

ORDINANCE NO. 1945

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING DISTRICT MAP, TO CHANGE THE ZONING OF A TRACT ON 5.00 ACRES OF LAND, AS DESCRIBED IN EXHIBIT "A", FROM C2 GENERAL COMMERCIAL TO PLANNED DEVELOPMENT DISTRICT NO. 20 (ADVANTAGE); PROVIDING FOR DEVELOPMENT CONDITIONS; PROVIDING FOR THE APPROVAL OF A DEVELOPMENT PLAN; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Planning and Zoning Commission of the City of Sachse and the City Council of the City of Sachse, in compliance with the rules and regulations of the City of Sachse and the State of Texas, have given the requisite notices by publication and otherwise, and after holding due hearing and affording a full and fair opportunity to all property owners, general, and to the persons interested situated in the affected area and in the vicinity thereof regarding the rezoning, proposed use, or improvements of the property described in Exhibit "A", the City Council of the City of Sachse has concluded that the Comprehensive Zoning Ordinance and Zoning District Map of the City of Sachse, as previously amended, should be amended;

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning District map of the City of Sachse as enacted by the City Council be, and the same are hereby amended as they apply to the property described in Exhibit "A", by changing the zoning from C2 General Commercial to Planned Development District No. 20 (Advantage), for the development of a self storage facility.

SECTION 2. That the property in Planned Development District No. 20 for the development of a self storage facility on the property further described in Exhibit "A" shall be

used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance and the Development Standards which are attached hereto as Exhibit “B”, and incorporated herein for all purposes.

SECTION 3. That the property shall be developed in accordance with the Development Plan, which is attached hereto as Exhibit “C”, and incorporated herein for all purposes.

SECTION 4. That the property shall be developed in accordance with the Landscape Plan, which is attached hereto as Exhibit “D”, and incorporated herein for all purposes.

SECTION 5. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Comprehensive Zoning Ordinance, as amended hereby, which shall remain in full force and effect.

SECTION 6. That all provisions of the Comprehensive Zoning Ordinance of the City of Sachse, Texas, in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. That any person, firm or corporation violating any of the provisions of this ordinance or of the Comprehensive Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and shall be subject to a fine not to exceed the sum of Two Thousand

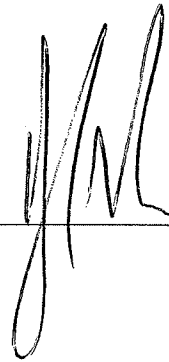
Dollars (\$2,000) for each offense, and each and every day said violation is continued shall constitute a separate offense.

SECTION 9. This ordinance shall take effect immediately from and after its passage, and publication of the caption, as the law and charter in such cases provide.

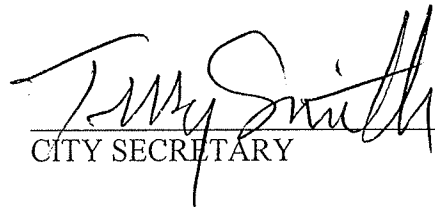
DULY APPROVED AND PASSED by the City Council of the City of Sachse, Dallas County, Texas on the 17 day of June 2002.

APPROVED:

MAYOR



ATTEST:



CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

EXHIBIT "A"

PLANNED DEVELOPMENT DISTRICT

NO. 20

ADVANTAGE SELF STORAGE
CITY OF SACHSE, TEXAS

FIELD NOTE DESCRIPTION - 5.000 ACRE TRACT (PD ZONING)

BEING a tract of land situated in the ELIZABETH SACHSE SURVEY, Abstract No. 1324 and being a portion of a tract of land described in a deed to SACHSE COMMONS SHOPPING CENTER I, L.P. as recorded in Volume 99127, Page 6504 of the Deed Records of Dallas County, Texas (DRDCT) and being a portion of a tract of land described in a deed to SACHSE COMMONS SHOPPING CENTER I, L.P. as recorded in Volume 99240, Pg. 5810 (DRDCT) and being a portion of LOT 1, BLOCK 1 of the HEARTLIFE BAPTIST CHURCH, an addition to the City of Sachse as recorded in Volume 96113, Page 5515 (DRDCT) and being a portion of a tract of land described in a deed to SACHSE COMMONS SHOPPING CENTER I, L.P. as recorded in Volume 2000098, Page 4393 (DRDCT) and being more particularly described as follows:

COMMENCING at a point for the intersection of the westerly right-of-way line of BEN DAVIS ROAD (a variable width right-of-way) and the southeasterly right-of-way line of STATE HIGHWAY NO. 78 (a variable width right-of-way), said point also being the northerly corner of said SACHSE COMMONS SHOPPING CENTER I, L.P. tract as recorded in Volume 99127, Page 6504(DRDCT);

THENCE departing the westerly right-of-way line of said BEN DAVIS ROAD and along the southeasterly right-of-way line of said STATE HIGHWAY NO. 78, South 52°03'43" West, a distance of 840.80 feet to the POINT OF BEGINNING;

THENCE departing the southeasterly right-of-way line of said STATE HIGHWAY NO. 78, South 37°56'12" East, a distance of 50.00 feet to a point for corner;

THENCE South 52°03'48" West, a distance of 15.00 feet to a point for corner;

THENCE South 37°56'12" East, a distance of 138.83 feet to a point for corner;

THENCE North 52°05'54" East, a distance of 20.00 feet to a point for corner;

THENCE South 37°56'12" East, a distance of 157.97 feet to a point for corner;

THENCE South 00°56'12" East, a distance of 106.88 feet to a point for corner in the northerly line of a tract of land described in a deed to CHRISTIAN CHURCH as recorded in Volume 75149, Page 0318 (DRDCT);

THENCE along the northerly line of said CHRISTIAN CHURCH tract, South 89°00'48" West, a distance of 74.63 feet to a point for corner;

THENCE along the west line of said CHRISTIAN CHURCH tract, South 00°56'12" East, a distance of 210.08 feet to a point for corner;

THENCE South 09°22'16" East, a distance of 630.18 feet to a point for corner;

THENCE South 52°06'58" West, a distance of 305.01 feet to a point for corner;

THENCE North 37°43'41" West, a distance of 388.45 feet to a point for corner;

THENCE North 52°03'48" East, a distance of 356.58 feet to a point for corner;

THENCE North 00°56'12" West, a distance of 150.08 feet to a point for corner;

THENCE North 52°03'48" East, a distance of 81.59 feet to a point for corner;

THENCE North 00°56'12" West, a distance of 309.44 feet to a point for corner;

THENCE North 52°03'48" East, a distance of 95.59 feet to a point for corner;

THENCE North 37°56'12" West, a distance of 352.84 feet to a point for corner in the southeasterly right-of-way line of the aforementioned STATE HIGHWAY NO. 78;

THENCE along the southeasterly right-of-way line of said STATE HIGHWAY NO. 78, North 52°03'43" East, a distance of 60.00 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 5.000 acres or 217,800 square feet of land more or less.

EXHIBIT "B"

DEVELOPMENT STANDARDS For PLANNED DEVELOPMENT DISTRICT NO. 20 ADVANTAGE SELF STORAGE CITY OF SACHSE, TEXAS

1. The Planned Development zoning will allow for the development of the self storage facility incorporating the layout presented on attached Development Plan, and as described and restricted herein.
2. Building set backs will be as depicted on the Development Plan.
3. Building A will include a residence for the on site managers.
4. All buildings restricted to single story.
5. Architecture of office and storage buildings are designed to blend with the Oak Grove Plaza retail center, and will conform to attached buildings elevations:
 - a. All perimeter storage buildings will face interior drives, creating a continuous, uninterrupted masonry building wall with no openings along the property line.
 - b. All construction specifications to conform to the current retail district and the requirements for this use, which ever is more stringent.
 - c. Office / residence to be combination of stone and plaster, with standing seam metal roof. The stone and plaster texture and color will match the Sachse Commons retail center.
 - d. All storage perimeter walls to be stone and/or EFIS plaster with commercial parapet trim (no pre-engineered metal facia). Northeast perimeter of buildings B, C, D, F and J (those buildings facing adjacent church property to the northeast) will be accented approximately every 80'-100' with raised, stone and EFIS panel with arch relief. Height of perimeter walls to be 10'-12'.
 - e. Connecting fencing between buildings to be either 8' wrought iron or as noted on the site plan.
 - f. All exterior lighting will be within the interior drives. No additional exterior lighting will be placed on the outside perimeter of the storage buildings.
6. Landscaping is designed to complement and blend with the landscaping of the Sachse Commons retail center, and will meet or exceed Sachse landscaping ordinance for the current retail district, and will conform to the attached landscape plan, (Exhibits "C" and "D").
7. Normal hours of operation will be limited to between 6:00 AM and 9:00 PM.
8. Access to the storage area will be restricted to customers only via a computer monitored access gate. Closed circuit TV surveillance cameras will monitor the premises.
9. Signage will be limited to building signage and one low profile monument sign located on Hwy. 78 as depicted on the attached plan.
10. There will be no open storage allowed anywhere on the premises.
11. There will be no exposed RV or boat storage.
12. There will be no commercial truck or trailer rental business operated from the premises.

EXHIBIT "B" (continued)
DEVELOPMENT STANDARDS
For
PLANNED DEVELOPMENT DISTRICT
NO. 20
ADVANTAGE SELF STORAGE
CITY OF SACHSE, TEXAS

DEVELOPMENT SCHEDULE

The Planned Development zoning allowing a self storage facility as described herein is specifically contingent upon the construction of the Kroger grocery store portion of the Oak Grove Plaza retail center. More specifically, the issuance of a building permit by the City of Sachse for the construction of the self storage facility is prohibited until after the issuance of a building permit by the City of Sachse for the Kroger grocery store.

The project will be developed in two phases. The first phase will consist of an office / residence building (Building A), and eight storage buildings containing both climate controlled and non-climate controlled space. Construction will commence on phase one of the project within twenty-four (24) months from the approval of PD zoning.

The second phase will consist of five additional storage buildings containing both climate controlled and non-climate controlled space. Construction will commence on phase two of the project within three (3) years of completion of phase one.