdrawn at the request of the applicant and is being rescheduled for a future City Council meeting.)***

[13-1446](#)

Consider the application of Mr. Charles Smith for approval of a Preliminary Plat for Metro Mortuary and Cremation Services, being three lots on approximately 6.561 acres, generally located north of Williford Road and southeast of State Highway 78.

*Executive Summary*

*The applicant is requesting to subdivide an approximately 6.561-acre tract into three individual lots, with one lot to consist of the existing pet cemetery and pet crematorium, another for the proposed crematorium, and the other for future development.*

**Attachments:** [CD - METRO MORTUARY PP CC - PRESENTATION.pdf](#)  
[CD - METRO MORTUARY PP CC - ATTACHMENT 1.pdf](#)  
[CD - METRO MORTUARY PP CC - ATTACHMENT 2.pdf](#)  
[CD - METRO MORTUARY PP CC - ATTACHMENT 3.pdf](#)  
[CD - METRO MORTUARY PP CC - ATTACHMENT 4.pdf](#)  
[CD - METRO MORTUARY PP CC - EXHIBIT A.pdf](#)

[13-1460](#)

Adjourn to Executive Session pursuant to the provisions of Texas Government Code Section 551.071:  
To discuss pending litigation: Randy Cole and Karen Cole,

Individually and as Next Friends of Ryan Cole vs. Michael Hunter, Martin Cassidy, Carl Carson and the City of Sachse, Texas Civil Action No. 2:12-cv-00607.

*Executive Summary*

*Closed session as provided by State Law.*

**5. ADJOURNMENT.**

*Vision Statement: Sachse is a friendly, vibrant community offering a safe and enjoyable quality of life to all who call Sachse home.*

The City of Sachse reserves the right to reconvene, recess or realign the regular session or called Executive Session or order of business at any time prior to adjournment. Note: The Sachse City Council reserves the right to convene into Executive Session pursuant to the Texas Government Code, Title 5, Chapter 551 regarding posted items on the regular meeting agenda.

State law prohibits the introduction or discussion of any item of business not posted at least seventy-two (72) hours prior to the meeting time. Therefore, during Citizen Input for example, the Council is prohibited by state law to deliberate or take action on any issues introduced by the public other than to take them under advisement. Posted: March 28, 2013; 5:00 p.m.  
Terry Smith, City Secretary \_\_\_\_\_.

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact Terry Smith, City Secretary, at (972) 495-1212, 48 business hours prior to the scheduled meeting date. Reasonable accommodations will be made to assist your needs.



Legislation Details (With Text)

**File #:** 13-1443      **Version:** 1      **Name:** Consider approval of the minutes of the March 18, 2013, regular meeting.  
**Type:** Agenda Item      **Status:** Agenda Ready  
**File created:** 3/20/2013      **In control:** City Council  
**On agenda:** 4/1/2013      **Final action:**  
**Title:** Consider approval of the minutes of the March 18, 2013, regular meeting.

Executive Summary  
Minutes from the recent Council meeting.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Council.minutes.03.18.13.pdf](#)

Date	Ver.	Action By	Action	Result
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**Title**

Consider approval of the minutes of the March 18, 2013, regular meeting.

*Executive Summary*

*Minutes from the recent Council meeting.*

**Background**

Minutes form the most recent Council meeting on March 18, 2013, for review and approval.

**Policy Considerations**

Not applicable.

**Budgetary Considerations**

Not applicable.

**Staff Recommendations**

Approval of the minutes of the March 18, 2013, regular meeting, as a Consent Agenda Item.

**REGULAR MEETING**  
**OF THE**  
**CITY COUNCIL OF THE CITY OF SACHSE**

**MARCH 18, 2013**

The City Council of the City of Sachse held a Regular Meeting on Monday, March 18, 2013 at 7:30 p.m. at the Sachse City Hall after proper notice. The roll of the duly constituted City Council Members was called which members are as follows, to wit:

Mayor Mike Felix  
Mayor Pro Tem Jared Patterson  
Councilman Bill Adams  
Councilman Brett Franks  
Councilwoman Pat McMillan  
Councilman Todd Ronnau  
Councilman Mark Timm

and all were present.

Staff present: City Manager Billy George, City Secretary Terry Smith, Special Projects Coordinator Denise Vice, Community Development Director Marc Kurbansade, Parks and Recreation Director Lance Whitworth, Police Chief Dennis Veach, City Engineer Greg Peters, Human Resources Manager Laura Morrow; Library Manager Mignon Morse; Sachse EDC Director Carlos Vigil, Interim Finance Director Teresa Savage and Interim Fire Chief Andy Jones.

**Invocation and Pledge of Allegiance to U.S. and Texas Flags:**

The invocation was offered by Councilman Timm and the pledges were led by Councilman Franks.

**1. Consent Agenda:**

Councilman Timm moved to approve the Consent Agenda consisting of 13-1412 Consider approval of the minutes of the March 4, 2013, regular meeting; 13-1434 Resolution No. 3460 of the City Council of the City of Sachse, Texas, authorizing the purchase of a one-ton chassis cab pickup truck for the Public Works Street Department through the Houston-Galveston Area Council of Governments HGACBuy Cooperative Purchasing Program in the amount not to exceed \$23,634.84. 13-1425 Consider an order canceling the May 11, 2013 City Council election and declaring the unopposed candidates elected; 13-1398 Resolution No. 3461 of the City Council of the City of Sachse, Texas, approving the terms and conditions of Amendment No. 1 to the Dallas County Community Development Block Grant (CDBG) Project Implementation Agreement Seventh Street/Boone Street Reconstruction between County of Dallas, Texas and City of Sachse, Texas; and 13-1436 Resolution No. 3462 of the City Council of the City of Sachse, Texas, approving the terms and conditions of the subscription agreement, by and between the city of Sachse, Texas and ESO Solutions, Inc. The motion was seconded by Councilwoman McMillan and passed unanimously.

**2. Mayor and City Council Announcements regarding special events, current activities and local achievements:**

13-1435 Recognize employees for their service to the City of Sachse.

13-1421 Proclamation declaring Week of the Young Child.

Mayor Felix announced the following events: March 23<sup>rd</sup> 10:00 a.m. is the Easter Egg Scramble at Heritage Park; March 29<sup>th</sup> City Offices are closed for Good Friday; March 30<sup>th</sup> Sachse Baseball Opening Day Parade.

Mayor Pro Tem Patterson noted the Parks and Recreation Department is sponsoring the Great American Cleanup on April 13<sup>th</sup>. This is the fourth annual event and groups can join to promote their organization. He also stated on Thursday, May 2<sup>nd</sup> is the second annual National Day of Prayer and details will follow.

Councilman Timm noted that April 12<sup>th</sup> is the Chamber of Commerce's fifth annual Men Who Cook event. It is a fun event.

**3. Citizen Input:**

No comments were made.

**4. Regular Agenda Items:**

**13-1440 Consider a resolution authorizing the City Manager to execute a contract with Blue Cross Blue Shield for group health insurance, Lincoln Financial for dental insurance, life insurance, accidental death and dismemberment insurance, long-term disability insurance, and Eyemed for vision insurance.**

Following discussion, Councilman Timm moved to approve a resolution authorizing the City Manager to execute a contract with Blue Cross Blue Shield for group health insurance, Lincoln Financial for dental insurance, life insurance, accidental death and dismemberment insurance, long-term disability insurance, and Eyemed for vision insurance. The motion was seconded by Councilman Adams and failed by the following vote:

Voting Yes: Timm, Adams, Ronnau

Voting No: Felix, McMillan, Franks and Patterson

Following discussion, Council Members discussed a special meeting next week to address this issue.

**13-1409 Conduct a public hearing and consider approval of an Ordinance of the City of Sachse, Texas, amending the Sachse Code of Ordinances by amending Chapter 11, titled "Zoning", by amending Article 3 titled "[Districts]", by amending Section 2 titled "R Single-Family Dwelling Districts", by amending Section 2.3 titled "Building Regulations"; by amending Schedule I titled "Permitted Uses" to modify the parking requirement for single-family detached residential uses.**

Following staff briefing, Mayor Felix opened the public hearing.

No comments were made.

Mayor Pro Tem Patterson moved to close the public hearing. The motion was seconded by Councilman Timm and carried unanimously.

Following discussion, Councilman Franks moved to approve Ordinance No. 3463 of the City of Sachse, Texas, amending the Sachse Code of Ordinances by amending Chapter 11, titled "Zoning", by amending Article 3 titled "Districts", by amending Section 2 titled "R Single-Family Dwelling Districts", by amending Section 2.3 titled "Building Regulations"; by amending Schedule I titled "Permitted Uses" to modify the parking requirement for single-family detached residential uses with Version No. 1. The motion was seconded by Councilman Timm and carried unanimously.

**13-1423 Consider appointments to Boards and Commissions.**

Following discussion, Mayor Pro Tem Patterson moved to reappoint Bobby Tillman and Ed Brown to the TIF Board and appoint James Cron as full member and David Darr as alternate member to the Board of Adjustment. The motion was seconded by Councilman Timm and carried unanimously.

**13-1429 Discuss a Sign Variance request associated with the property generally located on the northwest side of SH78/KCRC Railroad, and on the south side of future Woodbridge Parkway adjacent to the SH78/KCRC Railroad rights-of-way.**

Director of Community Development Marc Kurbansade briefed the Council on the matter. This agenda item will be on the April 1<sup>st</sup> agenda for action.

Following discussion, no formal Council action was taken.

There being no further business, Councilman Timm made a motion to adjourn. The motion was seconded by Councilman Ronnau and carried unanimously. The meeting adjourned at 9:51 p.m.

ATTEST:

APPROVED:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR



## Legislation Details (With Text)

**File #:** 13-1442      **Version:** 1      **Name:** Monthly Revenue and Expenditure Report February 2013

**Type:** Agenda Item      **Status:** Agenda Ready

**File created:** 3/20/2013      **In control:** City Council

**On agenda:** 4/1/2013      **Final action:**

**Title:** Consider receiving the Monthly Revenue and Expenditure Report for the period ending February 28, 2013.

### Executive Summary

The Finance Department will prepare a report each month to update the City Council regarding revenues and expenditures of the City. The attached report is for the month ended February 28, 2013.

### Sponsors:

### Indexes:

### Code sections:

- Attachments:** [All Funds 2-28-2013 Budget Report GF.pdf](#)  
[All Funds 2-28-2013 Budget Report UF.pdf](#)  
[All Funds 2-28-2013 Budget Report SEDC.pdf](#)  
[All Funds 2-28-2013 Budget Report DS.pdf](#)

Date	Ver.	Action By	Action	Result
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### Title

Consider receiving the Monthly Revenue and Expenditure Report for the period ending February 28, 2013.

### Executive Summary

*The Finance Department will prepare a report each month to update the City Council regarding revenues and expenditures of the City. The attached report is for the month ended February 28, 2013.*

### Background

Included in this report are unaudited summaries for the General Fund, the Utility Fund, the Sachse Economic Development Corporation, and the Debt Service Fund for the period ending February 28, 2013.

### Policy Considerations

City Charter requires that the City Manager submit a report covering revenues and expenditures monthly.

### Budgetary Considerations

N/A

### Staff Recommendations

Staff recommends that the City Council receive the Monthly Revenue and Expenditure Report for the period ending February 28, 2013 as a Consent Agenda item.

**City of Sachse**  
 Monthly Revenue and Expenditure Report  
 February 28, 2013  
 (Unaudited)

**GENERAL FUND**

42% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 42%
<b>Revenue Summary</b>					
Property Tax	\$ 7,036,517	\$ 412,258	\$ 6,821,098	96.94%	<b>A</b>
Sales Tax	833,553	98,954	389,832	46.77%	
Franchise Fees	1,444,403	95,293	577,284	39.97%	
Licenses and Permits	323,775	28,582	165,852	51.22%	
Service Fees	434,450	161,176	473,471	108.98%	<b>B</b>
Fines	330,000	34,879	135,959	41.20%	
Interest Income	5,000	(305)	452	9.03%	<b>C</b>
Miscellaneous Income	143,097	1,705	53,670	37.51%	
Intergovernmental Revenue	960,271	79,988	399,940	41.65%	
<b>Total Revenue</b>	<b>\$ 11,511,066</b>	<b>\$ 912,530</b>	<b>\$ 9,017,558</b>	<b>78.34%</b>	
<b>Expenditure Summary</b>					
City Manager	\$ 294,468	\$ 20,449	\$ 125,077	42.48%	
City Secretary	153,366	8,273	55,794	36.38%	
Human Resources	248,104	9,110	79,230	31.93%	
Finance	478,268	49,966	219,240	45.84%	
Municipal Court	166,610	11,813	57,491	34.51%	
Parks & Recreation	737,643	46,479	279,958	37.95%	
Senior Programs	104,312	5,419	39,825	38.18%	
Library Services	291,436	18,909	119,135	40.88%	
Community Development	603,315	40,746	243,249	40.32%	
Streets & Drainage	1,138,483	40,602	320,999	28.20%	
Facility Maintenance	325,081	9,314	105,699	32.51%	
Police	3,170,903	208,233	1,405,477	44.32%	
Animal Control	137,201	8,104	57,220	41.71%	
Fire/EMS	2,209,598	170,730	890,473	40.30%	
Combined Services	1,176,674	114,426	566,818	48.17%	
City Engineer	274,155	18,554	70,454	25.70%	
<b>Total Expenditures</b>	<b>\$ 11,509,617</b>	<b>\$ 781,126</b>	<b>\$ 4,636,139</b>	<b>40.28%</b>	
<b>Total Revenue Over/Under Expenses</b>	<b>\$ 1,449</b>	<b>\$ 131,404</b>	<b>\$ 4,381,419</b>		

**Explanation of Major Variances:**

- A** Property tax collections in the current year are at 96.94% compared to 96.16% in the previous year.
- B** Developer Fees for the current period are significantly higher than the same time period last year.
- C** Current month negative amount is for investment expense--2nd quarter interest will post in March

**City of Sachse**  
 Monthly Revenue and Expenditure Report  
 February 28, 2013  
 (Unaudited)

**UTILITY FUND**

42% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 42%
<b>Revenue Summary</b>					
Water Revenue	\$ 4,062,949	\$ 205,942	\$ 1,397,303	34.39%	<b>A</b>
Sewer Revenue	2,974,582	232,122	1,150,818	38.69%	<b>B</b>
Fees	150,900	14,334	80,369	53.26%	<b>C</b>
Impact Fees	120,000	2,501	33,923	28.27%	
Interest Income	3,500	(537)	795	22.70%	<b>D</b>
Miscellaneous Income	1,200	-	95	7.92%	
<b>Total Revenue</b>	<b>\$ 7,313,131</b>	<b>\$ 454,362</b>	<b>\$ 2,663,302</b>	<b>36.42%</b>	
<b>Expenditure Summary</b>					
Utility Administration	\$ 250,758	\$ 18,029	\$ 95,948	38.26%	
Water Operations	3,823,654	373,658	1,547,240	40.46%	
Sewer Operations	2,934,366	61,409	900,134	30.68%	
Meter Reading	121,994	7,394	63,862	52.35%	
<b>Total Expenditures</b>	<b>\$ 7,130,772</b>	<b>\$ 460,489</b>	<b>\$ 2,607,183</b>	<b>36.56%</b>	
<b>Total Revenue Over/Under Expenses</b>	<b>\$ 182,359</b>	<b>\$ (6,128)</b>	<b>\$ 56,119</b>		

**Explanation of Major Variances:**

- A** YTD Water Revenue is 4% higher than same time in prior year.
- B** YTD Sewer Revenue is 5.5% lower than same time in prior year.
- C** Miscellaneous Billing Fees are 5% higher than same time in prior year.
- D** Current month negative amount is for investment expense--2nd quarter interest will post in March

**City of Sachse**  
 Monthly Revenue and Expenditure Report  
 February 28, 2013  
 (Unaudited)

**SACHSE ECONOMIC DEVELOPMENT CORPORATION**

42% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 42%
<b>Revenue Summary</b>					
Sales Tax	\$ 410,273	\$ 49,477	\$ 191,163	46.59%	
Interest Income	7,500	(1,328)	1,961	26.15%	A
<b>Total Revenue</b>	<b>\$ 417,773</b>	<b>\$ 48,149</b>	<b>\$ 193,124</b>	<b>46.23%</b>	
<b>Expenditure Summary</b>					
Expenditures	485,866	14,706	86,244	17.75%	B
<b>Total Expenditures</b>	<b>\$ 485,866</b>	<b>\$ 14,706</b>	<b>\$ 86,244</b>	<b>17.75%</b>	
<b>Total Revenue Over/Under Expenses</b>	<b>\$ (68,093)</b>	<b>\$ 33,443</b>	<b>\$ 106,880</b>		

**Explanation of Major Variances:**

- A** Current month negative amount is for investment expense--2nd quarter interest will post in March
- B** Expenditures for FY12-13 as of January 31 are at 17.75% compared to 22.43% for same time period in prior year.

Monthly Revenue and Expenditure Report  
February 28, 2013  
(Unaudited)

**Debt Service Fund**

42% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 42%
<b>Revenue Summary</b>					
Property Tax	\$ 2,492,137	\$ 145,921	\$ 2,420,920	97.14%	<b>A</b>
Interest Income	500	(159)	235	46.95%	<b>B</b>
<b>Total Revenue</b>	<b>\$ 2,492,637</b>	<b>\$ 145,762</b>	<b>\$ 2,421,155</b>	<b>97.13%</b>	
<b>Expenditure Summary</b>					
Fees	\$ 1,000	\$ 323	\$ 823	82.33%	
Principal	1,035,000	1,035,000	1,035,000	100.00%	<b>C</b>
Interest	1,830,446	922,871	922,871	50.42%	<b>D</b>
<b>Total Expenditures</b>	<b>\$ 2,866,446</b>	<b>\$ 1,958,194</b>	<b>\$ 1,958,694</b>	<b>68.33%</b>	
<b>Total Revenue Over/Under Expenses</b>	<b>\$ (373,809)</b>	<b>\$ (1,812,432)</b>	<b>\$ 462,461</b>		

**Notes: Explanation of Major Variances**

- A** Property Tax collections for FY12-13 as of are at 97.14% compared to 96.95% for same time period in prior year.
- B** Current month negative amount is for investment expense--2nd quarter interest will post in March
- C** Annual principal payments were posted in February
- D** Debt interest is paid biannually.



## Legislation Details (With Text)

**File #:** 13-1457      **Version:** 1      **Name:** Consider approval of the minutes of the March 25, 2013, special meeting.

**Type:** Agenda Item      **Status:** Agenda Ready

**File created:** 3/26/2013      **In control:** City Council

**On agenda:** 4/1/2013      **Final action:**

**Title:** Consider approval of the minutes of the March 25, 2013, special meeting.

Executive Summary  
Minutes from the recent Council meeting.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Council.minutes.03.25.13.pdf](#)

Date	Ver.	Action By	Action	Result
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### Title

Consider approval of the minutes of the March 25, 2013, special meeting.

### *Executive Summary*

*Minutes from the recent Council meeting.*

### Background

Minutes form the most recent Council meeting on March 25, 2013, for review and approval.

### Policy Considerations

Not applicable.

### Budgetary Considerations

Not applicable.

### Staff Recommendations

Approval of the minutes of the March 25, 2013, special meeting, as a Consent Agenda Item.

**SPECIAL MEETING  
OF THE  
CITY COUNCIL OF THE CITY OF SACHSE**

**MARCH 25, 2013**

The City Council of the City of Sachse held a Special Meeting on Monday, March 25, 2013 at 7:00 p.m. at the Sachse City Hall after proper notice. The roll of the duly constituted City Council Members was called which members are as follows, to wit:

Mayor Mike Felix  
Mayor Pro Tem Jared Patterson  
Councilman Bill Adams  
Councilman Brett Franks  
Councilwoman Pat McMillan  
Councilman Todd Ronnau  
Councilman Mark Timm

and all were present except Councilwoman McMillan and Councilman Ronnau.

Staff present: City Manager Billy George, City Secretary Terry Smith, Special Projects Coordinator Denise Vice.

1. The City Council of the City of Sachse will hold a Special Meeting on Monday, March 25, 2013, at 7:00 p.m. in the Council Chambers at the Sachse City Hall, 3815 Sachse Road, Building B, Sachse, Texas to consider the following items of business:

**2. AGENDA ITEMS.**

**13-1448 Consider a resolution authorizing the City Manager to execute a contract with Blue Cross Blue Shield for group health insurance, Lincoln Financial for dental insurance, life insurance, accidental death and dismemberment insurance, long-term disability insurance, and Eyemed for vision insurance.**

Following discussion, Councilman Timm moved to approve Resolution No. 3464 authorizing the City Manager to execute a contract with Blue Cross Blue Shield for group health insurance, Lincoln Financial for dental insurance, life insurance, accidental death and dismemberment insurance, long-term disability insurance, and Eyemed for vision insurance and authorize Proposal C as presented. The motion was seconded by Mayor Pro Tem Patterson and carried unanimously.

**13-1453 Consider a resolution authorizing the City Manager to execute a contract with Consult A Doc for telemedicine services.**

Following discussion, Mayor Pro Tem Patterson moved to approve Resolution No. 3465 authorizing the City Manager to execute a contract with Consult A Doc for telemedicine services. The motion was seconded by Councilman Timm and carried unanimously.

**3. ADJOURNMENT.**

There being no further business, Councilman Timm moved to adjourn. The motion was seconded by Councilman Adams and carried unanimously. The meeting adjourned at 8:04 p.m.

ATTEST:

APPROVED:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR



Legislation Details (With Text)

**File #:** 13-1444      **Version:** 1      **Name:** Interim Fire Chief Andy Jones Recognition  
**Type:** Agenda Item      **Status:** Agenda Ready  
**File created:** 3/20/2013      **In control:** City Council  
**On agenda:** 4/1/2013      **Final action:**  
**Title:** Interim Fire Chief Andy Jones Recognition.

Executive Summary  
Interim Fire Chief Andy Jones term has ended with the City. This agenda item is to recognize his for his service to the City.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Plaque of Appreciation.pdf](#)

Date	Ver.	Action By	Action	Result
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Title  
Interim Fire Chief Andy Jones Recognition.

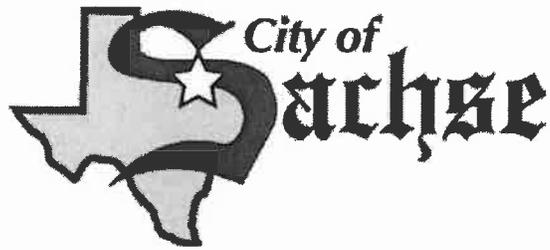
*Executive Summary  
Interim Fire Chief Andy Jones term has ended with the City. This agenda item is to recognize his for his service to the City.*

Background  
*This agenda item is to recognize Interim Fire Chief for his service to the City. Mr. Jones has served as Interim Fire Chief from February 1 until March 22, 2013. Staff has a Plaque of Appreciation for Mayor Felix to present.*

Policy Considerations  
None.

Budgetary Considerations  
None.

Staff Recommendations  
Mayor Felix present Plaque of Appreciation to Interim Fire Chief Andy Jones.



# **CERTIFICATE OF APPRECIATION**

IN THE NAME AND BY THE AUTHORITY

OF THE CITY OF SACHSE, TEXAS

THIS CERTIFICATE OF APPRECIATION

is presented to

**Andy Jones**

In grateful recognition of Outstanding  
Public Service faithfully rendered to the  
City of Sachse

**Interim Fire Chief**

**February 1, 2013 – March 22, 2013**

**PRESENTED BY:  
MAYOR, CITY COUNCIL AND STAFF  
OF THE CITY OF SACHSE, TEXAS  
APRIL 1, 2013**



Legislation Details (With Text)

**File #:** 13-1456      **Version:** 1      **Name:** Service Award Recognition Q1 2013  
**Type:** Agenda Item      **Status:** Agenda Ready  
**File created:** 3/26/2013      **In control:** City Council  
**On agenda:** 4/1/2013      **Final action:**  
**Title:** Recognize employees for their service to the City of Sachse

Executive Summary  
The City Council recognizes employees with service anniversaries.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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Title  
Recognize employees for their service to the City of Sachse

*Executive Summary*  
*The City Council recognizes employees with service anniversaries.*

Background

**5 Year Service Award**

**Dennis Veach - Police Chief**

Chief Veach is truly a renaissance man. Since he has been with the City of Sachse, the Police Department has won two awards with the Texas Municipal League; the first was a Municipal Excellence Award for the Builders Anti-Theft Program in 2009, then a subsequent 2010 Excellence in Communications Award for working with the Asian Community during a string of home burglaries. Chief Veach received the Out of the Box award in 2010 from the Texas Police Chief's Association, and led the department's effort to become designated through the Texas Police Chief's Association Best Practices Recognition Program in 2011.

Policy Considerations

None

Budgetary Considerations

None

Staff Recommendations

Staff recommends that presentations be made by Mayor Felix.



## Legislation Details (With Text)

**File #:** 13-1454      **Version:** 1      **Name:** Arbor Day 2013  
**Type:** Agenda Item      **Status:** Agenda Ready  
**File created:** 3/25/2013      **In control:** City Council  
**On agenda:** 4/1/2013      **Final action:**  
**Title:** Proclamation recognizing Arbor Day in the City of Sachse as April 13, 2013.

### Executive Summary

The Arbor Day event is sponsored by the Arbor Day Foundation in cooperation with the National Association of State Forester and the USDA Forest Service. Arbor Day is day that is recognized nationally and is usually in the early part of April but some communities celebrate it in the Fall or later in the Spring.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** [Proc. Arbor Day.pdf](#)

Date	Ver.	Action By	Action	Result
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### Title

Proclamation recognizing Arbor Day in the City of Sachse as April 13, 2013.

### *Executive Summary*

*The Arbor Day event is sponsored by the Arbor Day Foundation in cooperation with the National Association of State Forester and the USDA Forest Service. Arbor Day is day that is recognized nationally and is usually in the early part of April but some communities celebrate it in the Fall or later in the Spring.*

### Background

This is the fifth year we have celebrated Arbor Day. The City of Sachse has also met the requirements for the Tree City USA for the fifth year in a row. We are proud to be an active community that recognizes the importance of having healthy trees and vegetation and the long term benefits of tree planting.

### Policy Considerations

None

### Budgetary Considerations

None

### Staff Recommendations

None



# PROCLAMATION

**WHEREAS**, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

**WHEREAS**, this special day, called Arbor Day is now observed throughout the nation and the world, and

**WHEREAS**, trees can reduce erosion of our precious topsoil by wind and water, cut heating and cooling costs, clean the air, produce life-giving oxygen and provide a habitat for wildlife, and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community, and

**WHEREAS**, trees in our city increase property values and enhance the economic vitality of business areas, and

**WHEREAS**, trees wherever they are planted, are a source of joy and spirituality.

**NOW, THEREFORE**, by the powers vested in me as Mayor of the great City of Sachse, Texas, I do hereby proclaim

**APRIL 13, 2013 AS ARBOR DAY IN SACHSE**

and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Sachse, Texas to be affixed this the 1st day of April, 2013.



\_\_\_\_\_  
Mike J. Felix  
Mayor



Legislation Details (With Text)

<b>File #:</b>	13-1455	<b>Version:</b>	1	<b>Name:</b>	Great America Cleanup 2013
<b>Type:</b>	Agenda Item	<b>Status:</b>		<b>Status:</b>	Agenda Ready
<b>File created:</b>	3/25/2013	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	4/1/2013	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Proclamation recognizing Keep America Beautiful's Great American Cleanup for the City of Sachse.				
	Executive Summary This Proclamation is a kick off to our April 13, 2013 community event. Hundreds of volunteers show up to assist in cleaning up public parks, right of ways and green space.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Proc. Great Amer. cleanup.pdf</a>				

Date	Ver.	Action By	Action	Result
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Title  
Proclamation recognizing Keep America Beautiful's Great American Cleanup for the City of Sachse.

*Executive Summary*  
*This Proclamation is a kick off to our April 13, 2013 community event. Hundreds of volunteers show up to assist in cleaning up public parks, right of ways and green space.*

Background  
Keep America Beautiful's Great American Cleanup is the nation's largest annual community improvement program. The City of Sachse has participated in this annual event for the past three years. This event is an outstanding community program where citizens of all ages can participate. Last year we were able to collect 328 bags, (6,560 lbs) of trash and planted over 300 flowers in various parks and facilities in the City. Over 300 individuals participated in the cleanup and beautification of 22 sites across the City of Sachse.

Policy Considerations  
None

Budgetary Considerations  
None

Staff Recommendations  
None



# Proclamation

**WHEREAS**, Keep America Beautiful, Inc. a national not-for-profit organization dedicated to helping individuals improve their community environment, has established the Great American Cleanup as its signature national effort for involving American citizens in environmental stewardship; and

**WHEREAS**, the City of Sachse is proud of its natural resources and its neighborhoods and seeks to protect and improve our community through the action of citizens, schools, governments and businesses working together; and

**WHEREAS**, the President of the United States of America has recognized the important commitment to improve American communities through litter prevention, beautification and solid waste management initiatives and has assumed the title of Honorary Chair of the Keep America Beautiful's Great American Cleanup.

**NOW, THEREFORE**, by the powers vested in me as Mayor of the great City of Sachse, Texas:  
**I DO HEREBY PROCLAIM**

**April 8-14, 2013 as Keep America Beautiful's Great American Cleanup Week in Sachse**

and call upon our citizens to join in activities that promote responsible environmental stewardship and help us renew our commitment to building a better world today for future generations.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Sachse, Texas to be affixed this the 1st day of April, 2013.



---

Mike J. Felix  
Mayor



Legislation Details (With Text)

**File #:** 13-1432      **Version:** 1      **Name:** TMLDA Award 2012  
**Type:** Agenda Item      **Status:** Agenda Ready  
**File created:** 3/11/2013      **In control:** City Council  
**On agenda:** 4/1/2013      **Final action:**  
**Title:** Presentation of Texas Municipal Library Directors Association 2012 Achievement of Excellence Award to the Sachse Public Library

Executive Summary

The "Achievement of Excellence of Libraries Award" is selected every year by the Texas Municipal Library Directors Association (TMLDA) members. The Sachse Public Library has received this prestigious award.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Title

Presentation of Texas Municipal Library Directors Association 2012 Achievement of Excellence Award to the Sachse Public Library

*Executive Summary*

*The "Achievement of Excellence of Libraries Award" is selected every year by the Texas Municipal Library Directors Association (TMLDA) members. The Sachse Public Library has received this prestigious award.*

Background

The "Achievement of Excellence in Libraries Award" is selected annually by a committee of members fro the Texas Municipal Library Directors Association. The winning libraries must demonstrate excellence in all of the following categories: conduct a Summer Reading Program, provide services to underserved populations, provide enhanced service to the public during the past year, provide current marketing materials, develop a set of policies and procedures for the library which have been reviewed and updated within the last five years, provide cultural, topical and educational programming for adults and families, provide literacy support for all ages, invest in collaborative efforts, establish staff training, and provide a web presence.

Policy Considerations

N/A

**Budgetary Considerations**

N/A

**Staff Recommendations**

No action necessary.



Legislation Details (With Text)

**File #:** 13-1441      **Version:** 1      **Name:** Library Staff Briefing 2013  
**Type:** Agenda Item      **Status:** Agenda Ready  
**File created:** 3/15/2013      **In control:** City Council  
**On agenda:** 4/1/2013      **Final action:**

**Title:** Staff Briefing: Library Department Update  
 Executive Summary  
 Library Manager will update Council on Library activities.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [April 1 2013 Library Update pdf](#)

Date	Ver.	Action By	Action	Result
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**Title**  
 Staff Briefing: Library Department Update

*Executive Summary*  
 Library Manager will update Council on Library activities.

**Background**  
 Library Manager, Mignon Morse, will present an update on library statistics and programs.

**Policy Considerations**  
 N/A

**Budgetary Considerations**  
 N/A

**Staff Recommendations**  
 No action is required for this item.



9:08 AM



Sachse  
Public Library

3815C

# CITY COUNCIL PRESENTATION

April 1, 2013





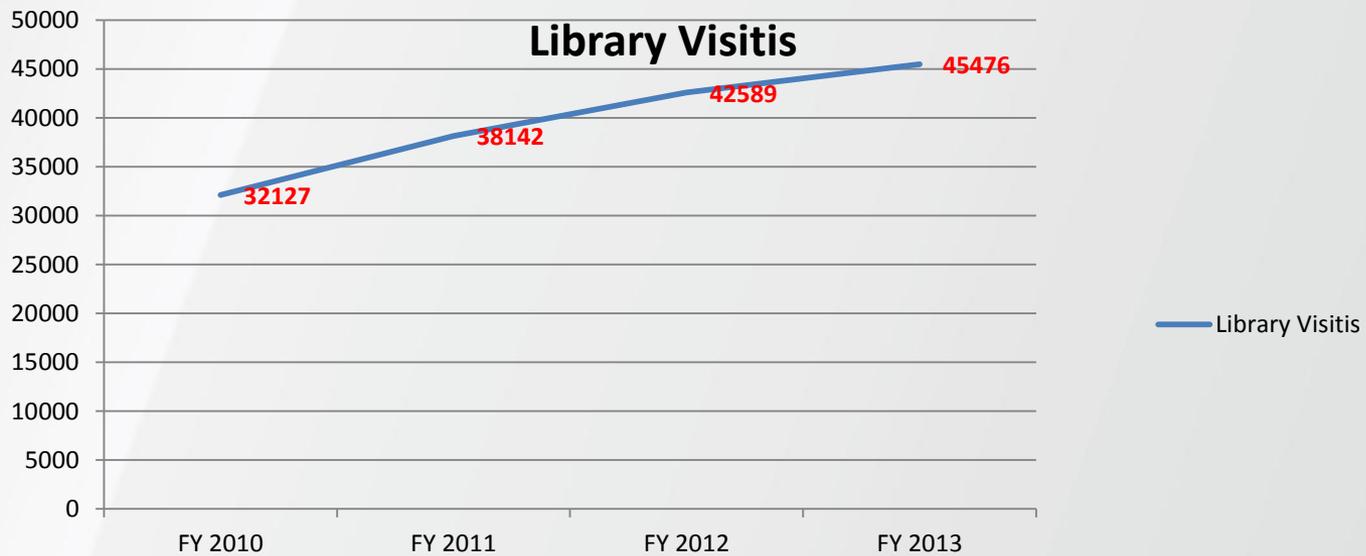
# STATISTICAL REVIEW

	2006	2007	2008	2009	2010	2011	2012
Library Program Attendance	2608	2711	4372	3402	2741	3202	4625
Library Visits	58200	34011	34320	31926	32127	38142	42589
Library Circulation	71312	85416	86151	89512	99067	***72137	85000
	***closed two months in 2011						



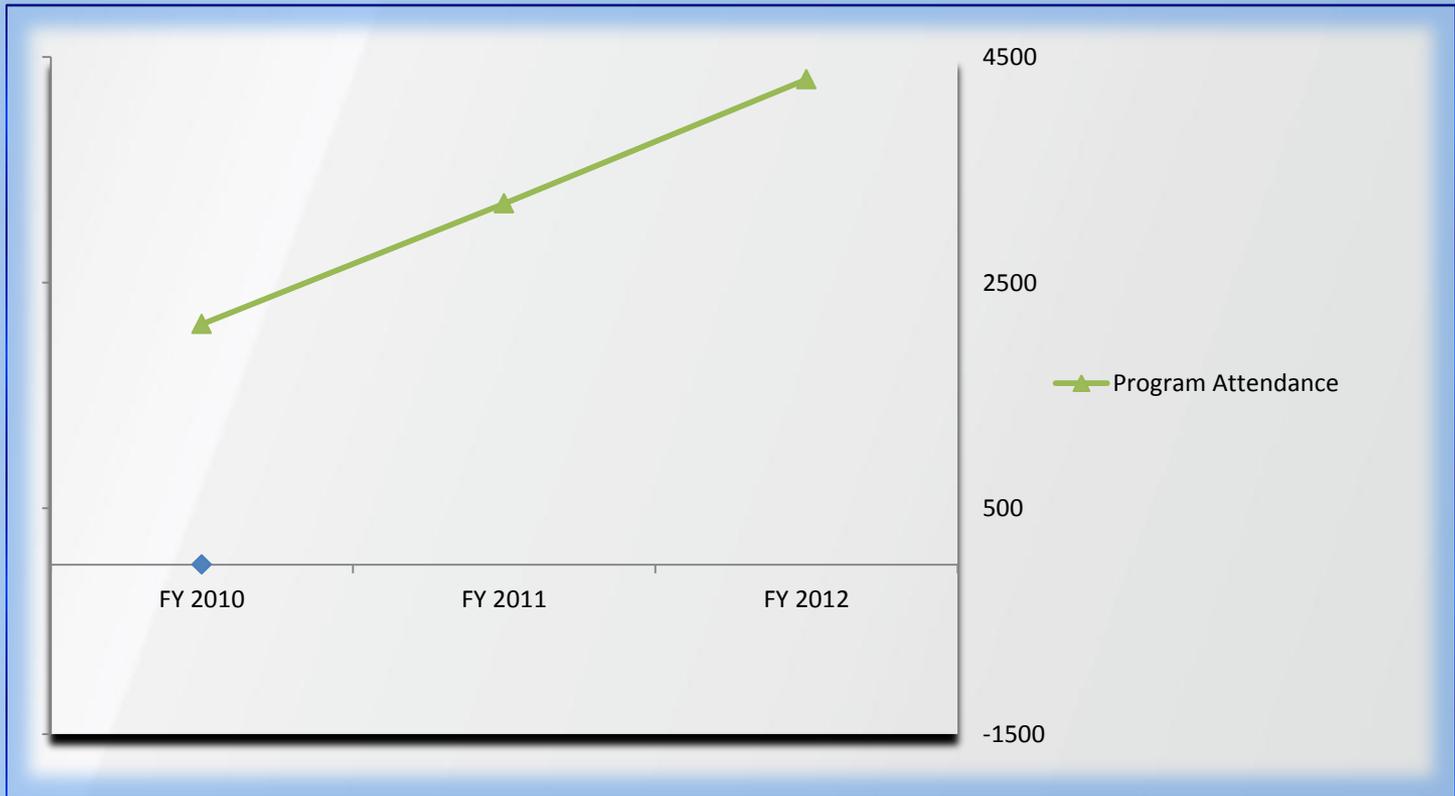


# Library Visits





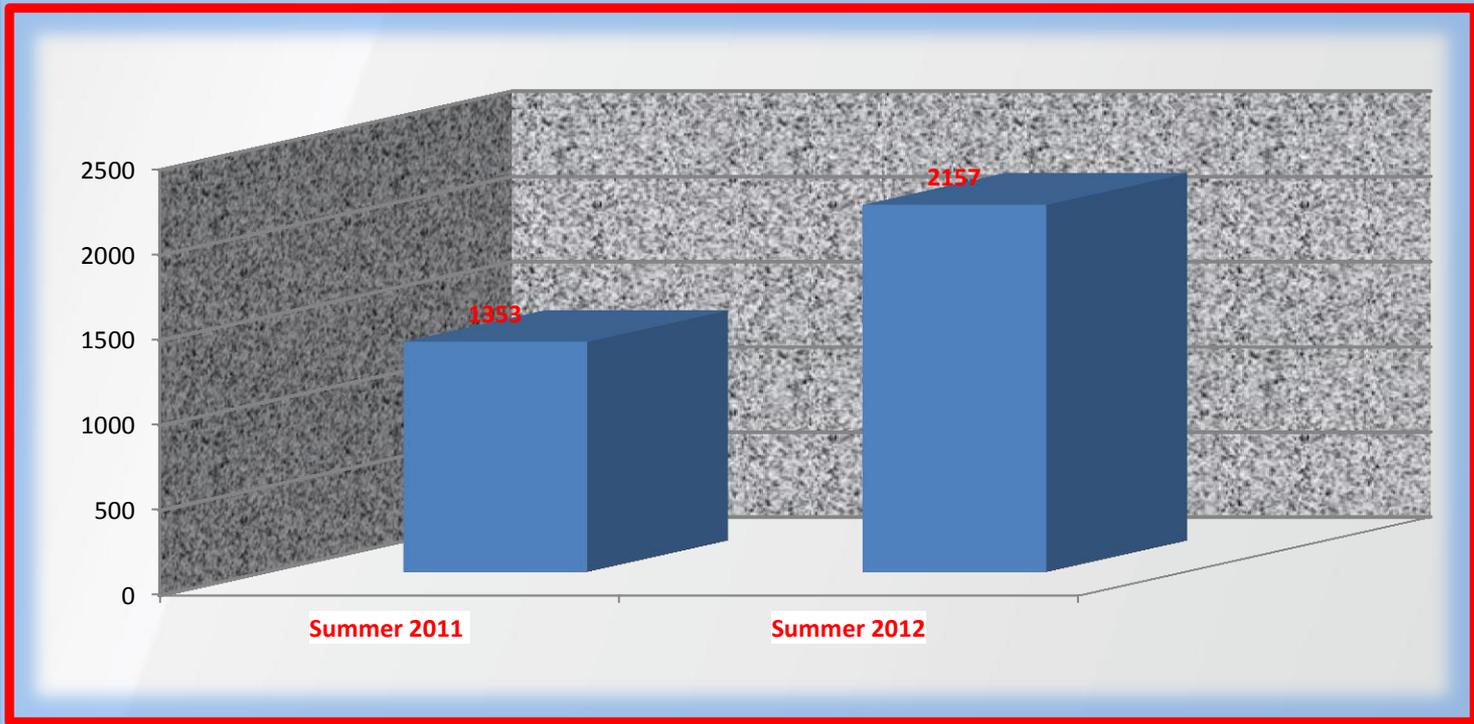
# Program Numbers are Soaring



- Home icon
- Triangle icon
- Circle icon
- Inverted triangle icon
- Search icon



# Summer Reading Club



1102 Jea 0 2107 0% 99 increased 69% in 2012 over 2011





## FUTURE PROGRAMS

---

- Computer Classes
- Poetry Contest in April
- National Library Week after school program
- Summer Reading Club
  - Kickoff is June 8<sup>th</sup> from 10 to 12
  - Adding programs for tweens and teens this year
  - Last year we have 550 registrations and we are anticipating 700 to 750 this year.



## PLANS FOR FY 2013

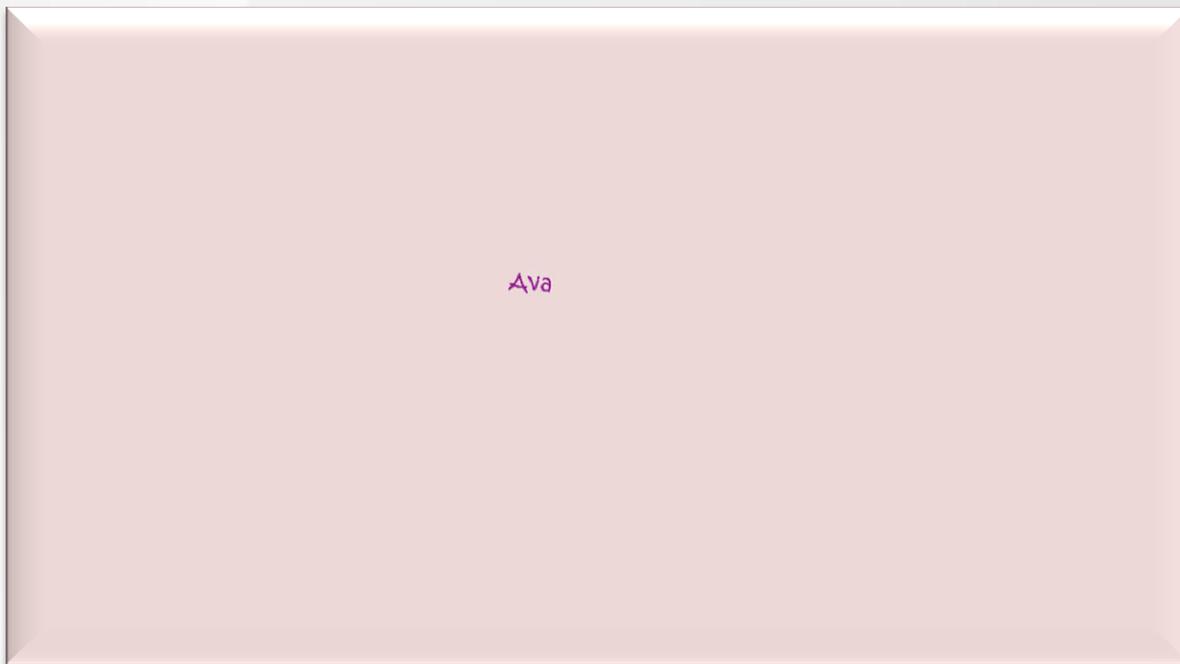
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- Building the book collection
- Hope to add e-books to our library to keep up with the trends in the area. We are the only library who does not have them.
- Reaching out to different demographics for programs



# This is what we are about!!!

---



Ava





## Legislation Details (With Text)

**File #:** 13-1445      **Version:** 1      **Name:** Administer Oath of Office  
**Type:** Agenda Item      **Status:** Agenda Ready  
**File created:** 3/20/2013      **In control:** City Council  
**On agenda:** 4/1/2013      **Final action:**  
**Title:** Administer Oath of Office to newly appointed Board and Commission members.  
  
Executive Summary  
Mayor Felix will administer the Oath of Office to the new Board members.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Oath.pdf](#)

Date	Ver.	Action By	Action	Result
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### Title

Administer Oath of Office to newly appointed Board and Commission members.

### *Executive Summary*

*Mayor Felix will administer the Oath of Office to the new Board members.*

### Background

At the Council meeting on March 18, 2013, the Council reappointed Mr. Bobby Tillman and Mr. Ed Brown as TIF board members. Tonight they will take the Oath of Office, so that they may assume the duties of their office.

### Policy Considerations

None.

### Budgetary Considerations

None.

### Staff Recommendations

Mayor Felix administer the Oath of Office to the newly appointed board members.

Sample

In the name and by the authority of

*THE STATE OF TEXAS*

*OATH OF OFFICE*

I, Bobby Tillman do solemnly swear, that I will faithfully execute the duties of the office of the TIF Board Member, of the City of Sachse, State of Texas, and will, to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of this State, so help me God.

X  
\_\_\_\_\_ Affiant

SWORN TO and subscribed before me by affiant on the \_\_\_\_ day of April, 2013.

\_\_\_\_\_  
Signature of person administering oath

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title



Legislation Details (With Text)

**File #:** 13-1447      **Version:** 1      **Name:** CD - BARNYARD GATE DAYCARE SUP CC  
**Type:** Agenda Item      **Status:** Agenda Ready  
**File created:** 3/21/2013      **In control:** City Council  
**On agenda:** 4/1/2013      **Final action:**

**Title:** Conduct a public hearing and consider approval of an Ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map so as to grant a Special Use Permit for a Preschool or Childcare Center use on an approximately 2.751 acre tract of land, generally located on the north side of Bunker Hill Road, approximately 625 feet south of State Highway 78, more particularly described in Exhibit "A" and located in General Commercial (C-2) zoning district.

**Executive Summary**

The applicant is requesting a Special Use Permit for a preschool or childcare center for the 2.751-acre property located on the north side of Bunker Hill Road, approximately 625 feet south of State Highway 78.

**Sponsors:**

**Indexes:**

**Code sections:**

- Attachments:** [CD - BARNYARD GATE DAYCARE SUP CC - PRESENTATION.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - ATTACHMENT 1.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - ATTACHMENT 2.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - ATTACHMENT 3.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - DRAFT ORD.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - DRAFT ORD - EXHIBIT A.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - DRAFT ORD - EXHIBIT B.pdf](#)  
[CD - BARNYARD GATE DAYCARE SUP CC - DRAFT ORD - EXHIBIT C.pdf](#)

Date	Ver.	Action By	Action	Result
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**Title**

Conduct a public hearing and consider approval of an Ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map so as to grant a Special Use Permit for a Preschool or Childcare Center use on an approximately 2.751 acre tract of land, generally located on the north side of Bunker Hill Road, approximately 625 feet south of State Highway 78, more particularly described in Exhibit "A" and located in General Commercial (C-2) zoning district.

*Executive Summary*

*The applicant is requesting a Special Use Permit for a preschool or childcare center for the 2.751-acre property located on the north side of Bunker Hill Road, approximately 625 feet south of State Highway 78.*

**Background**

The 2.751-acre subject property is generally located on the north side of Bunker Hill Road,

approximately 625 feet south of State Highway 78. The subject property retains a zoning designation of General Commercial (C-2) (See Attachment 1 - Aerial Location Map and Attachment 2 - Zoning Identification Map).

The subject property is bounded on the north by the Oak Grove Plaza/Kroger shopping center; on the east by an existing detention pond; on the south by an undeveloped tract of land; and on the west by an existing single-family residential community located within the City of Garland. The three surrounding properties that are located within the City of Sachse all retain zoning designations of General Commercial (C-2).

The Planning and Zoning Commission conducted a public hearing and recommended approval of the item by a vote of 4-0 at their March 11, 2013 meeting.

#### Policy Considerations

The applicant is requesting a Special Use Permit (SUP) for a Preschool or Childcare Center use for the property generally located on the north side of Bunker Hill Road, approximately 625 feet south of State Highway 78.

The SUP request was evaluated in light of the standards set forth in the Zoning Ordinance, specifically with regard to compatibility with surrounding uses. The proposed daycare would provide a neighborhood service located on property currently zoned for general commercial uses. The proposed use would be in conformance with the intent of the C-2 zoning district and compatible with existing surrounding development.

As part of the SUP review, staff evaluated the proposed Site Plan (see Exhibit B). The proposed development will include a 12,500 square foot building that will provide daycare for approximately 295 students. The Site Plan was found to be in conformance with the City's current standards and regulations.

Also as part of the Special Use Permit request, the applicant is requesting to utilize Hardi-siding on the front elevation in keeping with the proposed architectural theme of the building (see Exhibit C). Since Hardi-siding is not considered a masonry material according to City of Sachse Zoning and Building Code regulations, the applicant is requesting the deviation as part of the SUP request. It should be noted that Exhibit C is being included in order to identify the proposed exterior building materials to be used per facade. Minor modifications to other design elements of the building (e.g., roof pitch, roof design, floor plate height) may be permitted provided these elements are allowed according to the regulations outline in the City Code of Ordinances.

#### Public Notification

Notice of this public hearing was mailed to the property owner and all other property owners within 1,000 feet of the subject property, as indicated by the most recently approved municipal tax roll and as required by Texas Local Government Code and the City of Sachse Code of Ordinances. A courtesy notice was also provided to the City of Garland due to the proximity of the proposed development to their City. Mailed notification was sent out on March 1, 2013 to a total of 82 property owners. As of Friday, March 22, 2013, four responses

March 1, 2013 to a total of 82 property owners. As of Friday, March 22, 2013, four responses were returned-three in favor, and one opposed. See Attachment 3 for returned responses.

#### Budgetary Considerations

None.

#### Staff Recommendations

Staff recommends approval of an Ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map so as to grant a Special Use Permit for a Preschool or Childcare Center use on an approximately 2.751 acre tract of land, generally located on the north side of Bunker Hill Road, approximately 625 feet south of State Highway 78, more particularly described in Exhibit "A" and located in General Commercial (C-2) zoning district.



## **CITY COUNCIL**

APRIL 1, 2013

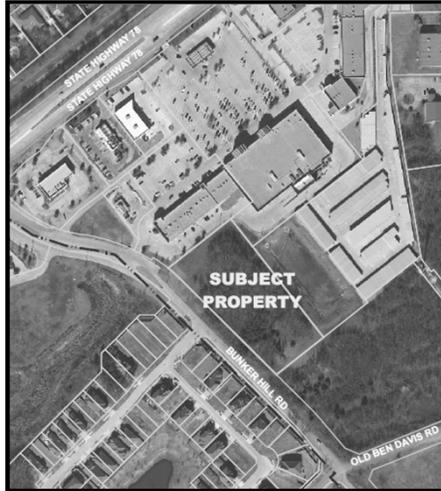
### **REQUEST**

Conduct a public hearing and consider approval of an Ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map so as to grant a Special Use Permit for a Preschool or Childcare Center use on an approximately 2.751 acre tract of land, generally located on the north side of Bunker Hill Road, approximately 625 feet south of State Highway 78, more particularly described in Exhibit "A" and located in General Commercial (C-2) zoning district.



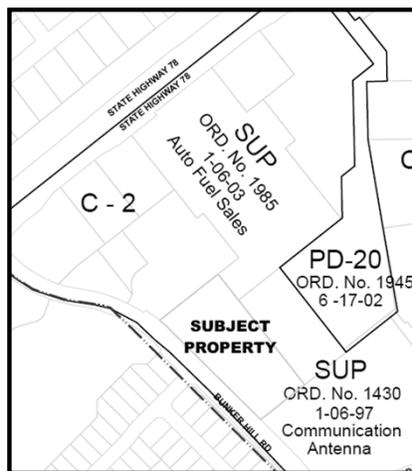
# BACKGROUND

## AERIAL LOCATION MAP



# BACKGROUND

## ZONING MAP



## **BACKGROUND**

### **SITE INFORMATION**

- ❑ Proposed Use: Preschool or Childcare Center
- ❑ Site Area: 2.751 acres
- ❑ Existing Zoning: C-2
- ❑ Proposed Zoning: SUP (including exterior building materials as proposed)

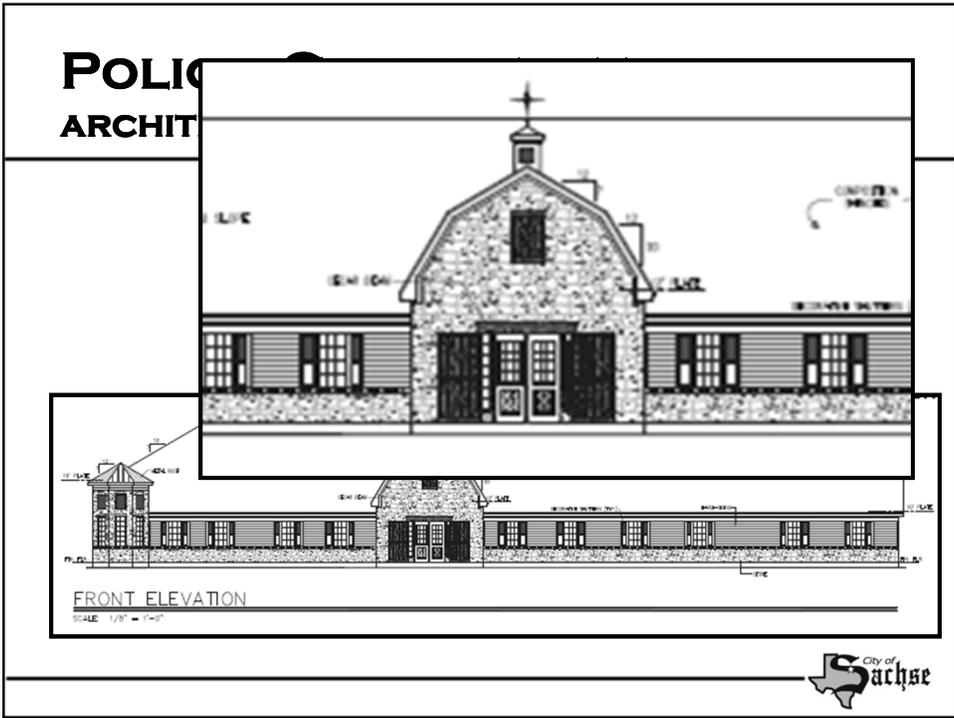
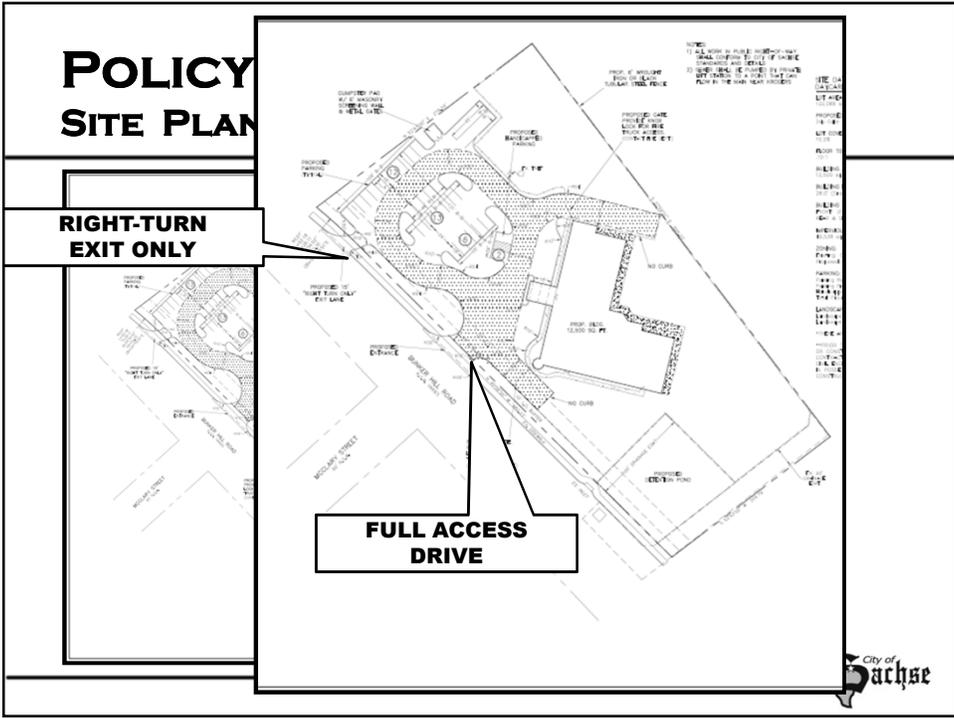


## **BACKGROUND**

### **PLANNING & ZONING COMMISSION ACTION**

- ❑ Planning and Zoning Commission recommended approval of this item by a vote of 4-0 at their March 11, 2013 meeting.





## **PUBLIC NOTIFICATION FEEDBACK**

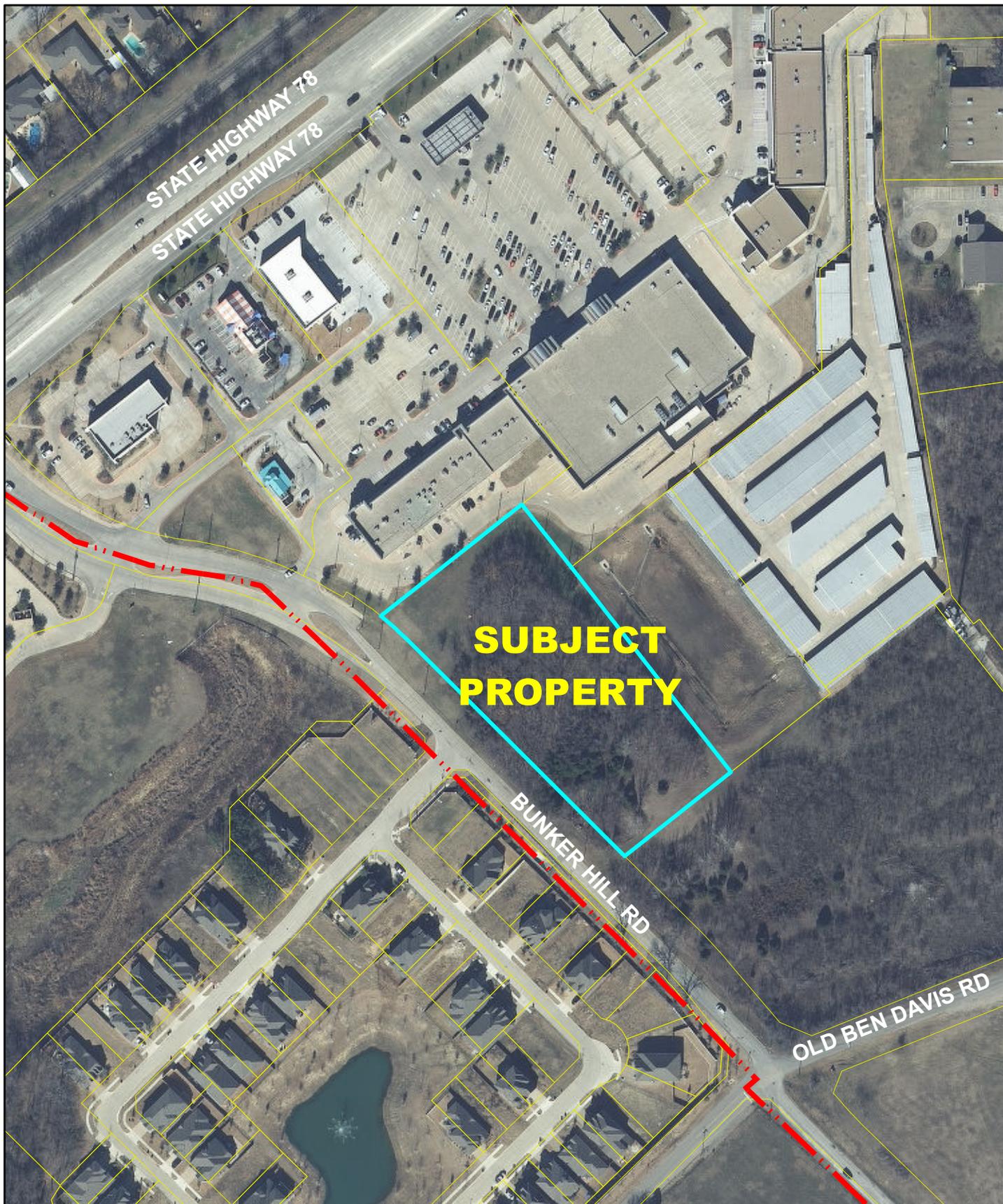
- 82 Property Owners within 1,000-feet notified
  - 3 returned in favor
  - 1 returned opposed



## **STAFF RECOMMENDATION**

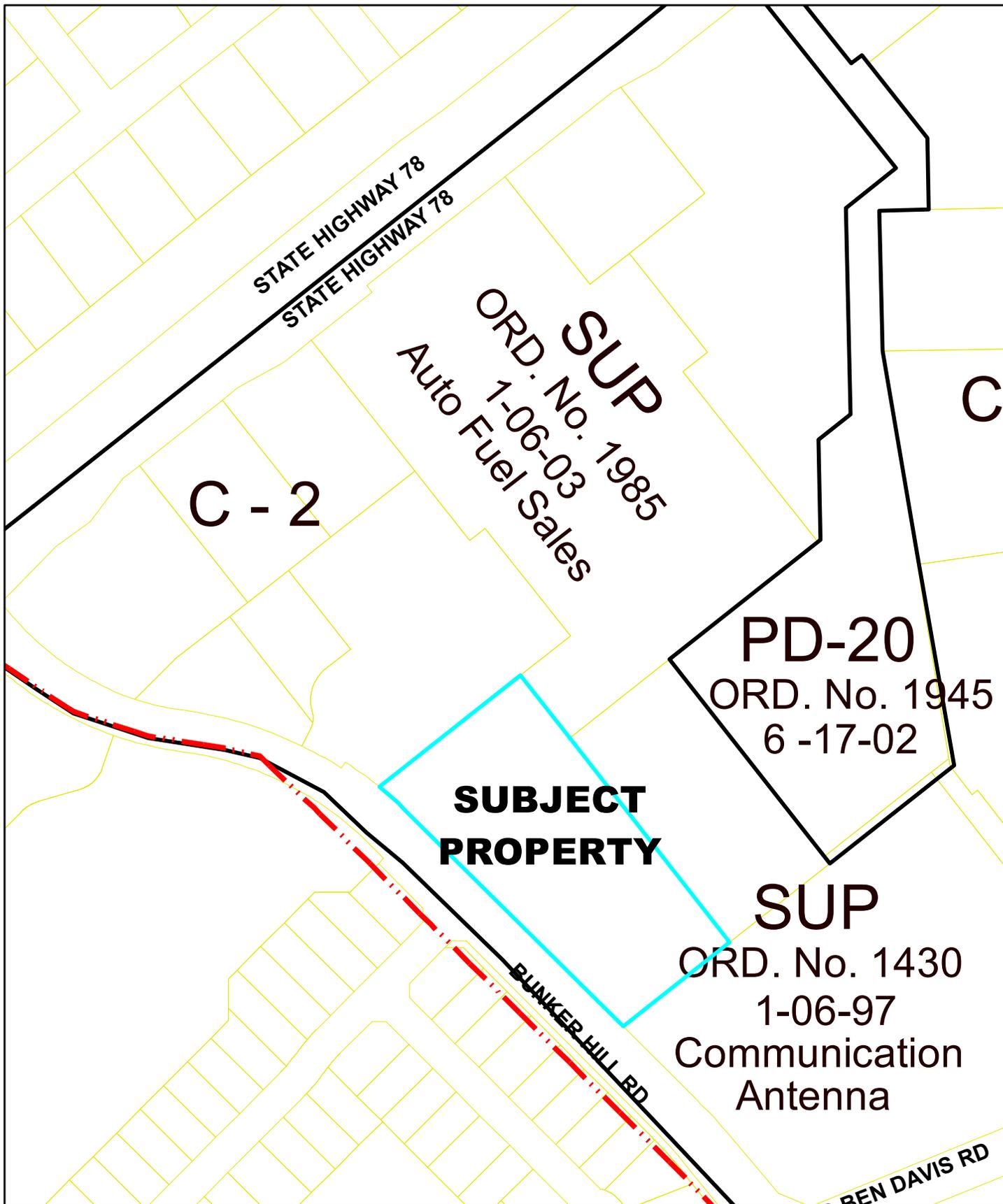
Staff recommends approval of the zoning request as presented.





**AERIAL LOCATION MAP**

*Barnyard Gate Daycare  
Special Use Permit (SUP13-01)  
Map Created: March 6, 2013*



**ZONING IDENTIFICATION MAP**

*Barnyard Gate Daycare  
Special Use Permit (SUP13-01)  
Map Created: March 6, 2013*



**ATTACHMENT 3**  
**Community Development**  
**Department**

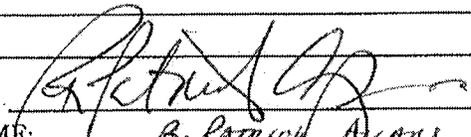
**NOTICE OF PUBLIC HEARING**

**TO:** Property Owner  
**DATE:** March 1, 2012  
**RE:** Special Use Permit for a Child Care Center  
**LOCATION:** This property is located on the north side of Bunker Hill Road, approximately 625 feet south of State Highway 78. *(A location map depicting the 1,000-foot notification area is attached for reference.)*

**EXPLANATION OF REQUEST:** The applicant is requesting a Special Use Permit for a Child Care Center on property zoned Commercial 2 (C-2).

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:  
 I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** GREAT USE FOR THE AREA

**SIGNATURE:**   
**PRINTED NAME:** R. PATRICK ADAMS  
**ADDRESS:** 20220 SACHSE MEMORIAL CIRCLE, LLC

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, March 11, 2013. The City Council will hold a public hearing and consider approval of an Ordinance amending the Planned Development at 7:30pm on Monday, April 1, 2013. Both meetings will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

<p>If you have any questions concerning this request, please contact the Community Development Department.          Phone: (469) 429-4781          Email: mkurbansade@cityofsachse.com</p>	<p><b>RETURN BY FAX OR MAIL</b>          City of Sachse Community Development Dept.          3815-B Sachse Road          Sachse, TX 75048          FAX: (972) 675-9812</p>
--	--

TIME RECEIVED  
March 3, 2013 10:49:27 AM CST

REMOTE CSID  
12345

DURATION PAGES  
70 1

STATUS  
Received

Mar 03 2013 04:49PM HP Fax 12345

page 1

**ATTACHMENT 3**



**Community Development  
Department**

**NOTICE OF PUBLIC HEARING**

TO: Property Owner  
DATE: March 1, 2012  
RE: Special Use Permit for a Child Care Center

LOCATION: This property is located on the north side of Bunker Hill Road, approximately 625 feet south of State Highway 78. (A location map depicting the 1,000-foot notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Special Use Permit for a Child Care Center on property zoned Commercial 2 (C-2).

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: NEIGHBORHOOD FRIENDLY. KEEP DEVELOPMENT MOVING FORWARD.

SIGNATURE: *Douglas C. Yates*  
 PRINTED NAME: DOUGLAS C. YATES  
 ADDRESS: 5405 JEFFERSON  
SACHSE, TX 75048

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, March 11, 2013. The City Council will hold a public hearing and consider approval of an Ordinance amending the Planned Development at 7:30pm on Monday, April 1, 2013. Both meetings will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

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**ATTACHMENT 3**  
**Community Development**  
**Department**

**NOTICE OF PUBLIC HEARING**

TO: Property Owner  
DATE: March 1, 2012  
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EXPLANATION OF REQUEST: The applicant is requesting a Special Use Permit for a Child Care Center on property zoned Commercial 2 (C-2).

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: child care is a service in demand by our  
community. Traffic generated by this use will be  
beneficial to nearby retail businesses.

SIGNATURE: James E. Becker  
PRINTED NAME: James E. Becker  
ADDRESS: 1105 Meadow Lane, Sachse TX

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, March 11, 2013. The City Council will hold a public hearing and consider approval of an Ordinance amending the Planned Development at 7:30pm on Monday, April 1, 2013. Both meetings will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

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ATTACHMENT 3
Community Development
Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: March 1, 2012
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EXPLANATION OF REQUEST: The applicant is requesting a Special Use Permit for a Child Care Center on property zoned Commercial 2 (C-2).

I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: TRAFFIC CONCERNS
area already congested. McDonald's
should have never BEEN ALLOWED.

SIGNATURE: Jo Ann Breitenberg
PRINTED NAME: Jo Ann Breitenberg
ADDRESS: 1704 Cornwall Sachse TX 75048

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, March 11, 2013. The City Council will hold a public hearing and consider approval of an Ordinance amending the Planned Development at 7:30pm on Monday, April 1, 2013. Both meetings will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

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RETURN BY FAX OR MAIL
City of Sachse Community Development Dept.
3815-B Sachse Road
Sachse, TX 75048
FAX: (972) 675-9812

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP SO AS TO GRANT A SPECIAL USE PERMIT FOR A PRESCHOOL OR CHILDCARE CENTER USE ON AN APPROXIMATELY 2.751 ACRE TRACT OF LAND, GENERALLY LOCATED ON THE NORTH SIDE OF BUNKER HILL ROAD, APPROXIMATELY 625 FEET SOUTH OF STATE HIGHWAY 78, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" AND LOCATED IN GENERAL COMMERCIAL (C-2) ZONING DISTRICT; PROVIDING SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING 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 with reference 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 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 amended to grant a Special Use Permit for a preschool or childcare use for the property generally located on the north side of Bunker Hill Road, approximately 625 feet south of State Highway 78 (hereinafter the "Property"), being situated in the City of Sachse, Dallas County, Texas, and being more particularly described as set forth in Exhibit "A," attached hereto and incorporated as if set forth herein, in a General Commercial C-2 zoning District.

**SECTION 2.** That the above-described property shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Sachse, as heretofore amended, subject to the following special conditions:

1. The Special Use Permit shall be only for a preschool or childcare center use.
2. The establishment shall be constructed and operated in accordance with the site plan attached hereto as Exhibit "B" and incorporated as if set forth herein.

3. The exterior façade of the building shall be constructed in accordance the elevation plan attached hereto as Exhibit “C” and incorporated as if set forth herein.

**SECTION 3.** 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 4.** 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 5.** 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 6.** 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 7.** 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 \_\_\_\_\_ day of \_\_\_\_\_, 2013.

APPROVED:

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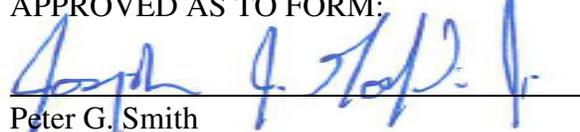
Mike Felix  
Mayor

DULY ENROLLED:

---

Terry Smith  
City Secretary

APPROVED AS TO FORM:



Peter G. Smith  
City Attorney  
(JIG/03-07-13/59733)

**PROPERTY DESCRIPTION**

BEING a tract of land situated in the Elizabeth Sachse Survey, Abstract No. 1324, City of Sachse, Dallas County, Texas and being a portion of that certain tract of land conveyed to James E. Becker by Special Warranty Deed recorded in Volume 93081, Page 1515, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point for corner in the Northeast ROW line of Bunker Hill Road (a variable ROW) and in the Northwest line of said Becker tract, said point also being at the South corner of Lot 4, Block A, Oak Grove Plaza, recorded in Volume 2003041, Page 69, Map Records, Dallas County, Texas;

THENCE: North 52 degrees 43 minutes 00 seconds East, along the common line of said Becker tract and said Lot 4, Block A, a distance of 269.26 feet to a point for corner at the North corner of said Becker tract and a West corner of Lot 5 of said Block A, Oak Grove Plaza;

THENCE: South 37 degrees 17 minutes 00 seconds East, along the common line of said Becker tract and said Lot 5, Block A, at a distance of 119.86 feet passing a point at the South corner of said Lot 5 and the West corner of Lot 11 of said Block A, Oak Grove Plaza, continuing along the common line of said Becker tract and said Lot 11, a total distance of 508.10 feet to a point for corner in the Northwest line of a tract of land conveyed to Douglas C. Yates by Deed recorded in Volume 93204, Page 826, Deed Records, Dallas County, Texas, said point also being at the East corner of said Becker tract;

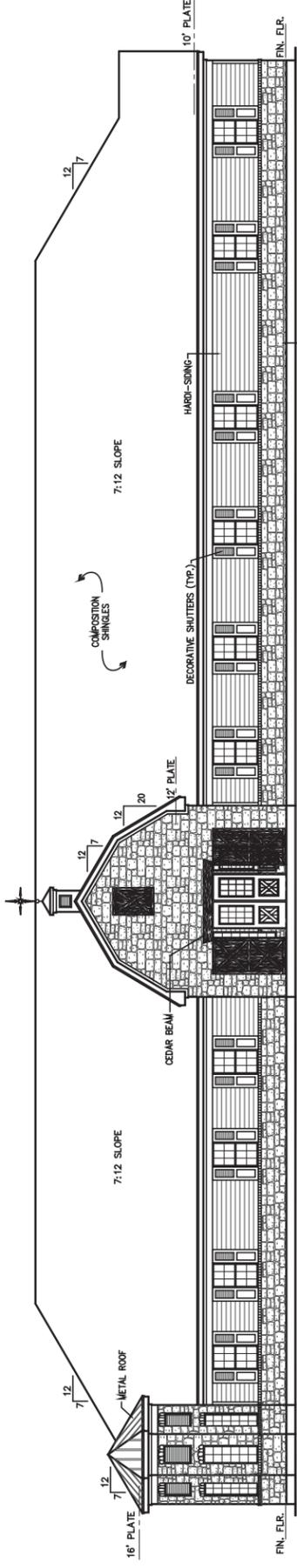
THENCE: South 52 degrees 43 minutes 00 seconds West, along the common line of said Becker tract and said Yates tract, a distance of 204.79 feet to a point for corner in the Northeast ROW line of Bunker Hill Road;

THENCE: North 44 degrees 13 minutes 57 seconds West, along the Northeast ROW line of Bunker Hill Road, a distance of 460.21 feet to a point at the beginning of a curve to the left, having a central angle of 05 degrees 33 minutes 09 seconds, a radius of 537.00 feet and a chord bearing North 47 degrees 00 minutes 31 seconds West, a distance of 52.02 feet;

THENCE: Northwesterly, along said curve to the left and along the Northeast ROW line of Bunker Hill Road, having a central angle of 52.04 feet to the PLACE OF BEGINNING and containing 119,830 square feet or 2.751 acres of land.

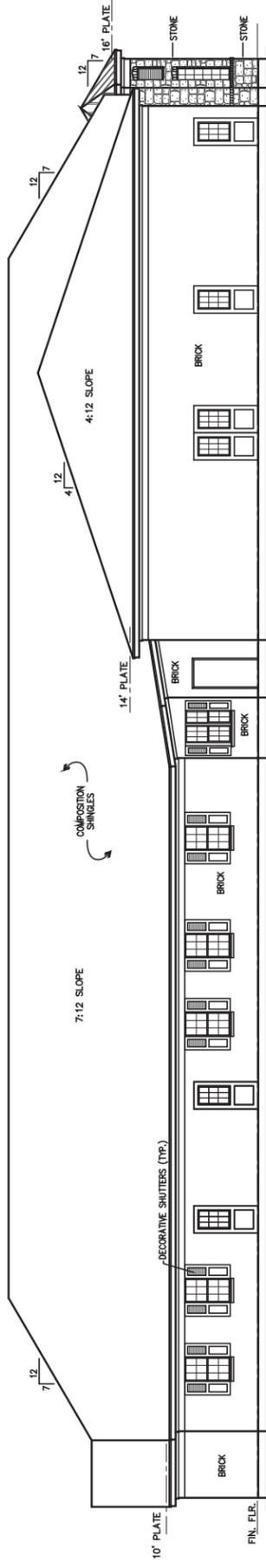


**EXHIBIT C**



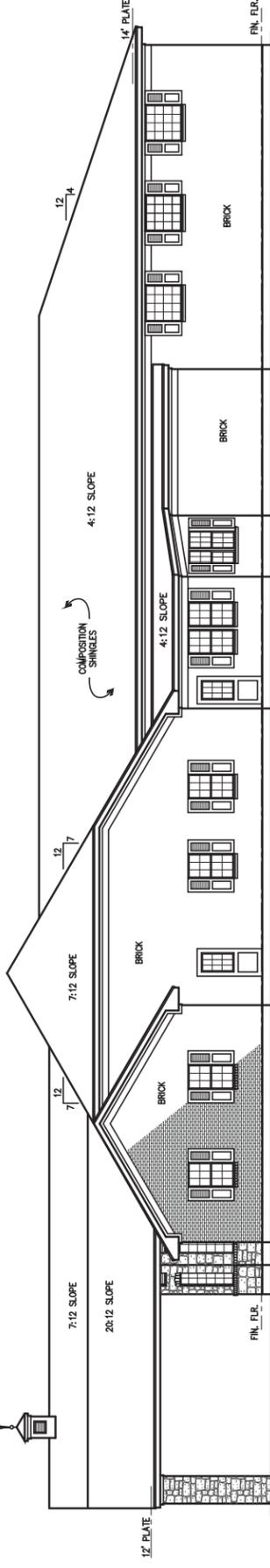
**FRONT ELEVATION**

SCALE: 1/8" = 1'-0"



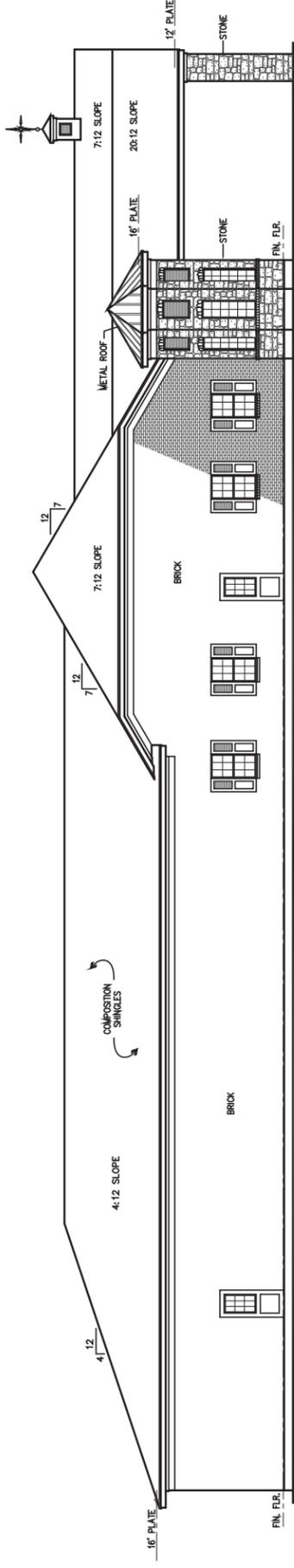
**REAR ELEVATION**

SCALE: 1/8" = 1'-0"



**RIGHT ELEVATION**

SCALE: 1/8" = 1'-0"



**LEFT ELEVATION**

SCALE: 1/8" = 1'-0"

BARN YARD GATE DAY CARE

Charles D. Shearer Design, Inc.  
1200 W. State Street  
Garland, Texas 75040  
972.485.5715



PLANK

SHEET: **A2.0**

REVISIONS:



Legislation Details (With Text)

File #: 13-1449 Version: 1 Name: CD - WOODBRIDGE TR C3 PD AMEND CC
Type: Agenda Item Status: Agenda Ready
File created: 3/21/2013 In control: City Council
On agenda: 4/1/2013 Final action:

Title: Conduct a public hearing and consider approval of an Ordinance of the City Council of the City of Sachse, Texas amending the Comprehensive Zoning Ordinance and Map, as heretofore amended; by amending Planned Development No. 19 (PD-19) more particularly described in Exhibit "B" attached hereto; by amending the site boundary for Tract C-2 to remove 17.166 acres for a new tract C-3 to be created; by amending Exhibit "A" to reflect the amended site area for Tract C-2 and C-3; by amending Exhibit "C" to amend Schedule "A" titled "Permitted Uses" to allow Garden Center Sales and Display uses and to permit Outside Storage for Retail Stores and Shops in excess of 100,000 square feet; by amending Exhibit "C" to amend Schedule "B" titled Parking Requirements for Retail Stores and Shops uses located on Tract C-3.

Executive Summary

The applicant is requesting to amend the existing Planned Development Ordinance to divide the existing commercial Tract C-2 into commercial Tracts C-2 and C-3. The purpose of the amendment is to allow for reduced parking requirements on the newly created Tract C-3 as well as permitting ancillary Garden Center Sales and Display uses for certain retail uses. In addition, Outside Storage will be allowed for retail uses in excess of 100,000 square feet. A revised Development Plan will be submitted and attached to the Ordinance.

Sponsors:

Indexes:

Code sections:

- Attachments: CD - WOODBRIDGE TR C3 PD AMEND CC - PRESENTATION.pdf
CD - WOODBRIDGE TR C3 PD AMEND CC - ATTACHMENT 1.pdf
CD - WOODBRIDGE TR C3 PD AMEND CC - ATTACHMENT 2.pdf
CD - WOODBRIDGE TR C3 PD AMEND CC - ATTACHMENT 3.pdf
CD - WOODBRIDGE TR C3 PD AMEND CC - ATTACHMENT 4.pdf
CD - WOODBRIDGE TR C3 PD AMEND CC - DRAFT ORD.pdf
CD - WOODBRIDGE TR C3 PD AMEND CC - DRAFT ORD - EXHIBIT A.pdf
CD - WOODBRIDGE TR C3 PD AMEND CC - DRAFT ORD - EXHIBIT B.pdf
CD - WOODBRIDGE TR C3 PD AMEND CC - DRAFT ORD - EXHIBIT C.pdf

Table with 4 columns: Date, Ver., Action By, Action, Result

Title

Conduct a public hearing and consider approval of an Ordinance of the City Council of the City of Sachse, Texas amending the Comprehensive Zoning Ordinance and Map, as heretofore amended; by amending Planned Development No. 19 (PD-19) more particularly described in Exhibit "B" attached hereto; by amending the site boundary for Tract C-2 to remove 17.166 acres for a new tract C-3 to be created; by amending Exhibit "A" to reflect the amended site area for Tract C-2 and C-3; by amending Exhibit "C" to amend Schedule "A"

titled "Permitted Uses" to allow Garden Center Sales and Display uses and to permit Outside Storage for Retail Stores and Shops in excess of 100,000 square feet; by amending Exhibit "C" to amend Schedule "B" titled Parking Requirements for Retail Stores and Shops uses located on Tract C-3.

### *Executive Summary*

*The applicant is requesting to amend the existing Planned Development Ordinance to divide the existing commercial Tract C-2 into commercial Tracts C-2 and C-3. The purpose of the amendment is to allow for reduced parking requirements on the newly created Tract C-3 as well as permitting ancillary Garden Center Sales and Display uses for certain retail uses. In addition, Outside Storage will be allowed for retail uses in excess of 100,000 square feet. A revised Development Plan will be submitted and attached to the Ordinance.*

### Background

The 17.166-acre subject property (Tract C-3) is generally located northwest side of SH78/KCRC Railroad, and on the south side of future Woodbridge Parkway adjacent to the SH78/KCRC Railroad rights-of-way and retains a zoning designation of PD-19. (See Attachment 1 - Aerial Location Map and Attachment 2 - Zoning Identification Map).

The original Planned Development for Woodbridge West was approved on January 21, 2002 via Ordinance No. 1916. The Planned Development was most recently amended on December 3, 2012 via Ordinance No. 3439 to modify development standards associated with the Multifamily tract (Tract B-1).

The subject property is bounded to the northeast by an undeveloped commercial tract in the existing Planned Development (PD). To the southwest is a multifamily tract (Tract B-1) in this PD, which is currently undeveloped. To the northwest are an undeveloped commercial tract, existing single-family residences, and dedicated open space areas. To the southeast are the KCS Railroad right-of-way and the SH78 right-of-way.

Planning and Zoning Commission conducted a public hearing and voted to recommend approval of the item by a vote of 4-0 at their March 11, 2013 meeting.

### Policy Considerations

As part of the proposed Planned Development Amendment, the applicant is requesting the following amendments:

- Adopt a new Exhibit A of the Planned Development to show the newly created Tract C-3.
- Amend the caption in Section 4.0 of Exhibit C, Development Standards to reference the newly created Tract C-3.
- Amend Section 4.02 of Exhibit C, Development Standards to reference the newly created Tract C-3.
- Amend Section 4.07 of Exhibit C, Development Standards and Schedule B, Parking Requirements to reflect to requested reduced parking requirements.
- Amend Schedule B, Permitted Uses to reflect permitting an ancillary garden center and

- Amend Schedule B, Permitted Uses to reflect permitting an ancillary garden center and outside storage/display associated with the proposed commercial use on Tract C-3.

The creation of a new Tract C-3 (17.166 acres) from part of the existing Tract C-2 is mainly to allow for certain development standards to only be associated with Tract C-3 and not also the remaining 73.773 acres of commercial property in Tract C-2. As stated above the applicant is proposing to reduce the amount of parking as well permitting an ancillary garden center and outside storage/display associated with the proposed commercial use on Tract C-3. The applicant has provided a parking study to substantiate the reduced parking (See Attachment 3). Staff has reviewed the parking study and is in agreement with the findings included in this study. The development of an ancillary garden center and outside storage/display is depicted on the Development Plan for Tract C-3 (Exhibit H). Staff has reviewed the changes associated with the ancillary garden center and outside storage/display and conclude that they are typical of this type of development and do not cause any adverse impacts on surrounding property as it pertains to health, safety and general welfare issues.

#### Public Notification

Notice of this public hearing was mailed to the property owner and all other property owners within 1,000 feet of the subject property, as indicated by the most recently approved municipal tax roll and as required by Texas Local Government Code and the City of Sachse Code of Ordinances. Mailed notification was sent out on March 1, 2013, to a total of 44 property owners. As of Friday, March 22, 2013, four responses were returned-two in favor and two opposed. See Attachment 4 for returned responses.

#### Budgetary Considerations

None.

#### Staff Recommendations

Staff recommends approval of an Ordinance of the City Council of the City of Sachse, Texas amending the Comprehensive Zoning Ordinance and Map, as heretofore amended; by amending Planned Development No. 19 (PD-19) more particularly described in Exhibit "B" attached hereto; by amending the site boundary for Tract C-2 to remove 17.166 acres for a new tract C-3 to be created; by amending Exhibit "A" to reflect the amended site area for Tract C-2 and C-3; by amending Exhibit "C" to amend Schedule "A" titled "Permitted Uses" to allow Garden Center Sales and Display uses and to permit Outside Storage for Retail Stores and Shops in excess of 100,000 square feet; by amending Exhibit "C" to amend Schedule "B" titled Parking Requirements for Retail Stores and Shops uses located on Tract C-3.



## CITY COUNCIL

APRIL 1, 2013

### **REQUEST**

Conduct a public hearing and consider approval of an Ordinance of the City Council of the City of Sachse, Texas amending the Comprehensive Zoning Ordinance and Map, as heretofore amended; by amending Planned Development No. 19 (PD-19) more particularly described in Exhibit "B" attached hereto; by amending the site boundary for Tract C-2 to remove 17.166 acres for a new tract C-3 to be created; by amending Exhibit "A" to reflect the amended site area for Tract C-2 and C-3; by amending Exhibit "C" to amend Schedule "A" titled "Permitted Uses" to allow Garden Center Sales and Display uses and to permit Outside Storage for Retail Stores and Shops in excess of 100,000 square feet; by amending Exhibit "C" to amend Schedule "B" titled Parking Requirements for Retail Stores and Shops uses located on Tract C-3.



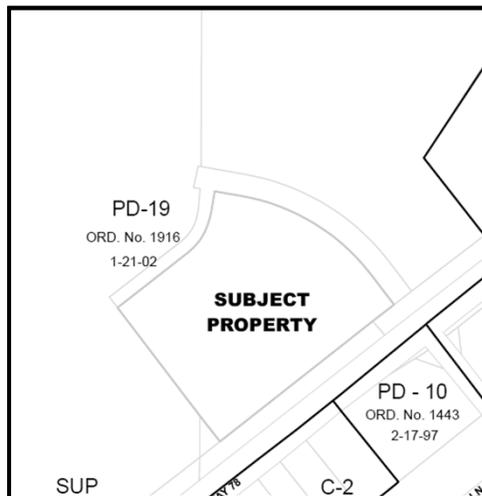
# BACKGROUND

## AERIAL LOCATION MAP



# BACKGROUND

## ZONING MAP



## **BACKGROUND**

### **SITE INFORMATION**

- ❑ Site Area: 17.166 acres (*\*proposed*)
- ❑ Existing Zoning: PD-19  
(Tract C-2/Commercial)
- ❑ Proposed Zoning: PD-19  
(Tract C-2/Commercial & Tract C-3/Commercial)



## **BACKGROUND**

### **PLANNING & ZONING COMMISSION ACTION**

- ❑ Planning and Zoning Commission conducted a public hearing and voted to recommend approval of the item by a vote of 4-0 at their March 11, 2013 meeting.



# POLICY CONSIDERATIONS

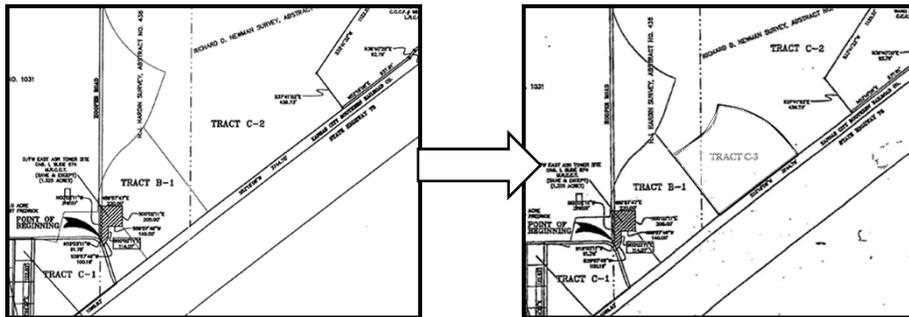
## SUMMARY OF CHANGES TO PD

- Divide Existing Tract C-2 (90.939 acres) into new Tract C-2 (73.773) and Tract C-3 (17.166 acres)
- Changes in Development Standards pertaining to Tract C-3
  - Reduced Parking
  - Allow Garden Center as ancillary use and outside storage/display
- New Development Plan for Tract C-3



# POLICY CONSIDERATIONS

## CREATION OF TRACT C-3



## **POLICY CONSIDERATIONS**

### **CHANGES TO PD DEVELOPMENT STANDARDS**

#### **4.0 PLANNED DEVELOPMENT - COMMERCIAL** **Tracts C-1 & C-2 & C-3**

.....

**4.02 Permitted Uses:** The uses permitted in the commercial area, indicated as Tracts C-1 & C-2 & C-3 on Exhibit "A" are further defined in Schedule "A", Permitted Uses.



## **POLICY CONSIDERATIONS**

### **CHANGES TO PD DEVELOPMENT STANDARDS**

#### **4.07 Parking:**

**Off-Street Parking:** Except as otherwise provided herein, Buildings shall have yard area adequate to meet the off-street parking requirements defined in Schedule "B" Parking Requirements.

.....

#### **SCHEDULE "B"** **PARKING REQUIREMENTS**

Retail Stores and Shops: One (1) space for every two hundred (200) square feet of floor area. (Exception: On Tract C-3, the off-street parking requirement for a Retail Stores and Shops use having 100,000 square feet or more of floor area shall be one (1) space for every two hundred fifty (250) square feet of floor area.)



# POLICY CONSIDERATIONS

## CHANGES TO PD DEVELOPMENT STANDARDS

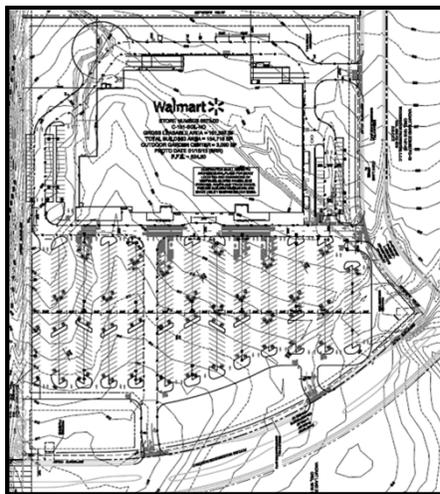
### SCHEDULE "A" PERMITTED USES

Retail Stores and Shops (for uses having 100,000 square feet or more of floor area, garden center sales and display shall be permitted in fenced areas adjacent to the building and located along a front façade. Rack areas for outdoor storage and loading of bulk goods shall be permitted adjacent to the building if located behind the front façade.)



# POLICY CONSIDERATIONS

## DEVELOPMENT PLAN



## **PUBLIC NOTIFICATION FEEDBACK**

- 44 property owners within 1,000 feet were notified
  - 2 returned in favor
  - 2 returned opposed



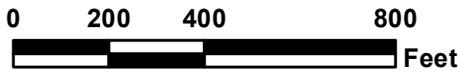
## **STAFF RECOMMENDATION**

Staff recommends approval of the zoning request.



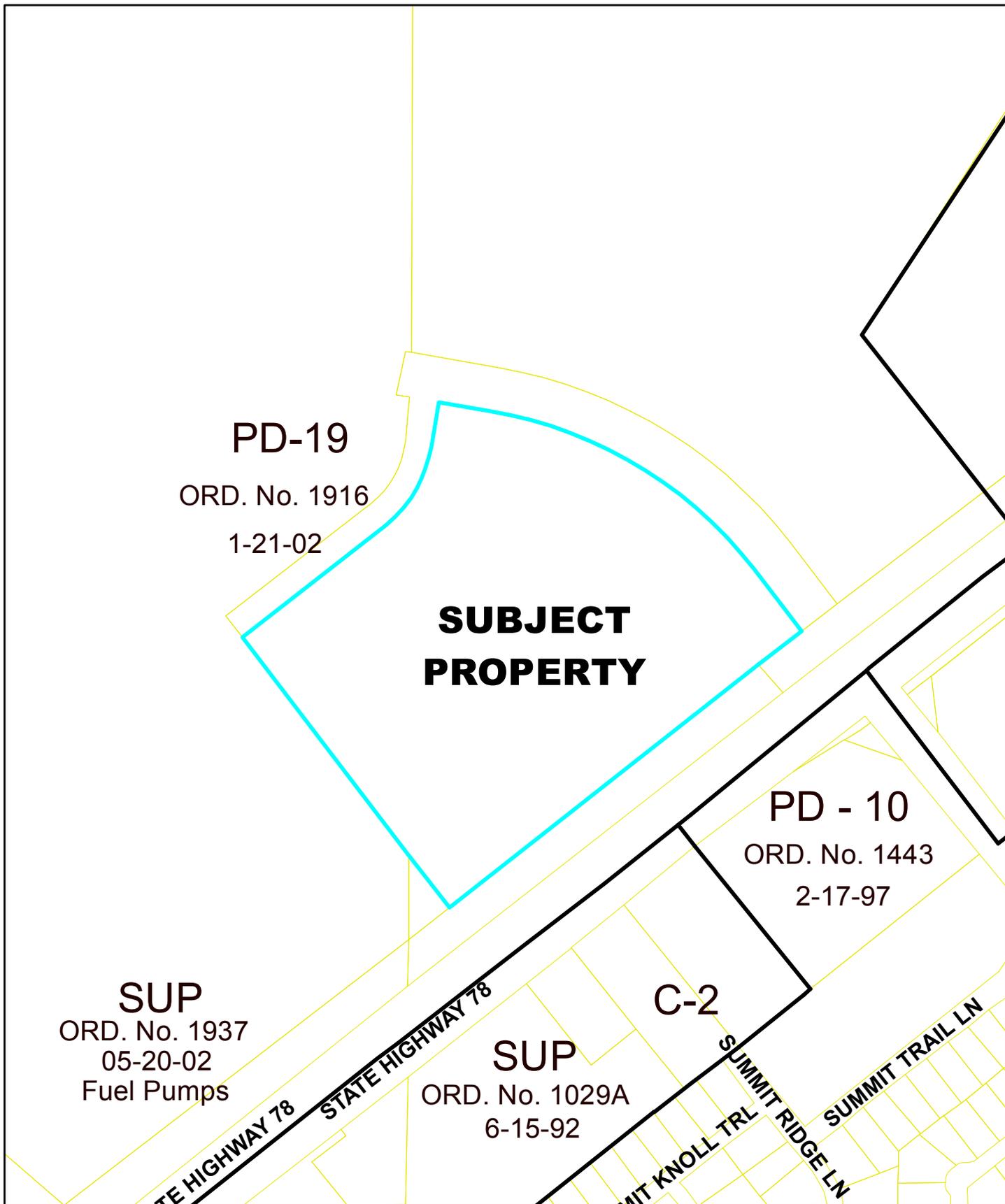


**SUBJECT  
PROPERTY**



**AERIAL LOCATION MAP**

*Woodbridge West Tract C-3  
Planned Development Amendment (Z013-01)  
Map Created: March 8, 2013*



**ZONING IDENTIFICATION MAP**

Woodbridge West Tract C-3  
Planned Development Amendment (Z013-01)  
Map Created: March 8, 2013



Kimley-Horn  
and Associates, Inc.

February 15, 2013

City of Sachse  
3815 Sachse Road  
Sachse, TX 75048

■  
12750 Park Central  
Suite 1000  
Dallas, Texas  
75251  
Firm F-928

Subject: Walmart Supercenter Parking Requirements

Dear Sir or Madam:

Walmart is proposing to build a 154,718 SF store on the southwest corner of Woodbridge Parkway and SH 78 in Sachse, TX. The site is proposed to include 685 parking spaces, a supply in excess of 4.0 spaces per 1,000 SF. The PD code requirement for retail sites is 5.0 spaces per 1,000SF. The PD for the site would be modified to set the requirement at 4.0 spaces per 1,000 SF. The following letter supports this reduced parking requirement with national research and comparisons with neighboring cities.

Careful sizing of parking areas to specific uses will prevent the waste of space and building materials that is caused by providing parking that is rarely if ever used. Excessive parking also has negative impacts on often-hidden issues like walkable design, water runoff, and urban heat island effects. Most sources now cite recommended retail parking ratios below the old standard of 5 spaces per 1,000 SF.

The Urban Land Institute's *Shared Parking* manual recommends 3.6 spaces per 1,000 SF for large retail sites on weekdays, and 4 per 1,000 SF on weekends. These recommendations include holiday shopping traffic. The Institute of Transportation Engineers (ITE) *Parking Generation 4<sup>th</sup> Edition* does not have information on standalone discount supercenters, but for retail sites shows observed demands averaging 2.55 spaces per 1,000 SF on weekdays, with 85<sup>th</sup>-percentile observations at 3.16 per 1,000 SF. Weekend observations were average 2.87 spaces per 1,000 SF and 85<sup>th</sup>-percentile 3.4 per 1,000 SF. This national research shows that the proposed 4.0 spaces per 1,000 SF still provides an functional parking supply.

Many nearby municipalities have minimum parking requirements for large retail uses in the 3.3 to 4.0 spaces per 1,000 SF range, some of which are shown in **Table 1**. Additionally, Carrollton and Plano even have *maximum* parking ratios for large retail uses at 4.0 and 4.4 spaces per 1,000 SF respectively. Dallas recently reduced its parking requirement for large retail stores from 5.0 to 3.3 spaces per 1,000 SF.

**Table 1. Retail Parking Rate Comparison**

City	Sachse Existing PD 1916	Proposed PD Conditions	Rowlett	McKinney	Frisco
Land Use Category	Retail Stores and Shops	Retail Stores and Shops	General Retail, 25,000-300,000 SF	Retail store or personal service establishment	Retail (big box), >70,000 SF
Parking Minimum (Spaces / 1,000 SF)	5.0	4.0	3.3	4.0	4.0
Parking Maximum (Spaces / 1,000 SF)	n/a	n/a	n/a	n/a	n/a
Notes	n/a	n/a	n/a	Reductions available for preserving trees	n/a

City	Plano	Carrollton	Fort Worth	Arlington	Dallas
Land Use Category	Retail or Shopping Center, >50,000 SF	Retail, >50,000 SF	Large Retail Store	Retail stores, shopping centers, and personal service shops	General Merchandise or Food Store, >100,000 SF
Parking Minimum (Spaces / 1,000 SF)	4.0	3.3	4.0	3.0	3.3
Parking Maximum (Spaces / 1,000 SF)	4.4	4.0	5.0	n/a	n/a
Notes	n/a	n/a	Extra landscaping required for parking rates over 4.0	n/a	Ordinance revised downwards from 5.0 in September 2012

The proposed minimum rate of 4.0 spaces per 1,000 SF for the Walmart site is supported by national research and matches or is higher than the requirement of many nearby municipalities. We recommend the modification of the PD to support the proposed 4.0 rate for the site.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.



Scot A. Johnson, P.E., PTOE  
Project Manager



**ATTACHMENT 4**  
**Community Development**  
**Department**

**NOTICE OF PUBLIC HEARING**

**TO:** Property Owner  
**DATE:** March 1, 2012  
**RE:** Zoning Application for a Planned Development Amendment  
**LOCATION:** The subject property is located on the northwest side of SH78/KCRC Railroad, and on the south side of future Woodbridge Parkway. (A location map depicting the 1,000-foot notification area is attached for reference.)

**EXPLANATION OF REQUEST:** The applicant is requesting an amendment to the Planned Development Ordinance (PD-19, Ord. No. 1916), specifically to amend the Development Plan and to decrease the required parking on the commercial tract currently owned by Wal-Mart.

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** Can't see how this would impact the area in a negative way.

**SIGNATURE:** [Signature]  
**PRINTED NAME:** WILLIAM F. HESSIOW / LINDA M. HESSIOW  
**ADDRESS:** 5204 SUMMIT KNOLL TRAIL, SACHSE, TX 75048

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, March 11, 2013. The City Council will hold a public hearing and consider approval of an Ordinance amending the Planned Development at 7:30pm on Monday, April 1, 2013. Both meetings will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

<p>If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: mkurbansade@cityofsachse.com</p>	<p><b>RETURN BY FAX OR MAIL</b> City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 FAX: (972) 675-9812</p>
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TIME RECEIVED  
March 7, 2013 8:24:55 AM CST

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117 2

STATUS  
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From:

03/07/2013 07:48

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**ATTACHMENT 4**

MAR 05 2013



**Community Development  
Department**

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: *Reduced parking, provided it meets the needs of the establishment allows for more green space & less water runoff.*

SIGNATURE: *Donald P. Helweg*  
PRINTED NAME: *Donald P. Helweg*  
ADDRESS: *800 E. Campbell Rd, Suite 130, Richardson, Tx. 75081*

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, March 11, 2013. The City Council will hold a public hearing and consider approval of an Ordinance amending the Planned Development at 7:30pm on Monday, April 1, 2013. Both meetings will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

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Community Development  
Department**

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** THERE IS INSUFFICIENT EXPLANATION OF WHAT THE LAND IS PLANNED TO BE USED FOR. DECREASE IN REQUIRED PARKING MEANS INCREASE IN BUILDING SIZE. OPPOSED

**SIGNATURE:** Mt Dobb  
**PRINTED NAME:** MARTIN GOBLE  
**ADDRESS:** 7416 SUMMIT TRAIL LANE, SACHSE, TX 75048

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TIME RECEIVED  
March 5, 2013 8:25:24 AM CST

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41 1

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03/05/2013 09:20 5122515783

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PAGE 01/01



### ATTACHMENT 4 Community Development Department

## NOTICE OF PUBLIC HEARING

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: DECREASING REQUIRED PARKING PUTS A BURDEN  
ON OTHER PROPERTY

SIGNATURE: [Signature]  
PRINTED NAME: MICHAEL RECOY  
ADDRESS: 7302 SUMMIT LN SACHSE 75048

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, March 11, 2013. The City Council will hold a public hearing and consider approval of an Ordinance amending the Planned Development at 7:30pm on Monday, April 1, 2013. Both meetings will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

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Phone: (469) 429-4781  
Email: mkurbansade@cityofsachse.com

RETURN BY FAX OR MAIL  
City of Sachse Community Development Dept.  
3815-B Sachse Road  
Sachse, TX 75048  
FAX: (972) 675-9812

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING PLANNED DEVELOPMENT NO. 19 (“PD-19”), MORE PARTICULARLY DESCRIBED IN EXHIBIT “B” ATTACHED HERETO; BY AMENDING THE SITE BOUNDARY FOR TRACT C-2 TO REMOVE 17.166 ACRES FOR A NEW TRACT C-3 TO BE CREATED; BY AMENDING EXHIBIT “A” TO REFLECT THE AMENDED SITE AREA FOR TRACTS C-2 AND C-3; BY AMENDING EXHIBIT “C” TO AMEND SCHEDULE “A” TITLED “PERMITTED USES” TO ALLOW GARDEN CENTER SALES AND DISPLAY USES AND TO PERMIT OUTSIDE STORAGE FOR RETAIL STORES AND SHOPS IN EXCESS OF 100,000 SQUARE FEET; BY AMENDING EXHIBIT “C” TO AMEND SCHEDULE “B” TITLED “PARKING REQUIREMENTS” FOR RETAIL STORES AND SHOPS USES LOCATED ON TRACT C-3; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY 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, are hereby amended to grant an amendment to PD-19, more particularly described in Exhibit “B”, by amending Exhibit “A” to reflect the new site areas for Tract C-2 by removing 17.166 acres to create a new Tract C-3; amending Exhibit “C” “Planned Development District Standards” by amending Schedule “A” titled “Permitted Uses” to allow for ancillary garden center sales and display uses and to allow for outside storage for retail shops and stores that are in excess of 100,000 square feet; amending Exhibit “C” by amending Schedule “B” titled “Parking Requirements” to provide parking requirements for retail stores and shops located on Tract C-3. All other provisions of PD-19 adopted by Ordinance No. 1916 shall remain in full force and effect.

**SECTION 2.** That any provisions of the ordinances of the City of Sachse in conflict with the provisions of this ordinance be and the same are hereby repealed and any provisions not so in conflict shall remain in force and effect.

**SECTION 3.** 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 4** 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 thereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 5.** 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 Code of Ordinances of the City of Sachse, as heretofore amended, and upon conviction shall be punished by 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 constitute a separate offense.

**SECTION 6.** That this Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

**PASSED AND APPROVED** by the City Council of the City of Sachse, Texas on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

APPROVED:

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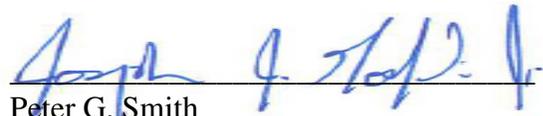
Mike Felix  
Mayor

DULY ENROLLED:

---

Terry Smith  
City Secretary

APPROVED AS TO FORM:



Peter G. Smith  
City Attorney  
(JIG/03-20-13/59934)



## EXHIBIT "B"

### BOUNDARY DESCRIPTION

SITUATED in the Richard D. Newman Survey, Abstract No. 660; James Cumba Survey, Abstract No. 243; H. J. Hardin Survey, Abstract No. 438; Henry Warnell Survey, Abstract No. 1031; Elizabeth Sachse Survey, Abstract No. 802, and W.M. Sachse Survey, Abstract No. 835 Collin County, Texas, and being all of a 146.017 acre tract of land described in deed to Woodbridge Properties LLC in Volume 4771, Page 13 of the Land Records of Collin County, Texas and also being all of a 201.670 acre tract of land described in deed to Woodbridge Properties LLC in Volume 4771, Page 7 of the Land Records of Collin County, Texas and also being all of a 14.834 acre tract of land described in deed to First Mortgage of America, LTD in Volume 4898, Page 655 of the Land Records of Collin County, Texas and also being part of a 149.655 acre tract of land described in deed to Wang Properties, LTD in Collin County Clerk's File No. 96-0108976 of the Land Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at the northwest corner of said 146.017 acre tract of land, said point being in Maxwell Creek Road and also being the southwest corner of a 97.284 acre tract of land described in deed to North Texas Municipal Water District in Volume 2281, Page 358 of the Land Records of Collin County, Texas;

THENCE along the common north line of said 146.017 acre tract and the south line of said 97.284 acre tract, the following:

North 88°23'23 East, a distance of 911.86 feet to a point for corner;

South 86°58'43 East, a distance of 902.50 feet to a point for corner;

South 75°18'20" East, a distance of 863.75 feet to a point for the most northerly northeast corner of said 146.017 acre tract and also being in the west line of a 100.14 acre tract of land described in deed to North Texas Municipal Water District in Volume 1300, Page 809 of the Land Records of Collin County, Texas,

THENCE South 00°23'11" East along the west line of said 100.14 acre tract of land, a distance of 246.62 feet to the southwest corner of said 100.14 acre tract of land and also being an ell corner in the north line of said 201.670 acre tract of land;

THENCE along the common south line of said 100.14 acre tract and the north line of said 146.017 acre tract, North 89°24'59" East, a distance of 2664.03 feet to a point at the southeast corner of said 100.14 acre tract, the northeast corner of said 146.017 acre tract, and a point at the northwest corner of said 149.655 acre tract;

THENCE along the common north line of said 149.6546 acre tract and the south line of NORTHLAKE ADDITION, PHASE ONE, (unrecorded addition), South 89°18'16" East, a distance of 2802.12 feet to a point in a lake for corner,

THENCE leaving said common line, the following:

South 33°41'32" West, a distance of 1122.51 feet to a point for corner;  
South 37°41'52" East, a distance of 436.73 feet to a point for corner;  
North 52°18'08" East, a distance of 837.91 feet to a point for corner;  
North 36°40'20" East, a distance of 92.79 feet to a point for corner;  
North 52°18'08" East, a distance of 939.56 feet to a point for corner in said common line;

THENCE with said common line, South 71°40'51" East, a distance of 24.12 feet to point for corner in the northwest right-of-way line of the Kansas City Southern Railroad;

THENCE with said northwest right-of-way line, the following:

South 52°18'08" West, a distance of 950.30 feet to a point for corner;  
South 36°40'20" West, a distance of 92.79 feet to a point for corner;  
South 52°18'08" West, a distance of 3744.75 feet to a point for corner at the southeast corner of said 14.834 acre tract;  
South 52°19'24" West, a distance of 1099.83 feet to the southwest corner of said 14.834 acre tract;

THENCE leaving said northwest right-of-way line, North 00°44'27" East, a distance of 1122.83 feet to a point for corner in the centerline of Ranch Road, said point being the northwest corner of said 14.834 acre tract;

THENCE along the approximate centerline of said Ranch Road, South 89°11'25" West, a distance of 3270.41 feet to a point in the east line of MAXWELL CREEK ADDITION, and addition to the City of Sachse, as recorded in Cabinet K, Slide 829 of the Map Records of Collin County, Texas being the northwest corner of a 15.97 acre tract of land described in deed to Harlan Properties in Volume 4471, Page 4038 of the Land Records of Collin County, Texas  
THENCE along the east line of said MAXWELL CREEK ADDITION, North 05°02'56" East, a distance of 27.04 feet to a point at the northeast corner of said MAXWELL CREEK ADDITION, and also being the most southerly, southeast corner of said 146.017 acre tract of land and the most southerly southwest corner of said 201.670 acre tract of land;

THENCE along the common south line of said 146.017 acre tract and the north line of said MAXWELL CREEK ADDITION, South 89°39'34" West, a distance of 1353.60 feet to a point for corner in the approximate centerline of Maxwell Creek Road;

THENCE along the approximate centerline of Maxwell Creek Road, the following:

North 02°39'04" East, a distance of 171.08 feet to a point for corner;  
North 18°50'46" East, a distance of 280.01 feet to a point for corner;  
North 02°06'55" East, a distance of 495.80 feet to a point for corner,  
North 04°39'24" West, a distance of 630.50 feet to a point for corner;  
North 08°29'24" West, a distance of 786.00 feet to a point for corner-,  
North 05°46'42" East, a distance of 659.73 feet to a point for corner;  
North 03°44'41" West, a distance of 14938 feet to the POINT OF BEGINNING and containing 490.537 acres, more or less, save and except the following tract of land as described as DFW

East ASR Tower Site recorded in Cabinet I, Slide 574 of the Map Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of said 14.834 acre tract of land and being the southeast corner of said 201.670 acre tract of land and also being the most westerly southwest corner of said 149.655 acre tract of land;

THENCE North 00°02'11" West, a distance of 319.07 feet to a point for corner;  
THENCE North 89°57'47" East, a distance of 220.00 feet to a point for corner;  
THENCE South 00°02'11" East, a distance of 205.00 feet to a point for corner;  
THENCE South 89°57'49" West, a distance of 140.00 feet to a point for corner;  
THENCE South 00°02'11" East, a distance of 114.07 feet to a point for corner;  
THENCE South 29°57'49" West, a distance of 100.19 feet to a point for corner;  
THENCE North 19°03'11" West, a distance of 91.78 feet to the POINT OF BEGINNING and containing 1325 acres, more or less, leaving 489.227 acres of land.

Bearings based on calls described in deed to Woodbridge Properties LLC in Volume 4771, Pages 7 and 13 in the Land Records of Collin County, Texas.

**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 - SINGLE FAMILY RESIDENTIAL**  
**Tract A-1**

**2.01 General Description:**

The single family residential tract is intended to accommodate a variety of single family residential uses. Development standards for each of the housing types are outlined within this text.

**2.02 Permitted Uses:** Land uses permitted within residential areas, indicated as Tract A-1 on Exhibit "A", are as follows:

- a. Residential units as described herein.
- b. Uses permitted as referenced in Article 3, Section 2.2 of the City of Sachse Zoning Ordinance, Ordinance No. 1255, as it currently exists.
- c. Private or public recreation facilities.
- d. Churches/Rectories, but not including mission tents or revival tents.
- e. Day/Child Care Facility.
- f. Utility distribution lines and facilities.
- g. Parks, linear greenbelt areas, trails and walkways, playgrounds and neighborhood recreation facilities, including any applicable maintenance facility, associated homeowner association office uses, including, but not limited to, swimming pools, clubhouse facilities and tennis courts.
- h. Fire stations and public safety facilities.
- i. Real estate sales offices and model homes during the development and marketing of the residential areas.
- j. Private streets, which shall be permitted only if approved by the City Council at the time of platting.

- k. Electronic security facilities including gatehouse and control counter.
- l. Directional signs pertaining to the development.
- m. Accessory buildings which are not a part of a main building, including one private garage, or accessory buildings which are a part of a main building, including one private garage customarily incidental to the permitted uses.
- n. Temporary buildings (construction yard and field office), temporary signs, and uses incidental to construction work on the premises, which shall be removed upon completion.
- o. Uses similar to the above mentioned permitted uses, provided, however, that the City Council shall approve said additional uses prior to the issuance of a building permit.
- p. Parking lot required to serve the uses permitted in this district. All single family dwelling districts shall have concrete surface pavement required for all applications.
- q. Concrete batch plant, temporary during construction when permitted by code enforcement.

**2.03** **Density:** The overall maximum allowed residential units for Tract A-1 shall not exceed 870 units. The number of lots by type are as follows:

R-10.0	169
R- 8.4	241
R- 7.2	<u>460</u>
Total	870

**2.04** **Garage, Parking and Driveway Requirements:** Garage, parking and driveway requirements for single family development areas shall be as follows:

- a. Two (2) off-street parking spaces shall be provided on the same lot as the main structure. In addition with this requirement, a two (2) car garage shall be provided for each unit. Garage parking for R-7.2 Lots and R-8.4 Lots shall be in the rear of the lot with access from a dedicated alley except for lots which abut open space, common areas or parks and amenity centers, which shall be front entry with the garage located behind the front building line. Garage parking for R-10.0 lots may be either rear entry or front entry with a "I" or "swing entry" drive. The entrance to any attached or detached garage on a front entry lot shall be allowed to face any street subject to paragraph 2.04(c) below. Any garage structure shall have a minimum of twenty (20) feet from the front, rear or side property line to the closed garage door.
- b. No parking space, garage or other automobile storage space or structure shall be used for storage of any heavy load vehicle.
- c. No driveway entrances shall be allowed to be constructed on the side or rear lot line adjacent to any thoroughfare (minimum eighty (80) foot right-of-way to maximum one hundred forty (140) foot right-of-way) or collector street (minimum sixty (60) foot right-of-way). Driveway entrances are shall be permitted on minor collector streets having a minimum sixty (60) foot right-of-way.

**2.05 Building Materials:** The building materials requirements shall be as follows:

- a. A minimum of seventy-five (75) percent of the total exterior wall surfaces of all main buildings shall have an exterior finish of stone, brick, or other masonry veneer. 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 the window, door or garage door, it counts as wood siding. Regarding gables, if the gable is in front of an attic space, it is exempt from masonry requirement. If the gable is in front of a living space, it is considered into the calculation of masonry.
- b. Detached, free-standing garages, whether attached to the main building by a covered walkway or not, shall have a minimum of seventy-five (75) percent of the total exterior wall surface be of an exterior finish of stone, brick or other masonry veneer.
- c. If a detached garage is constructed on a corner lot or has sides adjacent to any street or thoroughfare that is not screened by a masonry screening wall, then seventy-five (75) percent of the garage structure must be of same masonry material as the residence.

**2.06 R-10.0 Single Family:** R-10.0 Single Family units are single family, detached housing units, having frontage on a public or private road with access from either the front of the lot or from the rear of the lot from a dedicated alley. Building and area requirements are as follows:

- a. **Minimum Dwelling Size:** The minimum area of the main building, exclusive of garages, breezeways and porticos is as follows:

30% of the dwellings	2,200 square feet
40% of the dwellings	2,000 square feet
30% of the dwellings	1,800 square feet
- b. **Lot Area:** The minimum area of any lot shall be ten thousand (10,000) square feet.
- c. **Lot Coverage:** In no case shall more than thirty five (35) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.
- d. **Lot Width:** The minimum width of any lot shall be seventy five (75) feet at the front building line, except that lots at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of sixty five (65) feet at the building line; provided all other requirements of this section are fulfilled.
- e. **Lot Depth:** The minimum depth of any lot shall be one hundred ten (110) feet, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum lot depth, measured at mid-points on front and rear lot lines, of one hundred (100) feet; provided all other requirements of this section are fulfilled.

- f. **Front Yard:** The minimum depth of the front yard shall be twenty five (25) feet, except for side entry garages which shall have a minimum front yard depth of twenty (20) feet.
- g. **Side Yard:** The minimum side yard on each side of the lot shall be ten (10) feet. A side yard adjacent to a street shall be a minimum of twenty (20) feet.
- h. **Rear Yard:** The minimum depth of the rear yard shall be twenty five (25) feet if the lot is developed as front entry and the rear yard is adjacent to another residential lot, and twenty (20) feet if adjacent to open space, parks or amenity centers. The minimum depth of the rear yard shall be twenty (20) feet if the lot is developed as rear entry with access to an alley.
- i. **Maximum Building Height:** Buildings shall be a maximum of two and one-half (2 ½) stories not to exceed forty (40) feet. Split level homes shall have a maximum of two and one-half (2½) stories on either the front elevation or the rear elevation, and a maximum of three and one-half (3 ½) stories on the elevation which begins at the lowest grade, not to exceed forty-five (45) feet.

**2.07 R-8.4 Single Family:** R-8.4 Single Family units are single family, detached housing units, having frontage on a public or private road with access from either the front of the lot or from a dedicated alley. Front entry lots are limited to those lots which are adjacent to or back up to open space, common areas or parks and amenity centers. Building and area requirements are as follows:

- a. **Minimum Dwelling Size:** The minimum area of the main building, exclusive of garages, breezeways and porticos is as follows:
 

30% of the dwellings	2,000 square feet
40% of the dwellings	1,800 square feet
30% of the dwellings	1,600 square feet
- b. **Lot Area:** The minimum area of any lot shall be eight thousand four hundred (8,400) square feet.
- c. **Lot Coverage:** In no case shall more than forty (40) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.
- d. **Lot Width:** The minimum width of any lot shall be sixty five (65) feet at the front building line, except that lots at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of fifty five (55) feet at the building line; provided all other requirements of this section are fulfilled.
- e. **Lot Depth:** The minimum depth of any lot shall be one hundred ten (110) feet, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum lot depth, measured at mid-points on front and rear lot lines, of one hundred (100) feet; provided all other requirements of this section are fulfilled.
- f. **Front Yard:** The minimum depth of the front yard shall be twenty (20) feet.
- g. **Side Yard:** The minimum side yard on each side of the lot shall be five (5) feet. A side yard adjacent to a street shall be a minimum of fifteen (15) feet.

- h. **Rear Yard:** The minimum depth of the rear yard shall be twenty five (25) feet if the rear yard is adjacent to another residential lot, and twenty (20) feet if the lot is rear entry with the garage entry from a dedicated alley, or adjacent to open space, common areas or parks and amenity centers.
- i. **Maximum Building Height:** Buildings shall be a maximum of two and one-half (2 ½) stories, or thirty five (35) feet. Split level homes shall have a maximum of two and one-half (2 ½) stories on either the front elevation or the rear elevation, and a maximum of three and one-half (3 ½) stories on the elevation which begins at the lowest grade, not to exceed forty-five (45) feet.

**2.08 R-7.2 Single Family:** R-7.2 Single Family units may be either single family detached units or garden homes (homes in which the unit is sided on, or adjacent to, one of the side lot lines) having frontage on a public or private road and access from a dedicated alley. Building and area requirements for single family detached units and garden homes are as follows:

- a. **Minimum Dwelling Size:** The minimum area of the main building, exclusive of garages, breezeways and porticos is as follows:
 

30% of the dwellings	1,800 square feet
40% of the dwellings	1,600 square feet
30% of the dwellings	1,400 square feet
- b. **Lot Area:** The minimum area of any lot shall be seven thousand two hundred (7,200) square feet.
- c. **Lot Coverage:** In no case shall more than forty five (45) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.
- d. **Lot Width:** The minimum width of any lot shall be sixty (60) feet at the front building line, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of fifty (50) feet at the building line; provided all other requirements of this section are fulfilled.
- e. **Lot Depth:** The minimum depth of any lot shall be one hundred ten (110) feet, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum lot depth, measured at mid-points on front and rear lot lines, of one hundred (100) feet; provided all other requirements of this section are fulfilled.
- f. **Front Yard:** The minimum depth of the front yard shall be twenty (20) feet.
- g. **Side Yard:** The minimum side yard for single family detached units shall be five (5) feet on each side of the lot. For garden homes the side yard setbacks shall be zero (0) feet to three (3) feet on one side (the zero side), and seven (7) feet to ten (10) feet on the opposite side. A minimum separation of ten (10) feet is required between structures. A side yard adjacent to a street shall be a minimum of fifteen (15) feet.
- h. **Rear Yard:** The minimum depth of the rear yard shall be twenty (20) feet.

i. **Maximum Building Height:** Buildings shall be a maximum of two and one-half (2 ½) stories not to exceed forty (40) feet. Split level homes shall have a maximum of two and one-half (2 ½) stories on either the front elevation or the rear elevation, and a maximum of three and one-half (3 ½) stories on the elevation which begins at the lowest grade, not to exceed forty-five (45) feet.

j. **Garden Home Maintenance Easement:**

1. A maintenance easement to provide access to an adjacent garden home of not less than four (4) feet or more than seven (7) feet in width extending along the entire side lot line shall be established on each lot adjacent to a garden home lot and shown on the final plat.
2. The maintenance easement shall be maintained as an open space. However, the Building Official may approve fences and horizontal construction at grade level, such as a deck not exceeding twelve (12) inches above grade, or paved surfaces in the maintenance easement upon a finding that it does not impede the use of the easement for the maintenance and drainage of the adjoining structure.

2.09 **General Requirements:**

a. **Curvilinear Streets:** Existing topographic and physical site features allow for curvilinear streets to be constructed within portions of the residential tracts. This does not mandate that all residential streets be curvilinear or that all residential tracts or plats will incorporate the use of curvilinear streets. The conceptual plan will provide for at least twenty five (25) percent of all streets to be curvilinear.

b. **Outside Storage:** Provisions allowing for outside storage within the tract(s) covered by this ordinance are as follows:

1. **Prohibition:** A person commits an offense if he or she keeps, maintains or stores, outside of a building, on any property zoned for single family use, any personal property which is visible from a public street or alley, or is visible from private property which is under separate ownership, including but not limited to household items, building materials, automotive parts, equipment, etc., without proper screening and located in allowed outside storage areas only. It shall not be a defense to prosecution that such items were covered with a tarp or similar covering.
2. **Exception:** It is not an offense to keep, store or maintain personal property customarily found outside of a building on property zoned for single family use such as lawn furniture, dog houses, landscape containers, etc.
3. **Parties Responsible:** The owner (or owners) and persons in control of such residentially zoned property are responsible for violations of this subsection.

c. **Landscaping Front Yards:** The front yard of each home will be sodded with a landscape package consisting of eight (8) shrubs and one (1) tree having a two (2) inch minimum caliper. The trees will be selected from or equal to the species listed as "Large Trees" in the City of Sachse Streetscape Plan And Guidelines, 1996. The front yards of each home shall be irrigated by an automatic irrigation system.

- d. **Minimum Dwelling Unit Size:** The minimum dwelling unit size for each housing type as defined in Section 2.0 are as follows:

Lot Types	% of Units	Minimum Dwelling Size
R-10	30% @	2200 s.f.
	40% @	2000 s.f.
	30% @	1800 s.f.
R-8.4	30% @	2000 s.f.
	40% @	1800 s.f.
	30% @	1600 s.f.
R-7.2	30% @	1800 s.f.
	40% @	1600 s.f.
	30% @	1400 s.f.

The number of homes by minimum dwelling size are as follows:

1400 s.f.	138
1600 s.f.	256
1800 s.f.	286
2000 s.f.	139
2200 s.f.	<u>51</u>
	870

- e. **Screening Walls:** A six (6) foot screening wall will be constructed along thoroughfares where the single family residential area, designated as Tract A-1 on Exhibit "A", is immediately adjacent to a thoroughfare. The screening wall will be constructed in accordance with Attachment 4. A screening wall will be constructed adjacent to the collector street in Tract A-1 on Exhibit "A".
- f. **Pavement Width:** The pavement width for residential streets in this development shall be 27 feet in width.
- g. **Street Light Standards:** The streetlight standards (poles and fixtures) for residential and commercial areas will be of the same design and type as previously approved for Woodbridge.

**3.0 PLANNED DEVELOPMENT – MULTI-FAMILY  
Tract B-1**

**3.01 General Description:** Multi-Family units are attached housing units. 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 thirty-two

(32) 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.
- c. Retirement housing.
- d. Assisted living facility.

**3.03 Density:** Allowed densities for the multi-family tract, known as Tract B-1, shall be 20.74 units per gross acre of land. The number of multifamily units shall not exceed 388 units.

**3.04 Required Parking:** Parking requirements for multi-family development areas shall be as follows:

- a. Two (2) off-street parking spaces shall be provided for each multi-family dwelling unit. Fifty percent (50%) of the units shall be provided with one (1) covered parking space (garage or carport). If the driveway area to the garage has a minimum depth of eighteen feet, it shall qualify as a tandem parking space and shall be counted toward the required number of parking spaces.
- 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.
- d. 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).

**3.05 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 the 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. When a multi-family area is separated from a single family residential area by a sheet, an ornamental iron or metal screening fence shall be permitted. The above provision shall also apply to a gated community. 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 architectural 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.

**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. The number of units having the minimum floor area of six hundred fifty (650) square feet shall be limited to twenty five (25) percent of the total allowable units.

**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 sixty five (65) 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 a side lot line shall be fifteen (15) feet. A side yard adjacent to a street shall be a minimum of twenty five (25) feet.

**3.14 Rear Yard:** The minimum depth of the rear yard shall be twenty (20) feet, with the exception of buildings adjacent to a proposed sound wall, whereby the rear yard shall be reduced to ten (10) feet.

**3.15 Building Height:** The permitted height of multi-family structures adjacent to the perimeter of the boundary of the property shall not exceed three (3) stories and the permitted height of multi-family structures within the interior of the three (3) story buildings shall not exceed four (4) stories. The location of the four (4) story units shall not be within 225 feet of the property boundary as shown on the attached Exhibit "E".

**3.16 Access Stairs:** The use of exterior stairways for any multifamily building shall include provisions in the design to generally screen stairs from view of streets dedicated to the public.

**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. 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 shall be irrigated with an automatic irrigation system.

**3.18 Sound Wall:** A sound wall may be constructed along the rear property line adjacent to the Kansas City Southern Railroad right-of-way and along the side property lines for a distance of one hundred (100) feet from the rear property line. The maximum height of the sound wall shall be twenty (20) feet. The masonry sound wall shall be constructed in accordance with the standards set forth in Exhibit "G".

#### **4.0 PLANNED DEVELOPMENT - COMMERCIAL Tracts C-1, C-2 & C-3**

**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 & C-3 on Exhibit "A" are further defined in Schedule "A", Permitted Uses.

**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 any single family residential or multi-family tract (property line) as shown on Exhibit A.

**4.04 Open Display Uses Permitted:** Open display uses are permitted in accordance with Schedule "A" Permitted Uses. Service machines, such as those for ice, soft drinks and newspapers may not be displayed outside of any building.

**4.05 Area Regulations:** Area regulations which apply to all uses permitted in the district are as follows:

- a. **Front Yard:** The minimum depth of the front yard shall be twenty-five (25) feet.
- b. **Side Yard:** Buildings adjoining single family residential or multi-family district shall set back a minimum of fifteen (15) feet from the common property line. A side yard adjacent to a street shall be a minimum of twenty-five (25) feet.
- c. **Rear Yard:** All buildings shall have a private alley, service court, rear yard, or combination thereof, of not less than ten (10) feet with not less than twenty-five (25) feet when adjoining a single family residential or multi-family district.

**4.06 Building Regulations:** No building shall exceed ninety (90) feet in height except as follows:

- a. **Height Regulations:**
  - 1. In measuring the height of a building, a habital basement or attic shall be counted as a story or added to the height.
  - 2. Chimneys, elevators, poles, spires, tanks, towers and other projections not used for retail or office space may extend above the height limits.

3. Churches, schools, hospitals, offices buildings and other public and semi-public buildings may exceed the height limitation if the minimum depth of the rear yard and the minimum width of the side yard required in the district is increased one (1) foot for each two (2) feet by which the height of such building exceeds the prescribed height limit.

b. **Materials:**

1. The exterior elevation of all buildings, except in accordance with paragraph (ii) below, shall be eighty percent (80%) of any combination of brick, stone, concrete, stucco and glass.
2. Wood exterior elevations for restaurants and retail structures are allowed.

**4.07 Parking:**

- a. **Off-Street Parking:** Except as otherwise provided herein, buildings shall have yard area adequate to meet the off-street parking requirements defined in Schedule "B" Parking Requirements.
- b. **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.

**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 commercial development areas shall be submitted in accordance with Section 5.02(d) Non-Residential Development Plan. The design standards shall be the greater of (i) the landscape requirements as defined in the community wide development standards for the commercial association of Woodbridge or (ii) Article 3, Section 5.7 "Site Landscaping" of the Zoning Ordinance of the City of Sachse, Texas.

**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 single family residential and multi-family uses and those areas developed for commercial uses. When a single family residential area or a multi-family area is separated from a commercial area by a street, a screening fence is not required. 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. The above referenced six (6) foot screening wall shall be constructed in accordance with Attachment 4. Plans for the above mentioned screening wall shall bear the stamp of a registered professional engineer in the State of Texas.

## 5.0 PLANNED DEVELOPMENT - GENERAL CONDITIONS

**5.01 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.

### **5.02 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 for residential development 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 including parks and open space; (c) streets; (d) the lot layout for single family residential development; (e) thoroughfares; and (f) other features which graphically explain the standards and conditions set forth in Exhibit "C". Those items listed in Exhibit "C", yet not shown on Exhibit "D", shall continue to be and will remain a requirement and responsibility of the then current property Owner / Developer.
  - 2. For non-residential developments, a Non-Residential 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.
  - 3. 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.
  - 4. 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/Preliminary Plat/Final Plat: The Development Plan shall set forth the final plans for development of the Planned Development District and shall conform to the data presented and approved on the Conceptual Plan. Changes of detail on the Development Plan or Preliminary Plat, which differ from the original Conceptual Plan, but do not alter the basic relationship of the proposed development to adjacent property, and do not alter the basic intent and development standards contained herein, may be authorized by the Planning and Zoning Commission or their designee without public hearing. The decision of the

Planning and Zoning Commission may be appealed to the City Council for review and decision. Approval of the Development Plan or Preliminary Plat shall be the basis for submission of a Final Plat, but does not release the applicant of the responsibility to submit plans to the building official for a building permit. For any residential tract, a Preliminary Plat shall qualify as the Development Plan. The Development Plan or Preliminary Plat may be submitted for the total area of the Planned Development or for any section or part as approved on the Conceptual Plan.

- d. Non-Residential 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.
- e. 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.

- 5.03 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.
- 5.04 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.
- 5.05 Maintenance of Common Facilities:** Prior to the issuance of a building permit for the initial phase of development, a property owner's association, membership association or other entity that will be responsible for the improvement and maintenance of all common areas and/or common facilities contained within the area of the development shall be formed. The city shall be under no obligation for operation or maintenance of the above facilities without prior city acceptance and approval.
- 5.06 Screening Walls:**
- a. Unless otherwise approved by the City Council or their designee, screening walls shall be provided along the side or rear lot lines adjacent to thoroughfares and collector streets. The screening wall shall be constructed of stone, brick, concrete block, concrete, wrought iron or similar materials, or any combination thereof. The design shall generally be in accordance with Attachment 4. The location of screening walls shall be submitted for approval with the Development Plan or Preliminary Plat. Construction plans are to be included as a part of the public works civil engineering plan at time of final plat approval.
  - b. A screening fence shall be required for the storage of a recreation vehicle, travel trailer, boat or similar equipment. The screening fence shall be constructed of wood or masonry and shall be a minimum of six (6) feet in height and be in accordance with all applicable city ordinances.
- 5.07 Hiking and Jogging Trail Along Thoroughfares, Collectors and Residential Streets:** A six (6) foot wide concrete hiking and jogging trail may be constructed on one (1) side of the thoroughfares, collectors, and residential streets as designated on the conceptual plan in lieu of sidewalks on both sides of the designated streets. In order to provide for a meandering trail, the pavement for the major thoroughfares, secondary thoroughfares and residential streets shall be allowed to be offset a maximum of eight (8) feet from the center of the right-of-way to provide for additional parkway on one (1) side of the designated streets for the construction of the meandering trail. Trails along residential streets shall be constructed by the builder at the time of home construction.
- 5.08 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 unless specifically approved by the city engineer:
- a. The minimum centerline radius for a thoroughfare (minimum eighty (80) foot to maximum one hundred forty (140) foot right-of-way) shall be one thousand (1,000) feet, a collector and minor collector (minimum sixty (60) foot right-of-way) shall be two hundred fifty (250) feet and a 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 as measured from the centerline of the intersecting street.

**5.09 Landscaping Requirements:** Landscaping requirements are as follows:

- a. Primary Entrances: Primary entrances as indicated on Attachment 1 shall be landscaped in accordance with Attachment 2.
- b. Subdivision Entrances: Subdivision entrances as indicated on Attachment 1 shall be landscaped in accordance with Attachment 3.
- c. Thoroughfare: Median plantings and parkway plantings, with the exception of median nosings, will be informal in appearance with trees being located a minimum of three (3) feet from the back of curb. One Large Tree for each seventy five (75) feet of right-of-way and one Accent Tree for each fifty (50) feet of right-of-way will be planted in clusters from one to seven of the same species. Large trees will be a minimum of three (3) inch caliper. Selection of species will be from or equal to the species listed as "Large Trees" and "Accent Trees" in the City of Sachse Streetscape Plan And Guidelines, 1996.
- d. Collector Street: Parkway plantings will be informal in appearance with trees being located a minimum of three (3) feet from back of curb. One Large Tree for each seventy five (75) feet of right-of-way and one Accent Tree for each fifty (50) feet of right-of-way will be planted in clusters from one to seven of the same species. Large Trees will be a minimum of three (3) inch caliper. Selection of species will be from or equal to the species listed as "Large Trees" and "Accent Trees" in the City of Sachse Streetscape Plan And Guidelines, 1996.
- e. Parks / Open Space / Common Areas: Parks, open space and common areas shall include one (1) tree for every fifty (50) feet of frontage along a thoroughfare or street to be planted within twenty (20) feet of the back of curb. The trees will be selected from or equal to the species listed as "Large Trees" in the City of Sachse Streetscape Plan And Guidelines, 1996.
- f. Existing Trees: Any existing tree meeting the minimum caliper requirement located within the planting areas described in this Section 5.09 shall be credited to the tree planting requirement.
- g. Landscaping Deviation: Any deviation from the landscaping requirements of this Section 5.09 shall require approval by the City Council.

**5.10 Fences:** Fence requirements are as follows:

- a. All fences adjacent to open space, common areas or parks and amenity centers shall be six (6) foot ornamental iron or metal fence. Any deviation from, or addition to, the six foot ornamental iron or metal fence must be approved by the Architectural Control Committee. Masonry columns shall be permitted.
- b. Fences within the single family residential areas may be constructed of wood or masonry and shall be a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Any wood fence facing a public street shall have the board side of the fence toward the street.
- c. Fences in non-residential areas shall conform to City of Sachse requirements and standards.

**5.11 Irrigation Requirements:** Irrigation requirements for the development are as follows:

- a. The grass and shrub areas of all medians and parkways on major and secondary thoroughfares shall be irrigated with an automatic irrigation system.
- b. The grass and shrub areas of the primary and subdivision entrances shall be irrigated with an automatic irrigation system.

**5.12 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.

**5.13 Sidewalks and Handicap Ramps:** Sidewalks and handicap ramps at street intersections adjacent to lots on secondary thoroughfares and residential streets shall be constructed by the builder at the time of home construction.

**SCHEDULE "A"**  
**PERMITTED USES**

Administration or Corporate Headquarters  
Agriculture Use / Commercial  
Ambulance Station  
Amusement or Arcade (indoor allowed as accessory use otherwise SUP)  
Antique, Curio or Gift Shop  
Appliance Store  
Art School or Gallery  
Artist's Materials Supply, Studio  
Assisted Living Center  
Auditorium  
Bakery (baked goods offered on site and off site)  
Bank, Savings & Loan, Credit Union (automated teller & drive through branch)  
Barber Shop, Beauty Shop/Salon  
Book, Stationery Store  
Bowling Alley  
Building Materials and Hardware (no outside displays)  
Camera Shop, Photographer's Studio  
Car Wash  
Car Wash Self Serve  
Catering Establishment  
Check Cashing  
Child Care Facility / Day Nursery  
Children, Baby Shop  
Church  
Clothing, Apparel Store  
Communication Tower (approval requires SUP)  
Community Center  
Convenience Store (without gas pumps)  
Convenience Store (with gas pumps)  
Concrete Batch Plant (temporary during construction when permitted by code enforcement)  
Dance School, Studio

Department Store, Novelty Store  
Development and production of prototypical products for research and development  
Drug Store, Pharmacy  
Educational or Religious Institution  
Electronic Equipment Assembly (heavy electronics, instruments and devices enclosed building)  
Electronic Sales & Service  
Engraving (commercial)  
Fabric Store  
Feed Store  
Florist Shop  
Fraternal Organization, Lodge or Civic Club  
Funeral Parlor - Mortuary  
Furniture Repair - Upholstery Shop  
Furniture Store  
Garden Supply  
Gasoline service station  
General Office  
Grocery Store  
Gymnastics Studio  
Hardware Store (inside bldg. material sales)  
Health and Fitness Center  
Homebuilder Marketing Center  
Hospital, Major Medical Facility  
Hotel or Motel  
Household Appliance Service and Repair  
HVAC - Plumbing Sales, Service  
Interior Design Studio  
Jewelry Store  
Kindergarten (private)  
Laundry Collection Agency  
Laundry/Dry Cleaners (drop off and pickup only, no processing)  
Locksmith/Security System Company  
Lodge/Hall  
Manufacturing (approval requires SUP)  
Meat Market

Medical Facilities

Dental clinic or laboratory

Medical clinic or laboratory

Medical Offices

Doctor

Dentist

Optician

Psychiatrist

Psychologist

Mini-warehouse/Public Storage

Monument Sales

Museum or Art gallery

Musical Instrument Sales, School, Studio

Newspaper - Magazine Sales

Nursery, Greenhouse (building & open space for sales)

Pet Shop & Pet Supply

Print Shop

Postal Facility (private)

Private Recreation

Private club with alcohol beverage sales (if part of a restaurant)

Professional office buildings

Attorney

Architect

Account or bookkeeping

Engineering

Insurance

Real estate

Similar office uses

Public Building

Recreation Fitness Center

Research and Development Center

Rest, Nursing, Convalescent Home (health & nursing care facility)

Restaurant or Cafeteria (no drive-through)

Restaurant or Cafeteria (with drive-through)

Retail Stores and Shops (for uses having 100,000 square feet or more of floor area, garden center sales and display shall be permitted in fenced areas adjacent to the building and located along a front façade. Rack areas for outdoor storage and loading of bulk goods shall be permitted adjacent to the building if located behind the front façade.)

School, Private or Parochial

Scientific or medical laboratories, engineering, testing or design facilities, or other theoretical or applied research facilities (approval requires SUP)

Shopping Center

Sign Painting Shop

Small Engine Repair

Sporting Goods Sales

Swimming Pool, Spa or Playground Equipment Sales

Tailor, Shoe Repair

Taxidermist

Technology Center

Theater (indoor)

Toy Store

Utility Regulating Station

Veterinarian Office/Clinic, Hospital, or Kennel (treatment conducted entirely within a building)

Wholesale Warehousing (not to exceed 20,000 square feet)

**SCHEDULE "B"**  
**PARKING REQUIREMENTS**

Administration or Corporate Headquarters: One (1) space for each three hundred (300) square feet of gross floor area in the building, exclusive of the area used for storage, utilities and building services.

Ambulance Station: Minimum of six (6) spaces.

Amusement or Arcade: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Antique, Curio or Gift Shop: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Appliance Store: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Art School or Gallery: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Artist's Materials Supply, Studio: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Assisted Living Center: One (1) space for each two (2) patient beds plus one (1) space for each staff or visiting doctor, plus one (1) space for each three (3) employees, including nurses, plus adequate area for the parking of emergency vehicles.

Auditorium: One (1) space or for every three (3) persons normally accommodated in the establishment.

Bakery: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Bank, Savings & Loan, Credit Union: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Barber Shop, Beauty Shop/Salon: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Book, Stationery Store: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Bottling Works: One (1) space for each one thousand (1,000) square feet or part thereof of warehouse and one (1) space for each three hundred (300) square feet or part thereof of office.

Bowling Alley: Five (5) spaces for each lane.

Building Materials and Hardware: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Camera Shop, Photographer's Studio: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Car Wash: Minimum of six (6) spaces.

Car Wash Self-serve: Minimum of six (6) spaces.

Catering Establishment: One (1) space for each two hundred (200) square feet of floor area.

Check Cashing: One (1) space for each two hundred (200) square feet of floor area.

Child Care Facility/Day Nursery: One (1) space for each employee, plus one (1) space for every ten (10) students or children cared for by the establishment.

Children, Baby Shop: One (1) space for each two hundred (200) square feet of floor area.

Church: One (1) space for each four (4) seats in the seats in the main sanctuary.

Clothing, Apparel Store: One (1) space for each two hundred (200) square feet of floor area.

Community Center: One (1) parking space for each three (3) seats, based on maximum seating capacity.

Convenience Store: One (1) space for each two hundred (200) square feet of floor area.

Dance School, Studio: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Department Store, Novelty Store: One (1) space for each two hundred (200) square feet of floor area.

Drug Store, Pharmacy: One (1) space for each two hundred (200) square feet of floor area.

Electronic Equipment Assembly: One (1) space for each one thousand (1,000) square feet or part thereof of warehouse and one (1) space for each three hundred (300) square feet or part thereof of office.

Electronic Sales & Service: One (1) space for each two hundred (200) square feet of floor area.

Engraving: One (1) space for each two hundred (200) square feet of floor area.

Fabric Store: One (1) space for each two hundred (200) square feet of floor area.

Feed Store: One (1) space for each two hundred (200) square feet of floor area.

Florist Shop: One (1) space for each two hundred (200) square feet of floor area.

Fraternal Organization, Lodge or Civic Club: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Funeral Parlor - Mortuary: One (1) space for each two (2) persons normally accommodated in services.

Furniture Repair - Upholstery Shop: One (1) space for each two hundred (200) square feet of floor area.

Furniture Store: One (1) space for each seven hundred-fifty (750) square feet of floor space.

Garden Supply: One (1) space for each two hundred (200) square feet of floor area.

Gasoline Service Station: Minimum of six (6) spaces.

General Office: One (1) space for each three hundred (300) square feet of gross floor area in the building, exclusive of the area used for storage, utilities and building services.

Grocery Store: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Gymnastics Studio: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Hardware Store: One (1) space for each two hundred (200) square feet of floor area.

Health and fitness Center: One (1) space for every three (3) persons normally accommodated in the establishment.

Homebuilder Marketing Center: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Hospital, Major Medical Facility: One (1) space for each two (2) patient beds, exclusive of bassinets, plus one (1) space for each staff or visiting doctor, plus one (1) space for each three (3) employees, including nurses, plus adequate area for the parking of emergency vehicles.

Hotel or Motel: One (1) parking space for each room, unit or guest accommodation, plus specified requirements for restaurants and related facilities.

Household Appliance Service and Repair: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

HVAC - Plumbing Sales, Service: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Interior Design Studio: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Jewelry Store: One (1) space for each two hundred (200) square feet of floor area.

Kindergarten (private): One (1) space for each employee, plus one (1) space for every ten (10) students or children cared for by the establishment.

Laundry collection Agency: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Laundry/Dry Cleaners: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Locksmith/Security System Company: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Lodge/Hall: One (1) space for every three (3) persons normally accommodated in the establishment.

Meat Market: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Medical Facilities: One (1) space for each one hundred seventy-five (175) square feet of floor area.

Medical Offices: One (1) space for each one hundred seventy-five (175) square feet of floor area.

Mini-warehouse/Public Storage: One (1) space for each two (2) employees or one (1) space for each one thousand (1,000) square feet of floor area, whichever is greater.

Monument Sales: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Museum or Art Gallery: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Musical Instrument Sales, School, Studio: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Newspaper-Magazine Sales: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Nursery, Greenhouse: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Pawn Shop: One (1) space for each two hundred (200) square feet of floor area.

Pet Shop & Pet Supply: One (1) space for each two hundred (200) square feet of floor area.

Print Shop: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Postal Facility (private): One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Private Recreation: One (1) space for every three (3) persons normally accommodated in the establishment.

Professional Office Buildings: One (1) space for each three hundred (300) square feet of gross floor area in the building, exclusive of the area used for storage, utilities and building services.

Public Building: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Recreation Fitness Center: One (1) space for every three (3) persons normally accommodated in the establishment.

Research and Development Center: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Rest, Nursing, Convalescent Home (health & nursing care facility): One (1) space for each six (6) patient beds, plus one (1) space for each staff or visiting doctor, plus one (1) space for each two (2) employees, including nurses.

Restaurant or Cafeteria: One (1) space for every seventy (70) square feet of floor area.

Retail Stores and Shops: One (1) space for every two hundred (200) square feet of floor area. (*Exception: On Tract C-3, the off-street parking requirement for a Retail Stores and Shops use having 100,000 square feet or more of floor area shall be one (1) space for every two hundred fifty (250) square feet of floor area.*)

School, Private or Parochial: One (1) space for each classroom, plus one (1) space for each four (4) seats in any auditorium, gymnasium or other place of assembly.

Sign Painting Shop: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Small Engine Repair Shop: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Sporting Goods Sales: One (1) space for every two hundred (200) square feet of floor area.

Swimming Pool, Spa or Playground Equipment Sales: One (1) space for every two hundred (200) square feet of floor area.

Tailor, Shoe Repair: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Taxidermist: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Technology Center: One (1) space for each three hundred (300) square feet of gross floor area in the building, exclusive of the area used for storage, utilities and building services.

Theater (indoor): One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Toy Store: One (1) space for every two hundred (200) square feet of floor area.

Utility Regulating Station: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Veterinarian Office/Clinic, Hospital, or Kennel: One (1) space for each two hundred (200) square feet of floor space used for retail trade in the building and including all areas used by the public.

Wholesale Warehousing: One (1) space for each two (2) employees or one (1) space for each one thousand (1,000) square feet of floor area, whichever is greater.



Legislation Details (With Text)

**File #:** 13-1462      **Version:** 1      **Name:** CD - WALMART SIGN VARIANCE WITHDRAWAL  
**Type:** Agenda Item      **Status:** Agenda Ready  
**File created:** 3/27/2013      **In control:** City Council  
**On agenda:** 4/1/2013      **Final action:**

**Title:** Consider approval of a Sign Variance request associated with the property generally located on the northwest side of SH78/KCRC Railroad, and on the south side of future Woodbridge Parkway adjacent to the SH78/KCRC Railroad rights-of-way.

*Executive Summary*

A sign variance is being requested by the property owner to permit a pylon sign to be constructed as an off-premise sign and to permit deviations in the sign area for a monument-style general business sign.

*(This item has been withdrawn at the request of the applicant and is being rescheduled for a future City Council meeting.)*

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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**Title**

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*Executive Summary*

*A sign variance is being requested by the property owner to permit a pylon sign to be constructed as an off-premise sign and to permit deviations in the sign area for a monument-style general business sign.*

***(This item has been withdrawn at the request of the applicant and is being rescheduled for a future City Council meeting.)***



## Legislation Details (With Text)

<b>File #:</b>	13-1446	<b>Version:</b>	1	<b>Name:</b>	CD - METRO MORTUARY PP CC
<b>Type:</b>	Agenda Item	<b>Status:</b>		<b>Status:</b>	Agenda Ready
<b>File created:</b>	3/21/2013	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	4/1/2013	<b>Final action:</b>			
<b>Title:</b>	Consider the application of Mr. Charles Smith for approval of a Preliminary Plat for Metro Mortuary and Cremation Services, being three lots on approximately 6.561 acres, generally located north of Williford Road and southeast of State Highway 78.				

### Executive Summary

The applicant is requesting to subdivide an approximately 6.561-acre tract into three individual lots, with one lot to consist of the existing pet cemetery and pet crematorium, another for the proposed crematorium, and the other for future development.

### Sponsors:

### Indexes:

### Code sections:

- Attachments:**
- [CD - METRO MORTUARY PP CC - PRESENTATION.pdf](#)
  - [CD - METRO MORTUARY PP CC - ATTACHMENT 1.pdf](#)
  - [CD - METRO MORTUARY PP CC - ATTACHMENT 2.pdf](#)
  - [CD - METRO MORTUARY PP CC - ATTACHMENT 3.pdf](#)
  - [CD - METRO MORTUARY PP CC - ATTACHMENT 4.pdf](#)
  - [CD - METRO MORTUARY PP CC - EXHIBIT A.pdf](#)

Date	Ver.	Action By	Action	Result
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### Title

Consider the application of Mr. Charles Smith for approval of a Preliminary Plat for Metro Mortuary and Cremation Services, being three lots on approximately 6.561 acres, generally located north of Williford Road and southeast of State Highway 78.

### Executive Summary

*The applicant is requesting to subdivide an approximately 6.561-acre tract into three individual lots, with one lot to consist of the existing pet cemetery and pet crematorium, another for the proposed crematorium, and the other for future development.*

### Background

The 6.561-acre (approximately 285,795 square feet) subject property is located north of Williford Road and southeast of State Highway 78. (See Attachment 1 - Location Map).

A Special Use Permit (SUP) rezoning request was approved for a portion of this property on December 3, 2012, to allow a Mortuary Service and Crematory use (See Attachment 2 for a copy of the Site Plan included with the SUP approval). The boundary of the SUP includes all of Lots 1 and 2. Lot 3 is split-zoned, with the portion of the lot along State Highway 78

retaining a zoning designation of General Commercial (C-2) and the portion closer to Williford Road retaining a zoning designation of Single Family Residential (R-4). (See Attachment 3)

A Tree Survey was provided for the property along with a letter from the applicant stating that no trees would be impacted by the development of the proposed crematorium on Tract 2 (See Attachment 4).

Planning and Zoning Commission approved this item at the March 11, 2013 meeting by a vote of 4-0.

#### Policy Considerations

The applicant is proposing to subdivide the subject property into three individual lots. Lot 1 would include the existing pet cemetery and pet crematorium. Lot 2 would be for the proposed mortuary service and crematory use. Lot 3 would be for future development. See Exhibit A for a copy of the Preliminary Plat.

The proposed subdivision will have two access points from State Highway 78-one will be the existing access point for Lot 1 and the second would be an access point for Lot 2 by widening the existing access drive. The widening of the access drive for Lot 2 would require Texas Department of Transportation approval due to the access onto a state highway. Lot 3 would be provided access via a cross access easement from Lot 2 and therefore not require an additional driveway approach onto State Highway 78.

The proposed Preliminary Plat meets the standards of the City of Sachse Code of Ordinances and is designed in accordance with the zoning of the property. The Preliminary Plat has been reviewed by the City Engineer and has been found to be in compliance with the City of Sachse Code of Ordinances.

#### Budgetary Considerations

None.

#### Staff Recommendations

Staff recommends approval of the Preliminary Plat for Metro Mortuary and Cremation Services, being three lots on approximately 6.561 acres, generally located north of Williford Road and southeast of State Highway 78.



## CITY COUNCIL

APRIL 1, 2013

### **REQUEST**

Consider the application of Mr. Charles Smith for approval of a Preliminary Plat for Metro Mortuary and Cremation Services, being three lots on approximately 6.561 acres, generally located north of Williford Road and southeast of State Highway 78.



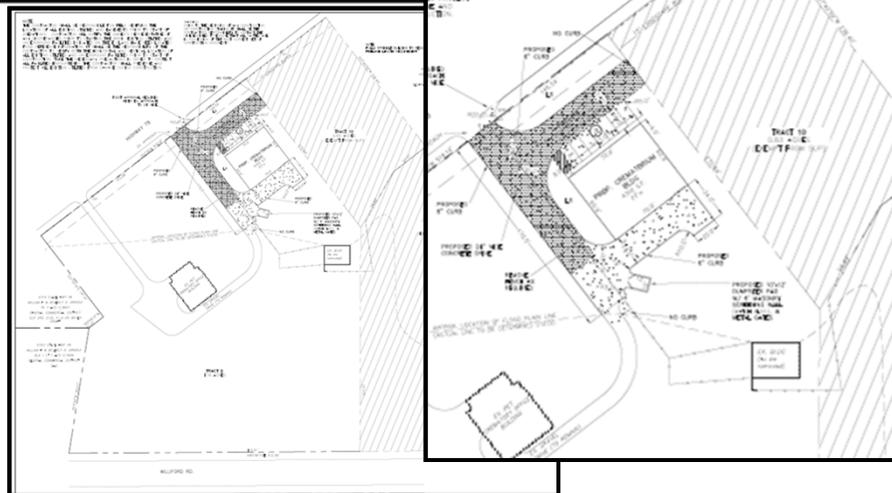
# BACKGROUND

## AERIAL LOCATION MAP



# BACKGROUND

## SUP – SITE PLAN



## **BACKGROUND ZONING MAP**



## **BACKGROUND SITE INFORMATION**

- ❑ SUP approved for Mortuary or Crematory Services on December 3, 2012
- ❑ Site Area: 6.561 acres
- ❑ Existing Zoning: SUP, C-2 and R-4
- ❑ No trees impacted as part of development of Lot 2



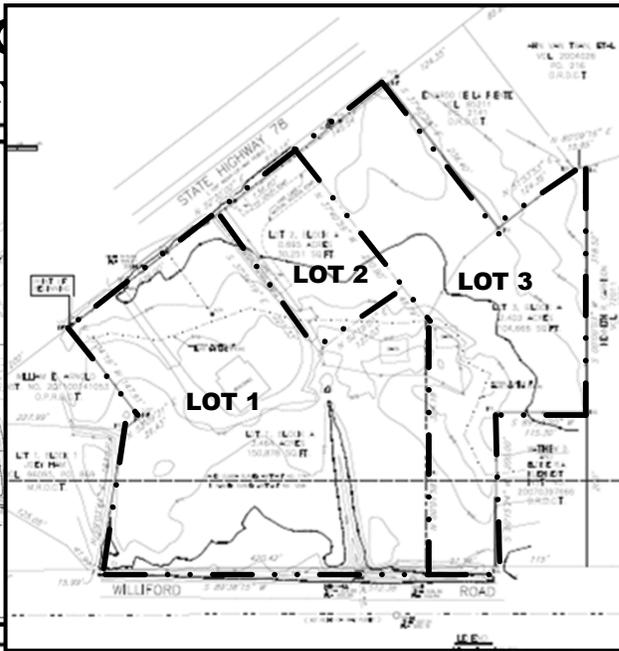
# BACKGROUND

## PLANNING & ZONING COMMISSION ACTION

- Planning and Zoning Commission voted to approve this item 4-0 at the March 11, 2013 meeting.



# POLICY C PRELIMINARY



## **STAFF RECOMMENDATION**

Staff recommends approval of the Preliminary Plat.





**SUBJECT  
PROPERTY**

STATE HIGHWAY 78

STATE HIGHWAY 78

WILLIFORD RD

ARIZONA ST

BRYAN ST

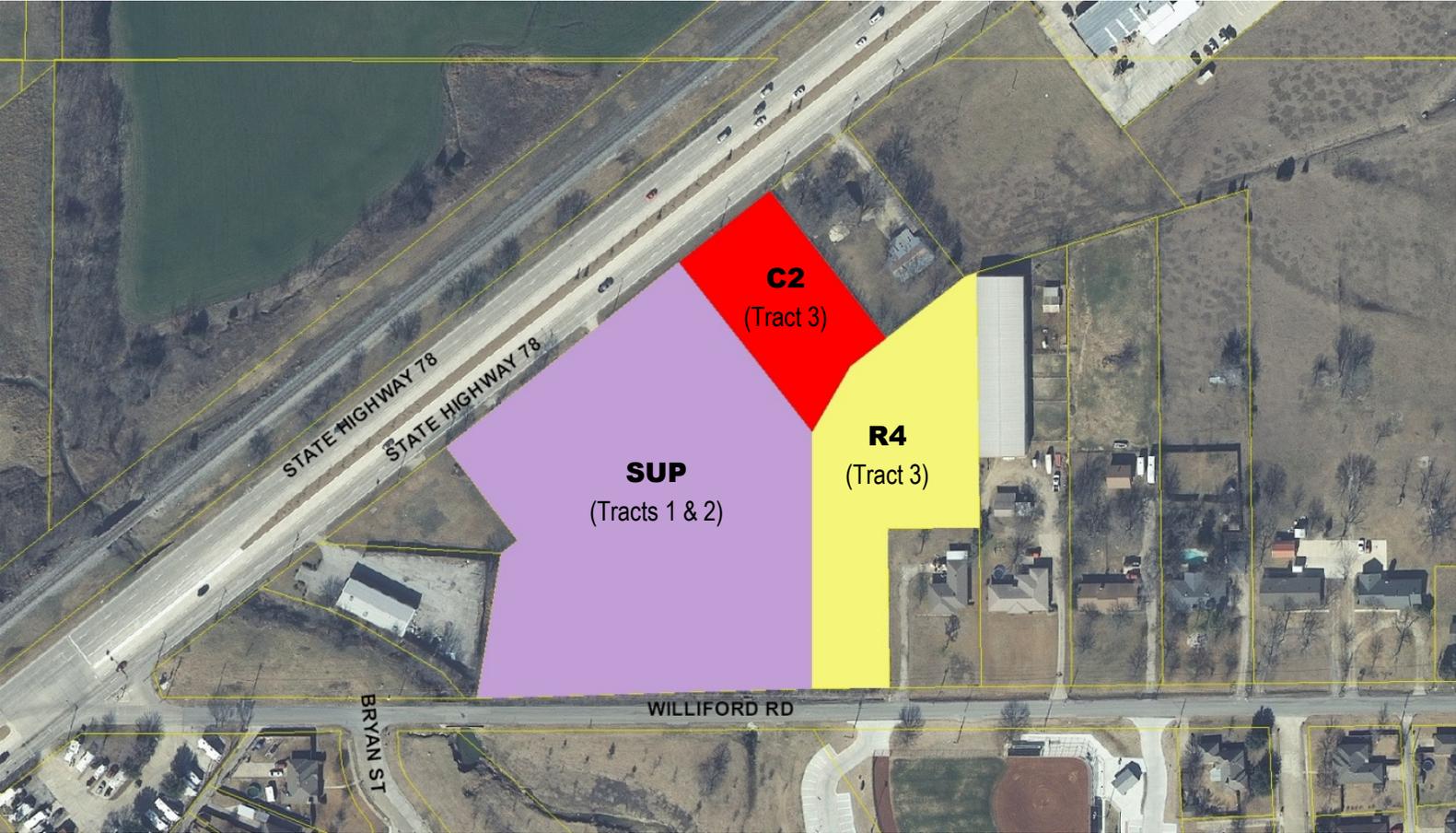
CLINTON ST



**AERIAL LOCATION MAP**

*Metro Mortuary and Cremation Services  
Preliminary Plat (P13-05)  
Map Created: March 6, 2013*





FEB 15 2013

MONK CONSULTING ENGINEERS, INC.

February 13, 2013

Marc J. Kurbansade, AICP  
Director of Community Development  
Community Development Department  
City of Sachse  
3815-B Sachse Road  
Sachse, Texas 75048

RE: Metro Mortuary and Crematory Services  
6800 State Highway 78  
Sachse, TX

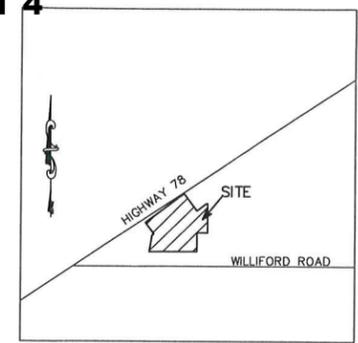
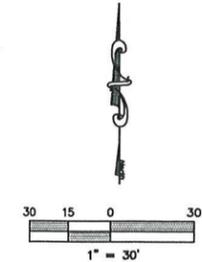
Dear Mark;

There will be no trees disturbed with the construction of the Crematory on the above referenced project. All trees are on the adjacent lots.

Sincerely;



Gerald E. Monk, PE



LOCATION MAP  
(NOT TO SCALE)

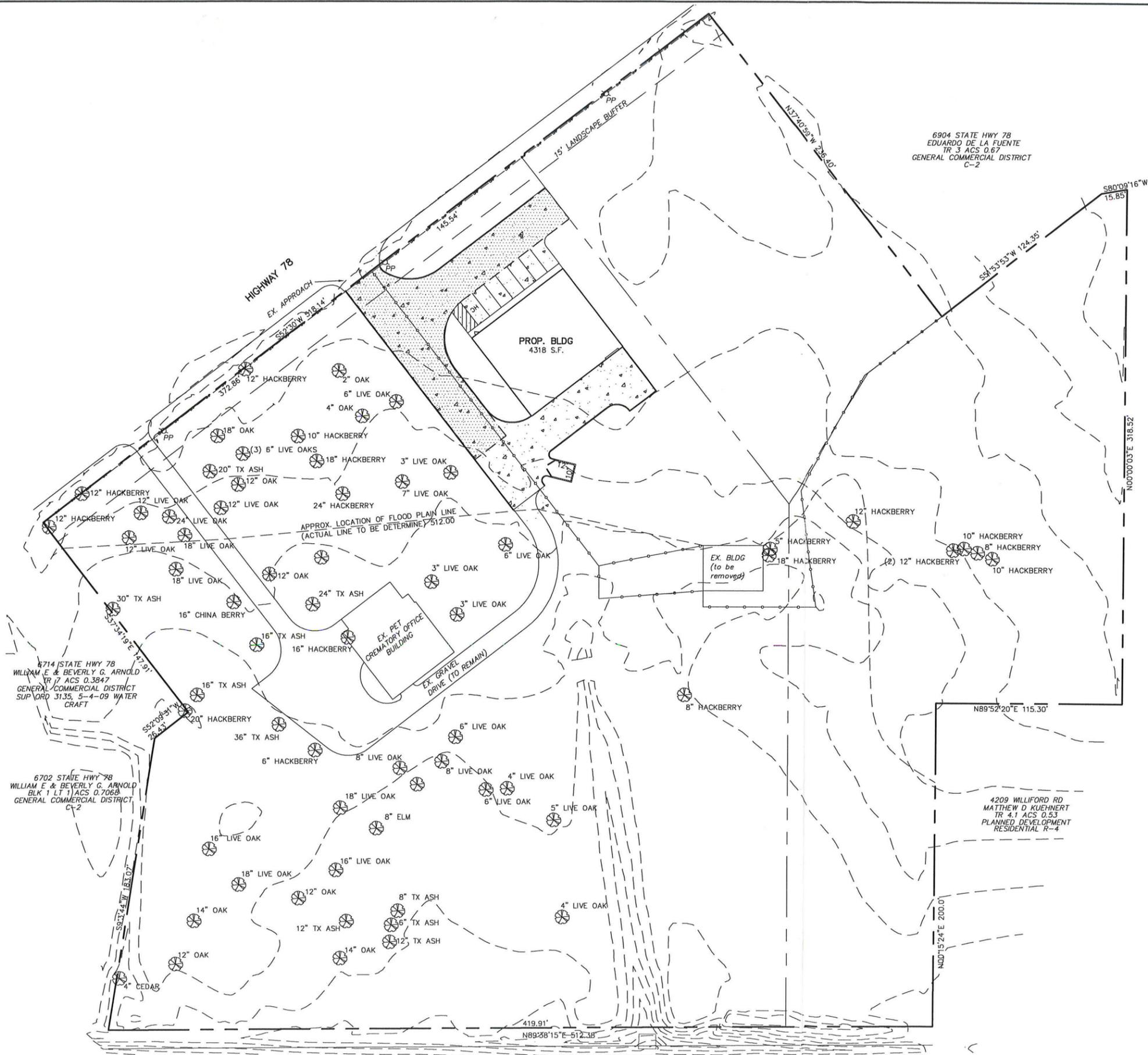
LEGEND

- - - - - = PROPERTY LINE
- - - - - EX. SS = EXISTING SANITARY SEWER LINE
- - - - - EX. W = EXISTING WATER LINE
- = EXISTING FIRE HYDRANT
- = EXISTING WATER METER
- = EXISTING POWER POLE
- = EXISTING LIGHT POLE
- T = EX. WATER VALVE
- = EXISTING STORM MANHOLE
- = EXISTING SS MANHOLE
- = EXISTING TREE
- EXIST. or EX. = EXISTING
- PROP. = PROPOSED
- LS = LANDSCAPE
- RCP = REINFORCED CONCRETE PIPE
- min = MINIMUM
- max = MAXIMUM
- = PROPOSED CONCRETE
- = PROPOSED FIRELANE

ONLY DRAWINGS STAMPED "RELEASED FOR CONSTRUCTION" BY THE CITY OF SACHSE TO BE USED FOR CONSTRUCTION.

SITE DATA:

- LOT AREA:  
6.56 Acres, 285,793 sq. ft.
- PROPOSED USE:  
Pet Crematorium
- BUILDING AREA:  
4,318 sq.ft.
- BUILDING HEIGHT:  
(One Story)
- ZONING:  
EX. C-2
- PARKING:  
Parking Provided = 7
- \*NO EXISTING TREES IN AREA OF PROP. CONSTRUCTION



6714 STATE HWY 78  
WILLIAM E & BEVERLY G. ARNOLD  
TR 7 ACS 0.3847  
GENERAL COMMERCIAL DISTRICT  
SUP ORD 3135, 5-4-09 WATER CRAFT

6702 STATE HWY 78  
WILLIAM E & BEVERLY G. ARNOLD  
BLK 1 LT 1 ACS 0.7069  
GENERAL COMMERCIAL DISTRICT  
C-2

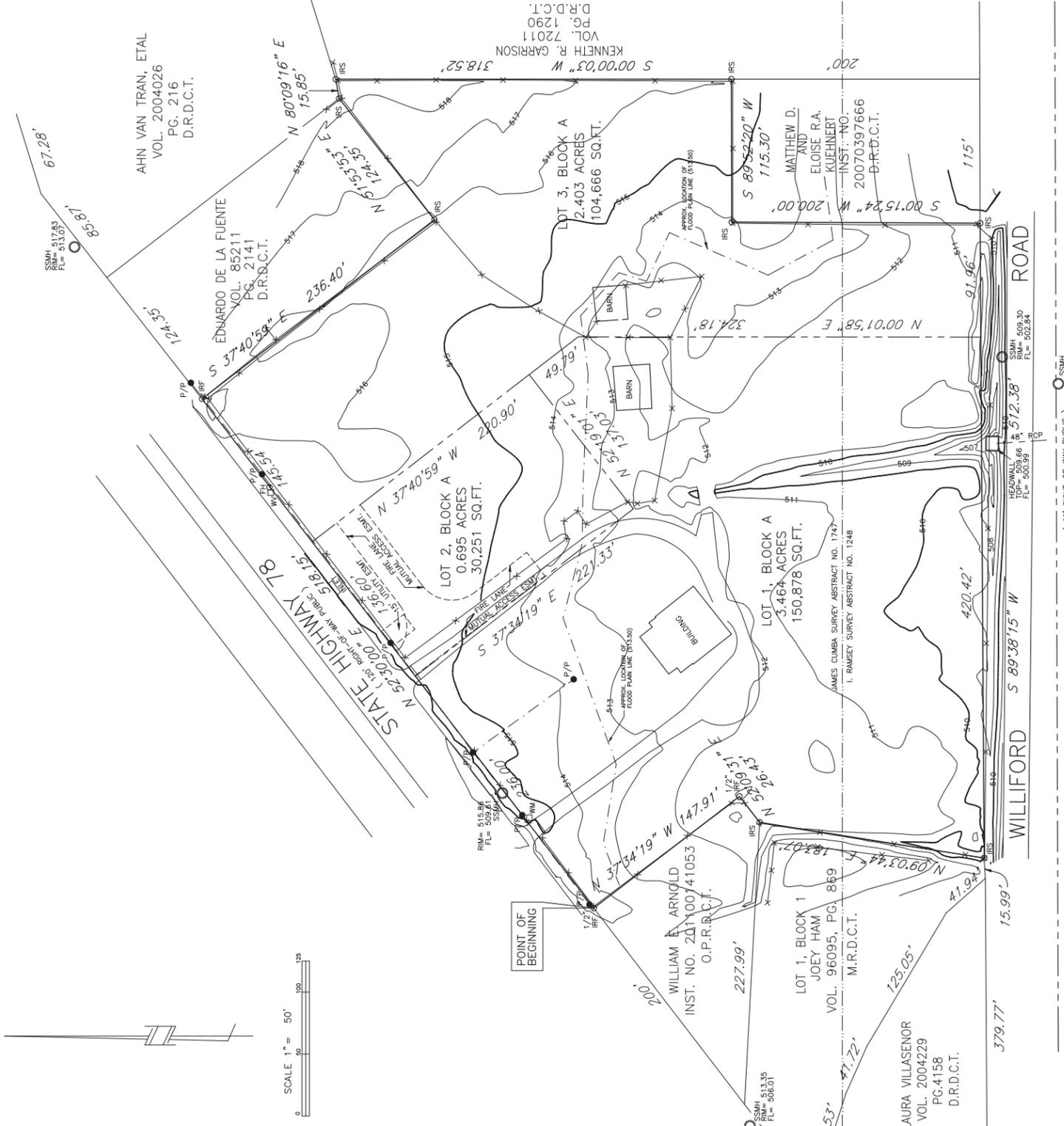
4209 WILLIFORD RD  
MATTHEW D KUEHNERT  
TR 4.1 ACS 0.53  
PLANNED DEVELOPMENT  
RESIDENTIAL R-4

WILLIFORD RD.

FEB 15 2013

TREE SURVEY		
PET REST MEMORIAL PARK & CREMATORY		
6800 Texas 78 City of Sachse, Dallas County, Texas		
owner CHARLES SMITH 1901 PONDEROSA TRAIL SACHSE, TX 75048		
prepared by MONK CONSULTING ENGINEERS, INC. 1200 W. Slate Street, Garland Texas 75040 972 272-1763 Fax 972 272-8761		
REG NO.: F-2587		
date: 2/8/13	scale: 1" = 30'	sheet: L100

**EXHIBIT A**



- LEGEND**
- IRF FOUND IRON ROD
  - IRS 1/2" IRON ROD SET WITH YELLOW CAP
  - SS STAMPED J.L. LANE RPLS 2509
  - SS SANITARY SEWER
  - MH MANHOLE
  - FL FLOW LINE
  - X FENCE
  - PCP REINFORCED CONCRETE PIPE
  - P/P POWER POLE
  - WW WATER VALVE
  - FH FIRE HYDRANT

BASIS OF BEARING IS THE SOUTH RIGHT-OF-WAY LINE OF HWY 78 PER DEED IN VOL. 77233, PG. 1994 N 52°30' E

UTILITY WARNING  
 THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY AND ARE NOT GUARANTEED. THE SURVEYOR DOES NOT GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE UTILITIES SHOWN ARE THE BEST INFORMATION AVAILABLE TO THE SURVEYOR. THE SURVEYOR DOES NOT GUARANTEE THE LOCATION INDICATED, NOR DOES HE GUARANTEE THAT THE UTILITIES ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE CITY SUBDIVISION ORDINANCE AND STATE OF TEXAS STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES

WITNESS our Hands at Sachse, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2013

**OWNER:**  
 CHARLES W. SMITH  
 1901 PONDEROSA TRAIL  
 SACHSE, TX 75048-3629  
 PHONE (972)-495-0933

**SURVEYOR:**  
 LANE'S SOUTHWEST SURVEYING INC.  
 2717 MOTLEY DR, SUITE B  
 MESQUITE, TEXAS 75150 - 3812  
 Phone (972) 681-4442 FAX 681-4829  
 Email : JLTlKH@earthlink.net

**OWNER'S CERTIFICATE**

STATE OF TEXAS  
 COUNTY OF DALLAS  
 WHEREAS, Charles W. Smith is the owner of a tract of land situated in the James Cumba Survey, Dallas County, Texas, and being all of those certain tracts of land conveyed to Charles W. Smith by Warranty Deed recorded in Volume 77233, Page 1994 and General Warranty Deed recorded in Volume 96040, Page 999, both in Official Public Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner in the Southeast ROW line of State Highway No. 78 (a 120' ROW), said iron rod being at the West corner of said Charles W. Smith tract and the North corner of a tract of land conveyed to William E. Arnold by Deed recorded in Instrument No. 201100141053, Official Public Records, Dallas County, Texas ;

THENCE: North 52 degrees 30 minutes 00 seconds East, along the Southeast ROW line of State Highway No. 78 and the most Westerly Northwest line of said Charles W. Smith tract, a distance of 518.15 feet to a 1/2 inch iron rod found for corner at the North corner of said Smith tract and the West corner of a tract of land conveyed to Eduardo de la Fuente by Deed recorded in Volume 85211, Page 214; Deed Records, Dallas County, Texas;

THENCE: South 37 degrees 40 minutes 59 seconds East, along the Northeast line of said Charles W. Smith tract, a distance of 236.40 feet to a 1/2 inch iron rod set with yellow cap stamped "JL LANE RPLS 2509" for corner at the South corner of said Fuente tract;

THENCE: North 51 degrees 53 minutes 53 seconds East, along the most Easterly Northwest line of said Charles W. Smith tract, a distance of 124.35 feet to a 1/2 inch iron rod set with yellow cap stamped "JL LANE RPLS 2509" for corner at the East corner of said Fuente tract and the South corner of a tract of land conveyed to Ahn Van Tran, et al by Deed recorded in Volume 2004026, Page 216, Deed Records, Dallas County, Texas;

THENCE: North 80 degrees 09 minutes 16 seconds East, along the North line of said Charles W. Smith tract and the South line of said Tran tract, a distance of 15.85 feet to a 1/2 inch iron rod set with yellow cap stamped "JL LANE RPLS 2509" for corner at the Northeast corner of said Smith tract and the Northwest corner of a tract of land conveyed to Kenneth R. Garrison by Deed recorded in Volume 72011, Page 1290, Deed Records, Dallas County, Texas;

THENCE: South 00 degrees 00 minutes 03 seconds West, along the most Northerly East line of said Charles W. Smith tract and the West line of said Garrison tract, a distance of 318.52 feet to a 1/2 inch iron rod set with yellow cap stamped "JL LANE RPLS 2509" for corner at the Northeast corner of a tract of land conveyed to Matthew D. Kuehnert, et al by Deed recorded in Instrument No. 20070397666, Official Public Records, Dallas County, Texas;

THENCE: South 89 degrees 52 minutes 20 seconds West, along the most Northerly South line of said Charles W. Smith tract and the North line of said Kuehnert tract, a distance of 115.30 feet to a 1/2 inch iron rod set with yellow cap stamped "JL LANE RPLS 2509" for corner at the Northeast corner of said Kuehnert tract;

THENCE: South 00 degrees 15 minutes 24 seconds West, along the most Southerly East line of said Charles W. Smith tract and the West line of said Kuehnert tract, a distance of 200.00 feet to a 1/2 inch iron rod set with yellow cap stamped "JL LANE RPLS 2509" for corner in the North line of said Tran tract and the Southwest corner of said Kuehnert tract;

THENCE: South 89 degrees 38 minutes 15 seconds West, along the North ROW line of Williford Road and the most Southerly South line of said Charles W. Smith tract, a distance of 512.38 feet to a 1/2 inch iron rod set with yellow cap stamped "JL LANE RPLS 2509" for corner at the Southeast corner of said Smith tract on the Southeast corner of Lot 3, Block 1, being Ahn Van Tran, et al by Deed recorded in Volume 96095, Page 869, Map Records, Dallas County, Texas;

THENCE: North 09 degrees 03 minutes 44 seconds East, departing the North ROW line of Williford Road along the East line of said Smith tract, a distance of 483.07 feet to a 1/2 inch iron rod set with yellow cap stamped "JL LANE RPLS 2509" for corner at the Northeast corner of said Lot 1 and the Southeast corner of said Arnold tract;

THENCE: North 52 degrees 09 minutes 31 seconds East, along the South line of said Arnold tract, a distance of 26.43 feet to a 1/2 inch iron rod found for corner to the East corner of said Arnold tract;

THENCE: North 37 degrees 34 minutes 19 seconds West, along the Southwest line of said Charles W. Smith tract and the Northeast line of said Arnold tract, a distance of 147.91 feet to the POINT OF BEGINNING and containing 0.561 acres or 265,795 square feet of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That, I, Charles W. Smith, Owner, do hereby adopt this plat designating the hereinabove described property as Lot 1, Block 1, Lot 2, Block A, and Lot 3, Block A, and do hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility showing the right to remove and regrade moved all or part of or interfering with the construction, maintenance or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the consent of the owner, the same and the same shall be subject to all applicable laws, ordinances, rules, regulations and resolutions of the City of Sachse, Texas.

WITNESS our Hands at Sachse, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2013

**OWNER'S CERTIFICATE**

STATE OF TEXAS  
 COUNTY OF DALLAS  
 BEFORE Me, the undersigned authority, a Notary Public in and for said County and State, on this \_\_\_\_\_ day of \_\_\_\_\_, 2013, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

GIVEN under my Hand and Seal of Office this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Notary Public for the State of TEXAS  
 SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT, I, J. L. Lane, do hereby certify that I have prepared this plat from an actual and accurate survey of the land and that the same is in accordance with the Platting Rules and Regulations of the City planning and zoning commission of the City of Sachse.

**PRELIMINARY PLAT FOR REVIEW ONLY**

J.L. LANE  
 REGISTERED PROFESSIONAL LAND SURVEYOR No. 2509

**OWNER'S CERTIFICATE**

STATE OF TEXAS  
 COUNTY OF DALLAS  
 BEFORE Me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared J. L. Lane, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN under my Hand and Seal of Office this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Notary Public for the State of TEXAS  
 APPROVAL OF CITY COUNCIL, CITY OF SACHSE

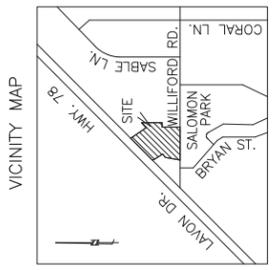
This plat, METRO MORTUARY AND CREMATION SERVICES, has been submitted to and considered by the city council of the City of Sachse, Texas, and is hereby approved by such council, dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

"Preliminary Plat - for inspection purposes only and in no way affecting or approved for record purposes.

Attest By: \_\_\_\_\_ Date \_\_\_\_\_  
 Mayor, City of Sachse

Attest By: \_\_\_\_\_ Date \_\_\_\_\_  
 City Secretary, City of Sachse

Flood Note:  
 Said described property is located within an area having a Zone Designation of "X" and "AE" by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Act of 1968, as amended, and is shown on the Flood Insurance Rate Map for the community in which said premises is situated, which is the Flood Insurance Rate Map for the community in which said premises is situated.



**METRO MORTUARY AND CREMATION SERVICES**  
**LOT 1, 2 & 3, BLOCK A**

6.561 ACRES  
 285,794 SQ.FT. OUT OF  
 THE JAMES CUMBA SURVEY, ABSTRACT NO. 1747  
 AND THE ISAAC RAMSEY SURVEY, ABSTRACT NO. 1248  
 CITY OF SACHSE, DALLAS COUNTY, TEXAS



Legislation Details (With Text)

**File #:** 13-1460      **Version:** 1      **Name:** Apr 2013: Executive Session: Cole vs. City of Sachse

**Type:** Agenda Item      **Status:** Agenda Ready

**File created:** 3/27/2013      **In control:** City Council Special Meeting

**On agenda:** 4/1/2013      **Final action:**

**Title:** Adjourn to Executive Session pursuant to the provisions of Texas Government Code Section 551.071: To discuss pending litigation: Randy Cole and Karen Cole, Individually and as Next Friends of Ryan Cole vs. Michael Hunter, Martin Cassidy, Carl Carson and the City of Sachse, Texas Civil Action No. 2:12-cv-00607.

Executive Summary  
Closed session as provided by State Law.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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**Title**

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To discuss pending litigation: Randy Cole and Karen Cole, Individually and as Next Friends of Ryan Cole vs. Michael Hunter, Martin Cassidy, Carl Carson and the City of Sachse, Texas Civil Action No. 2:12-cv-00607.

*Executive Summary*

*Closed session as provided by State Law.*

**Background**

This agenda item is provided for the City Council to meet in executive session with the City's legal council, Mr. Jim Jeffrey, and the City Attorney to discuss this pending litigation.

**Policy Considerations**

None.

**Budgetary Considerations**

None.

**Staff Recommendations**

Conduct executive session.