

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED; TO GRANT A CHANGE OF ZONING FROM COMMERCIAL-1 (C-1) TO PLANNED DEVELOPMENT NO. 24 (PD-24) ON APPROXIMATELY 10.4 ACRES OF LAND; LOCATED GENERALLY ON THE NORTHEAST CORNER OF MURPHY ROAD AND BLACKBURN ROAD, CITY OF SACHSE, DALLAS COUNTY, TEXAS; 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 applying to amending the Comprehensive Zoning Ordinance and Map, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the City of Sachse is of the opinion that said comprehensive zoning ordinance should be amended as provided herein;

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Sachse, Texas, as heretofore amended, be and the same are hereby further amended to grant a change in zoning from Commercial 1 (“C-1”) to Planned Development No. 24 (“PD-24”) on approximately 10.4 acres located on the northeast corner of Murphy Road and Blackburn Road, City of Sachse, Dallas County, Texas, being more particularly described by metes and bounds in Exhibit “A”, attached hereto and incorporated herein by reference.

SECTION 2. That the above-described property shall be used only in the manner and for the purposes provided for in Exhibit “B”, the Sachse Crossing Concept Plan, attached hereto and incorporated herein by reference.

SECTION 3. That the above property contained within PD-24 shall be developed and used only in accordance with the following development conditions:

1.0 Planned Development District - Mixed-use, non residential

- 1.01 **General Description:** The Future Land Use Map designates this property as Commercial/Retail. The 10 acre tract is intended to accommodate a variety of non-residential uses to include restaurants, offices, vehicular fueling stations, convenience stores, retail and personal service uses. And while the current zoning is C-1 [Neighborhood Shopping District] the property’s size and location is much more suited

to a regional mixed use development with appropriate residential transitions. This property is located at the intersection of a primary arterial and a minor arterial. "Principal arterials serve as primary routes through a region and between regions."

This planned development may be developed in phases and the development standards in this ordinance apply only to that portion of the PDD that is being developed. Those portions of the conceptual plan that are "ghosted" indicate potential development scenarios for subsequent phases of development. A future development phase that varies from the "ghosted" concept must be consistent with the requirements of this planned development district and must be approved by the Planning and Zoning Commission at a regularly scheduled meeting.

The provisions of this section apply to the entire 10 acre tract as designated on the Zoning Exhibit: Development/Concept Plan. Standards not specifically described in this planned development shall be in accordance with the Zoning C-1 District of the Zoning Ordinance of the City of Sachse then in effect or as amended thereafter.

1.02 **Permitted Uses:** Land uses permitted in this planned development district are as follows:

A. **Permitted uses:**

- a. All uses allowed in the C-1 Commercial-1 zoning district

Additionally, the following uses are allowed without a special use permit:

- b. Retail sales with gas pumps (10 islands/20 fueling points, diesel allowed for each pump)
c. Grocery/ supermarket
d. Restaurant
e. Restaurant, drive through

B. **Non-Permitted uses:**

- a. Electric substation

1.03 **Lot Area:** There is no minimum lot size.

1.04 **Lot Coverage:** Maximum lot coverage is sixty-five (65) percent.

1.05 **Lot Width:** There is no minimum lot width.

1.06 **Lot Depth:** There is no minimum lot depth.

1.07 **Front Yard:** The minimum depth of the front yard shall be fifty (50) feet adjacent to Murphy Road or Blackburn Road. Multiple Pump Fuel Dispensers (MPD) may not be located in the required front yard nor shall a canopy be located closer than twenty five (25) feet to the front property line. Interior lots shall have no less than a fifteen (15) foot front yard. Parking may be allowed in the required front yard.

1.08 **Side Yard:** A side yard adjacent to a residential zoning district shall be twenty-five (25) feet. A side yard adjacent to another tract or lot shall be zero (0) feet. A side yard adjacent to a public street shall be a minimum of fifty (50) feet.

- 1.09 **Rear Yard**: The minimum depth of the rear yard shall be zero (0) feet. A rear yard adjacent to a residential zoning district shall be a minimum of twenty-five (25) feet.
- 1.10 **Building Height**: The permitted height of all building structures shall not exceed two (2) stories or thirty (30) feet if located within seventy-eight (78) feet of a residential property line. The permitted height of any building may be increased by one (1) foot for each additional three (3) feet of distance from a residential property line once that distance is a minimum of seventy-eight (78) feet but not to exceed three and one-half (3 1/2) stories or forty (40) feet in height.
- 1.11 **Building Size**. Maximum building size is 14,000 gross square feet.
- 1.12 **Required Parking**: Parking requirements for all permitted uses shall be as required by the Sachse Zoning Ordinance as amended. However, uses having mutually exclusive operating hours may share required parking spaces.
- 1.13 **Building Materials**: Must comply with the construction codes of the city. In addition, the building façade of the gas station and convenience store shall make use of Austin Stone as one of the primary masonry materials. Austin Stone shall also be incorporated into the canopy columns on the gas station.
- 1.14 **Signs and Awnings**. (a) Monument signs may be placed within the front yard setback, but not within the visibility triangles for any driveway approach or street intersection or any closer to the right of way than eight (8) feet. Monument signs may not exceed eight (8) feet in height. (b) Other signage shall comply with the City of Sachse Sign Regulations. Each tract or lot may have at least one monument sign located within the front yard setback adjacent to any public way. Additionally, one multitenant sign may be located on each street frontage without requiring fee simple connection to the business or businesses shown on the signage.
- 1.15 **Lights**. Parking lot light standards shall not exceed twenty (20) feet in height. All light standards shall be shielded from adjacent residential zoning districts. All fixtures shall be cut-off, shielded and down-lit types.
- For all phase plans, site plans, or building permits, a photometric plan shall be submitted that shows that the proposed lighting does not exceed 20 foot candles and does not provide any light spillover into residential properties. Exception: A canopy over gas pumps may have up to 30 foot candles, but may not allow for any light spillover into residential properties.
- 1.16 **Roofs**. Flat roofs and parapet walls around flat roofs shall have a cornice, cap or other detail with a vertical dimension equal to at least three (3) percent of the height of the building. Pitched roofs shall have roofing material of a lusterless neutral color. Green colors shall be limited to dark forest greens, slate greens, pale bluish-gray greens and copper patinas. Metal roofs shall be standing seam with a baked-on lusterless finish.
- 1.17 **Landscaping**. Requirements for landscaping shall be in accordance with the Sachse Code of Ordinance except as otherwise shown on the conceptual plan or Phase 1 Development Plan for this planned development district.

- 1.18 **Dumpster Screening.** All freestanding dumpsters shall be screened on all four sides with an opaque masonry enclosure measuring to height of eight feet with a clear opening of ten (10) feet. Such container enclosures shall have solid metal gates, fully screening the trash container, with tie-backs to secure them in an open position and fasteners to keep them closed. Additionally, owners or operators of businesses with dumpsters shall ensure that the dumpster lids are closed when not in use.
- 1.19 **Cross Access:** All tracts within this Planned Development shall be designed to allow pedestrian, vehicular, emergency access and utility cross-access. A lot or tract within this Planned Development need not have fee simple contact with a public way.
- 1.20 **Buffering and Screening Requirements:** A buffer is required between any residential zoning district and the tract or lot being developed. The minimum requirements for a buffer adjacent to a residential zoning district shall be a solid masonry wall six to eight feet tall, a minimum ten foot wide landscaped buffer strip and a crepe myrtle or approved shade tree (as described on the conceptual plan) every 20 linear feet or less. If interior lots or tracts are developed before a lot or lots adjacent to a residential zoning district, then the buffer is only required on that portion of the lot or tract for which a construction permit has been issued. Required buffering shall be installed within six (6) months following the issuance of a final inspection for the use subject to authorization by the Building Official. A buffer or screen shall be constructed in accordance the following standards:

Design Requirements: In areas other than the buffer between the subject property and adjacent residential districts, any of the following or a combination of the following may be used to create a minimum six (6) foot high screen:

- a. Fencing
 1. Walls shall be made of any combination of wrought iron (combined with a six (6) foot high evergreen living screen), or masonry, stone or decorative concrete panels.
 2. Decorative stone, masonry or stucco pilasters are required at a minimum of fifty (50) feet on center.
 3. The use of a cap is required with other design elements to modulate the top of the wall.
 4. A minimum of ten (10) foot landscaped area with one (1) tree for every thirty (30) linear feet (may include sidewalks).
- b. Vegetative buffer
 1. The buffer width is a minimum of twenty (20) foot wide.
 2. Existing and proposed vegetation is a minimum of fifty (50) percent opaque.
 3. Vegetative screening material shall be a minimum of six (6) feet high to provide adequate screening.
 4. Plant material is subject to City approval.
- c. Berms
 1. A maximum of 1 on 4 side slope facing the residential zoning district with a minimum of an eight (8) foot wide top and a maximum height of three (3) feet.
 2. The minimum quantity of plant material shall be calculated as follows:

- i. 1 three (3") inch caliper tree per 30 linear foot, plus
- ii. 2 small trees per 30 linear foot, plus
- iii. 10 evergreen shrubs on top of berm per 30 linear feet.
- iv. Plant material subject to approval of City.

1.21 **Development Schedule:** A development schedule is not required for this PDD.

1.22 **Loading:** No loading or unloading may be conducted between the hours of 9:00 PM and 6:00 AM for any use located adjacent to a residential zoning district.

1.23 **Blackburn Road Construction:** Blackburn Road shall be improved to provide two westbound lanes as well as right turn lanes for the intersection of Blackburn Road and Murphy Road and for the entrances into the subject property from Blackburn Road as part of the construction of Phase One of the property as illustrated on the attached concept plan

SECTION 4. 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 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.

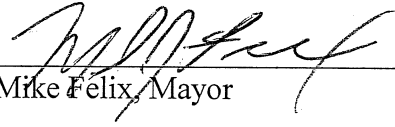
SECTION 6. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in 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.

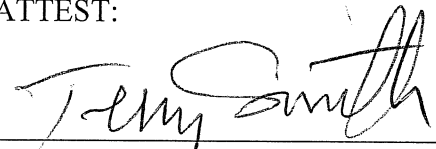
SECTION 8. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

DULY PASSED by the City Council of the City of Sachse, Texas, on the 6th day of December, 2010.

APPROVED:


Mike Felix, Mayor

ATTEST:


Terry Smith, City Secretary

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(43284)

EXHIBIT "A"

The property is described as:

LEGAL DESCRIPTION

COMMENCING at a ½ inch iron rod found in the North right-of-way line of Blackburn Road (a variable width right-of-way), for the Southwest corner of Lot 20, Block D, Westgate Addition, an addition to the City of Sachse, Collin County, Texas according to the plat thereof recorded in Cabinet K, Page 137, Map Records, Collin County, Texas;

THENCE South 89° 47' 57" West, a distance of 549.30 feet to an iron rod set for corner;

THENCE North 45° 12' 40" West, a distance of 38.77 feet to an iron rod set for corner;

THENCE North 00° 19' 52" West, a distance of 696.39 feet to an iron rod set for corner;

THENCE North 89° 48' 01" East, a distance of 580.00 feet to an iron rod set for corner;

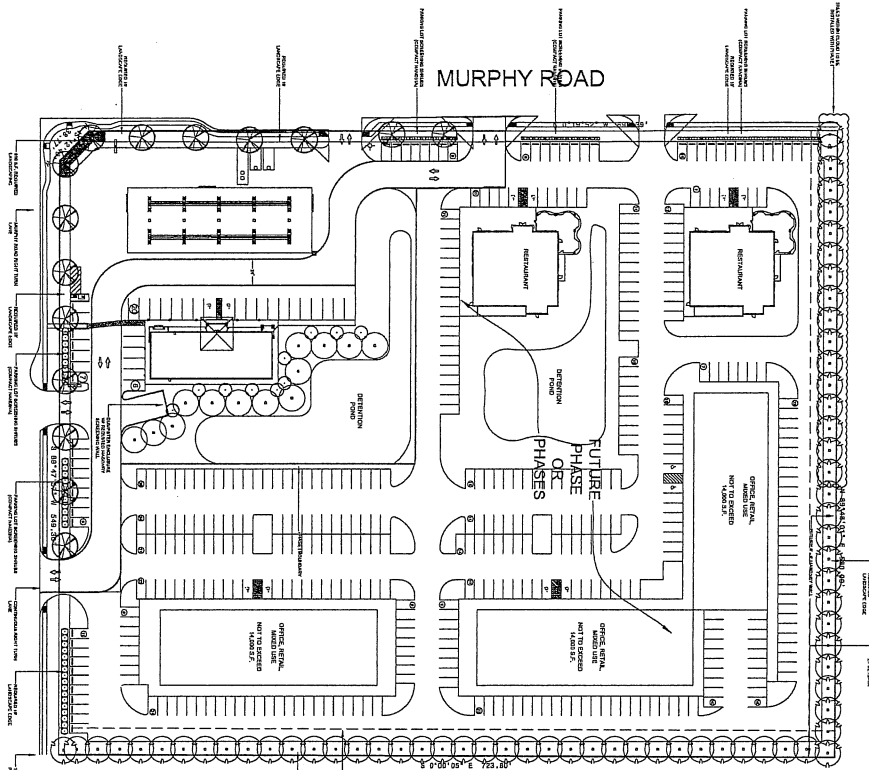
THENCE South 00° 00' 05" East, a distance of 723.80 feet to the POINT OF BEGINNING and CONTAINING 9.601 +/- acres, or approximately 418,219.56 square feet of land, more or less.

EXHIBIT "B"

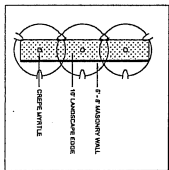
A PDD CONCEPT PLAN & DETAIL PLAN PHASE I
SCALE: 1" = 40'-0"

BLACKBURN ROAD

MURPHY ROAD



SD LANDSCAPE EDGE/MASONRY WALL DETAIL
SCALE: 1" = 20'-0"



COMMON NAME	NOTIONAL NAME	SIZE	NOTES	SYMBOL
SHRUBBED HOLLY	See common list	Height - Min. 3' at maturity		○
CRUISE WENTLE	Leguminosae Indica	Height - Min. 6' at maturity Spread - Min. 6' at maturity	Species & color depending on variety	○
COMPACT NANDINA	Hamamelidaceae	Height - Min. 3' at maturity		○
LIVE OAK	Quercus virginiana	Min. 3" at planting Height - Min. 7' at planting		○

NOT: LANDSCAPE EDGE MAY BE ANY LARGE SIZE (MIN. 3" W.D.) FROM APPROVED LIST

NOTE: Landscape areas to be grass, shrub, living ground cover, trees, or a combination of these materials

PHASE I SITE NOTES
A TREE SURVEY AND TREE MITIGATION PLAN WILL BE PROVIDED PRIOR TO DEVELOPMENT OF SITE

PARKING ANALYSIS
PARKING REQUIRED: 1000 SPACES
4,981 S.F. 2,200' x 22 SPACES REQUIRED
TOTAL PARKING REQUIRED = 24 SPACES
TOTAL LANDSCAPE AREA PROVIDED = 420 S.F.

LANDSCAPE AREA
TOTAL LANDSCAPE AREA PROVIDED = APPROX. 35,277 S.F.

PARKING LANDSCAPE AREA
8.5% OF LANDSCAPE AREA REQUIRED FOR EACH PARKING SPACE
PARKING LANDSCAPE AREA REQUIRED = 408 S.F.

PARKING LOT TREES
ONE TREE IS REQUIRED FOR EACH 10 SPACES PROVIDED
PARKING LOT TREES REQUIRED = 4 SPACES
PARKING LOT TREES PROVIDED = 5

PHASE I LANDSCAPE AREA
A TREE SURVEY AND TREE MITIGATION PLAN WILL BE PROVIDED PRIOR TO DEVELOPMENT OF SITE

PARKING ANALYSIS
PARKING REQUIRED: 1000 SPACES
12,000 S.F. 2,775' x 172 SPACES REQUIRED
TOTAL PARKING REQUIRED = 342 SPACES
TOTAL LANDSCAPE AREA PROVIDED = 4,200 S.F.

LANDSCAPE AREA
TOTAL LANDSCAPE AREA PROVIDED = APPROX. 41,917 S.F.

PARKING LANDSCAPE AREA
8.5% OF LANDSCAPE AREA REQUIRED FOR EACH PARKING SPACE
PARKING LANDSCAPE AREA REQUIRED = 1,312 S.F.

PARKING LOT TREES
ONE TREE IS REQUIRED FOR EACH 10 SPACES PROVIDED
PARKING LOT TREES REQUIRED = 44 SPACES
PARKING LOT TREES PROVIDED = 42

SACHSE CROSSING BLACKBURN ROAD & MURPHY ROAD SACHSE, TEXAS



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Drawn By: [Name]
Checked By: [Name]
Reviewed By: [Name]
Date: 10/18/18
Scale: 1" = 40'-0"
Project: PDD CONCEPT PLAN & DETAIL PLAN PHASE I
Client: [Name]

S-1