

ORDINANCE NO. 3566

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 A SINGLE-FAMILY RESIDENTIAL (R-10) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT (PD-27) TO PROVIDE FOR AN INCREASE IN THE MAXIMUM LOT COVERAGE FROM 35% TO 40% ON AN APPROXIMATELY 79.902-ACRE TRACT OF LAND, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND LOCATED ON THE WEST SIDE OF MERRITT ROAD APPROXIMATELY 1,500 FEET NORTH OF HUDSON DRIVE, CITY OF SACHSE, DALLAS COUNTY, TEXAS; PROVIDING FOR THE APPROVAL OF THE ZONING EXHIBIT ATTACHED AS EXHIBIT "B"; PROVIDING FOR THE APPROVAL OF DEVELOPMENT STANDARDS ATTACHED AS EXHIBIT "C"; PROVIDING FOR THE APPROVAL OF THE ZONING CONCEPT PLAN APPROVED AS EXHIBIT "D"; 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 Single Family Residential (R-10) to Planned Development (PD-27) to provide for an increase in the maximum lot coverage from 35% to 40% on an approximately 79.902-acre tract of land located on the west side of Merritt Road approximately 1,500 feet north of Hudson Drive, City of Sachse, Dallas County, Texas, being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein; and, as depicted in Exhibit "B", attached hereto and incorporated herein by reference.

**SECTION 2.** The property described in Exhibit “A”, shall be developed in accordance with the following exhibits, each of which are attached hereto and incorporated herein:

Exhibit “C” - Development Regulations

Exhibit “D” - Zoning Concept Plan.

**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 17 day of FEBRUARY, 2014.

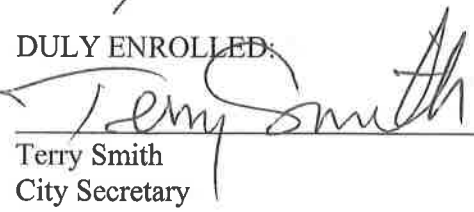
APPROVED:



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Mike Felix  
Mayor

DULY ENROLLED:



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Terry Smith  
City Secretary

APPROVED AS TO FORM:

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Peter G. Smith  
City Attorney  
(01-06-14/64243)

**EXHIBIT A - LEGAL DESCRIPTION**

**WHEREAS** Meritage Homes of Texas, LLC is the owner of that parcel of land located in the City of Sachse, Dallas County, Texas, a part of the Richard Copeland Survey, Abstract No. 228, a part of the McKinney and Williams Survey, Abstract No. 1000, and being all of that called 79.890 acre tract of land described In o Special Warranty Deed from Arcadia Land

Partners 32, Ltd. to Meritage Homes of Texas, LLC as recorded in Document Number 201200114683 of the Official Public Records of Dallas County, Texas, and being further described as follows:

**BEGINNING** at a one-half inch iron rod found for the northeast corner of called 79.890 acre tract of land, said point being in the extension of the south line of a called 10 acre tract of land as described in a Warranty Deed to Ronda I Lynn Norcross and wife Clarissa Norcross as recorded In Volume 2001173, Page 614, Dallas County Deed Records, said point being in the west right-of-way line of Merritt Road (a variable width right-of-way), and said point is approximately 4552 feet north and 2 feet west of the southeast comer of the Richard Copeland Survey, Abstract No. 228;

**THENCE** along west right-of-way line of Merritt Road as follows:

South 00 degrees 45 minutes 40 seconds West, 160.68 feet to a one-half inch iron rod found for earner;

North 89 degrees 36 minutes 58 seconds West, 19.11 feet to a one-half inch iron rod found for corner;

South 00 degrees 45 minutes 40 seconds West, 423.41 feet to a one-half inch iron rod found for corner;

North 88 degrees 58 minutes 07 seconds West, 50.50 feet to a one-half Inch Iron rod found for corner;

South 00 degrees 51 minutes 19 seconds West, 599.78 feet to a one-half inch iron rod found for corner;

South 02 degrees 52 minutes 41 seconds East, 157.27 feet to a one-half inch iron rod found at the north corner of Heritage Park, Phase 1, an addition to the City of Sachse recorded In County Clerk's Document Number 201200004548, Official Public Records of Dallas County, Texas;

**THENCE** along the northwesterly line of said Heritage Park Phase 1 as follows:

South 60 degrees 34 minutes 56 seconds West, 71.45 feet to a one-half inch iron rod found for corner;

South 42 degrees 03 minutes 22 seconds West, 62.25 feet ta a one-half inch iron rod found for earner;

South 67 degrees 24 minutes 36 seconds West, B1.08 feet to o one-half Inch Iron rod found for corner;

## EXHIBIT A

South 48 degrees 42 minutes 19 seconds West, 151.31 feet to o one-half inch iron rod found for corner;

South 53 degrees 40 minutes 17 seconds West, 700.71 feet to o one-half inch iron rod found for corner;

South 46 degrees 08 minutes 00 seconds West, 747.91 feet to o one-half inch iron rod found at the southwest comer of said Heritage Park, Phase 1;

**THENCE** along the south line of said Heritage Park, Phase 1 as follows:

Southeasterly, 124.60 feet along a curve to the right which has a central angle of 11 degrees 43 minutes 55 seconds, a radius of 608.50 feet, a tangent of 62.52 feet, and whose chord bears South 53 degrees 16 minutes 47 seconds East, 124.38 feet to o one-half Inch Iron rod found for corner;

Southeasterly, 51.69 feet along a curve to the left which has a central angle of 05 degrees 29 minutes 06 seconds, a radius of 540.00 feet, a tangent at 25.87 feet, and whose chord bears South 50 degrees 09 minutes 22 seconds East, 51.67 feet to a one-half inch iron rod found for corner;

South 37 degrees 06 minutes 05 seconds West, 35.00 feet to a one-half inch iron rod found in the north line of that tract of land called Tract A as described In deed to Heritage Pork Holdings, LLC recorded In County Clerk's Document Number 201000202494, Official Public Records of Dallas County, Texas;

**THENCE** along the south line of said 79.890 acre tract of land as follows:

Northwesterly, 55.05 feet along the north line of said Tract A and along a curve to the right which has a central angle of 05 degrees 29 minutes 06 seconds, a radius of 575.00 feet, a tangent of 27.54 feet, and whose chord bears North 50 degrees 09 minutes 22 seconds West, 55.02 feet to o one-half Inch Iron rod found for comer;

Northwesterly, 156.21 feet along the north line of said Tract A and along a curve to the left which has o central angle of 15 degrees 36 minutes 23 seconds, a radius of 573.50 feet, a tangent of 78.59 feet, and whose chord bears North 55 degrees 13 minutes 01 seconds West, 155.73 feet to a one-half inch iron rod set for corner;

South 21 degrees 41 minutes 44 seconds West, 35.16 feet to o one-half inch iron rod found at the northwest comer of said Tract A and said point being the northeast corner of a called 10.615 acre tract of land described in a Special Warranty Deed to the City of Sachse as recorded In Volume 98121, Page 6186, Dallas County Deed Records;

Northwesterly, 434.79 feet along the north line of said 10.615 acre tract of land and along a curve to the left which has o central angle of 46 degrees 15 minutes 42 seconds, a radius of 538.50 feet, o tangent of 230.03 feet, and whose chord bears North 85 degrees 48 minutes 23 seconds West, 423.08 feet to a one-half inch iron rod found for corner;

South 71 degrees 03 minutes 53 seconds West, 139.59 feet to a one-half inch iron rod found at the northwest comer of said 10.615 acre tract of land and said point being in the east line of that tract of land described in o Special Warranty Deed to The City of Sachse as recorded in Volume 94150, Page 6284, Dallas County Deed Records, said point being the southwest corner of said 79.890 acre tract of land;

## EXHIBIT A

**THENCE** along the west line of said 79.89D acre tract of land as follows:

North 00 degrees 28 minutes 17 seconds West, 632.39 feet to a one-half inch iron rod found at the northeast corner of a called 8.94 acre tract of land described in a Special Warranty Deed to Garland Independent School District as recorded in Volume 94150, Page 6273, Dallas County Deed Records, said point being in the south line of a called 10 acre tract of land described in a General Warranty Deed to Franklin L. Millsap and wife Mary Lou Millsap as recorded in Volume 79036, Page 358, Dallas County Deed Records;

North 82 degrees 14 minutes 07 seconds East, 391.81 feet to a one-half inch iron rod found at the southeast corner of said Millsap tract of land;

North 00 degrees 22 minutes 36 seconds East, 50.20 feet to a one-half inch iron rod found for the southeast corner of Hunters Ridge Addition, an addition to the City of Sachse as recorded in Volume 84190, Page 2707, Dallas County Deed Records;

North 00 degrees 13 minutes 58 seconds West, 700.46 feet to a one-half inch iron rod found in the east line of Hunters Ridge Addition, an addition to the City of Sachse as recorded in Volume 84190, Page 2707, Dallas County Deed Records;

North 00 degrees 33 minutes 36 seconds West, 187.85 feet to a one-half inch iron rod found at the northeast corner of said Hunters Ridge Addition, said point being the southeast corner of Texas Estates Phase 1 Addition, an addition to the City of Sachse as recorded in Volume 96056, Page 4384, Dallas County Deed Records;

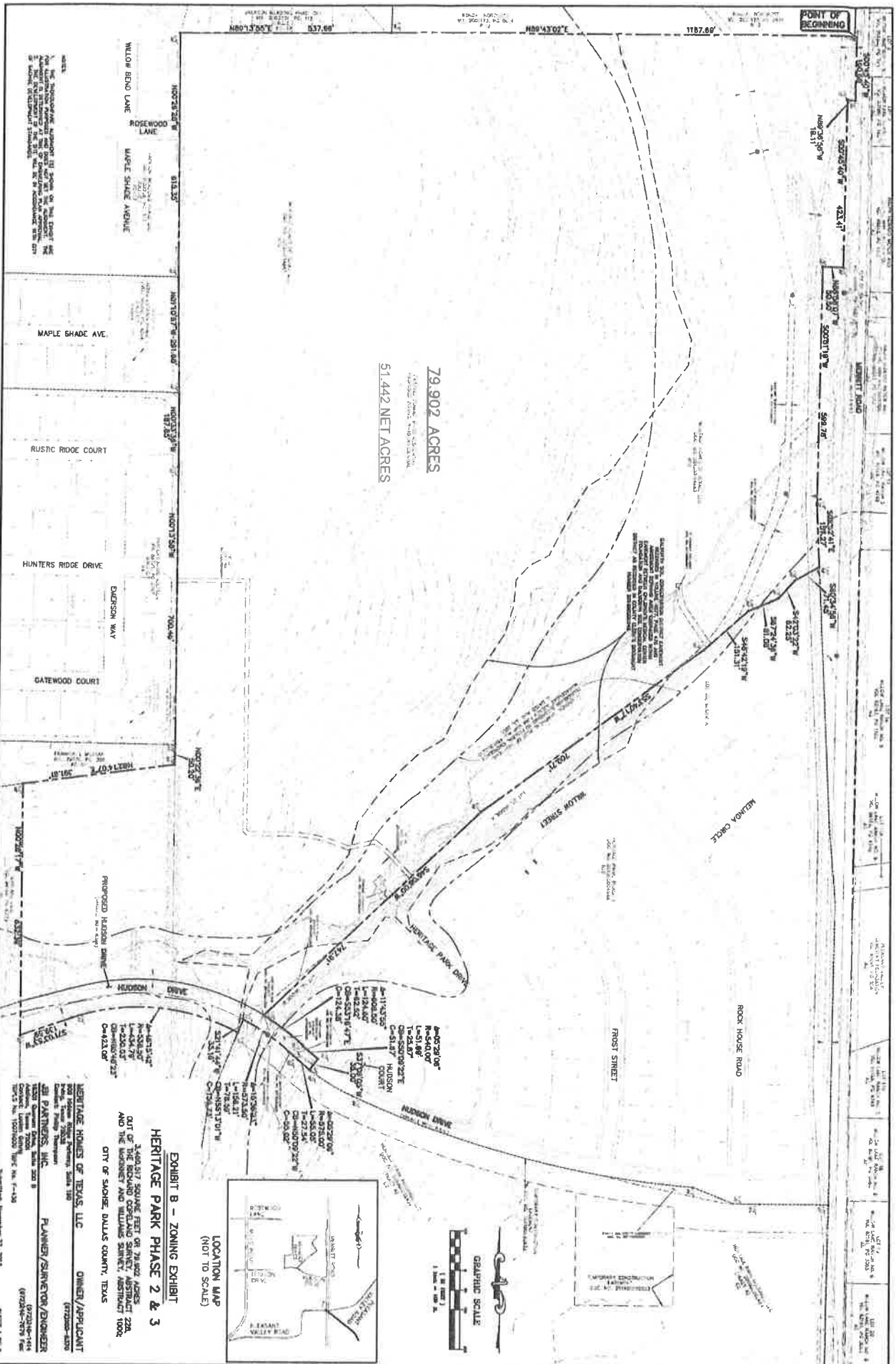
North 01 degrees 10 minutes 57 seconds West, 291.68 feet to a one-half inch iron rod found at the northeast corner of said Texas Estates Phase 1 Addition, said point being the southeast corner of Jackson Meadows Phase One Addition, an addition to the City of Sachse as recorded in Volume 2002226, Page 113, Dallas County Deed Records;

North 00 degrees 26 minutes 28 seconds West, 615.35 feet to a five-eighths inch iron rod found at the northwest corner of said 111.141 acre tract of land;

**THENCE** along the north line of said 79.890 acre tract of land as follows:

North 89 degrees 13 minutes 55 seconds East, 537.96 feet to a five-eighths inch iron rod found for corner;

North 89 degrees 43 minutes 02 seconds East, 1187.69 feet along the south line of said Norcross tract of land to the POINT OF BEGINNING and containing 3,480,517 square feet or 79.902 acres of land.







**EXHIBIT C – PLANNED DEVELOPMENT STANDARDS**

Existing Zoning and Land Use

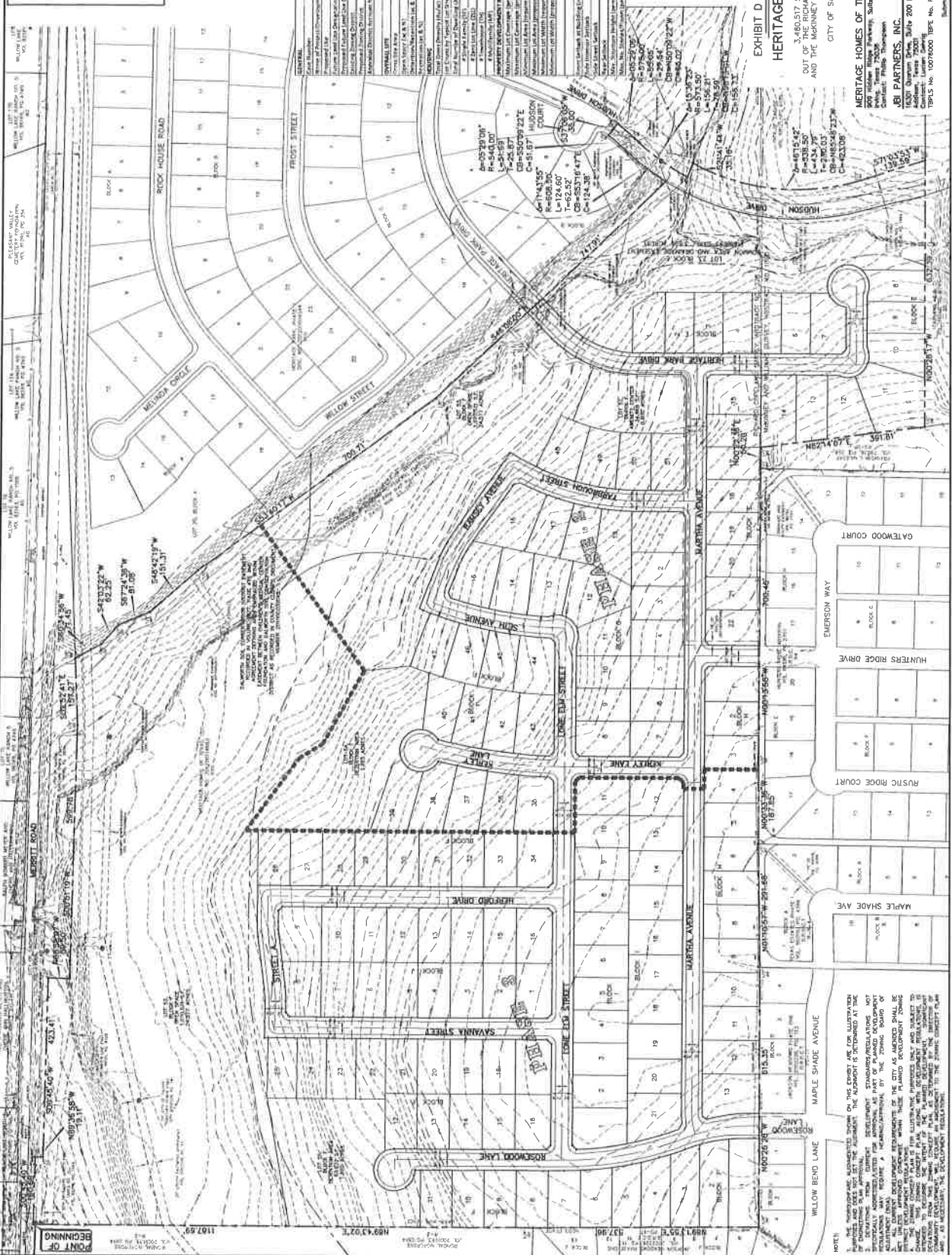
The existing zoning for Heritage Park Phase 2 & 3 is single family zoning classified as R10. The current land use is undeveloped detached single family lots, which corresponds with the future land use plan calling low density residential.

Planned Development Standards

Meritage Homes is seeking to amend the City of Sachse zoning for Heritage Park from R-10 to Planned Development for the Heritage Park Subdivision (Phase 2 & 3). Requested Planned Development standards are as follows:

- The underlying zoning would remain R-10.
- The maximum lot coverage would be increased from 35% to 40%.
- No other changes to the underlying zoning standards are requested.

**EXHIBIT D**



LOCATION MAP  
(NOT TO SCALE)



GRAPHIC SCALE  
1 IN. FEET = 100 FT. A.S.

ZONING CONCEPT PLAN DATA

GENERAL	APPLICABLE ZONING	APPLICABLE ZONING, PHASE 2 & 3
Project Name	Heritage Park, Phase 2 & 3	Heritage Park, Phase 2 & 3
Project Location	3468.57 Square Feet, 49.78 Acres	3468.57 Square Feet, 49.78 Acres
Project Description	Heritage Park, Phase 2 & 3	Heritage Park, Phase 2 & 3
Project Owner	Heritage Homes of Texas, LLC	Heritage Homes of Texas, LLC
Project Engineer	JBI Partners, Inc.	JBI Partners, Inc.
Project Date	11/22/2013	11/22/2013
Project Status	Conceptual	Conceptual
Project Notes		

EXHIBIT D - ZONING CONCEPT PLAN  
HERITAGE PARK PHASE 2 & 3  
3,468.57 SQUARE FEET, 49.78 ACRES  
OUT OF THE RICHARD COLELAND SURVEY, ABSTRACT 228  
AND THE MCKINNEY AND WILLIAMS SURVEY, ABSTRACT 1000;  
CITY OF SACHSE, DALLAS COUNTY, TEXAS

HERITAGE HOMES OF TEXAS, LLC  
16000 Dallas Parkway, Suite 100  
Dallas, Texas 75248  
Contact: Phil Thompson

JBI PARTNERS, INC.  
16000 Dallas Parkway, Suite 200 B  
Dallas, Texas 75248  
Contact: Lauren Sawyer

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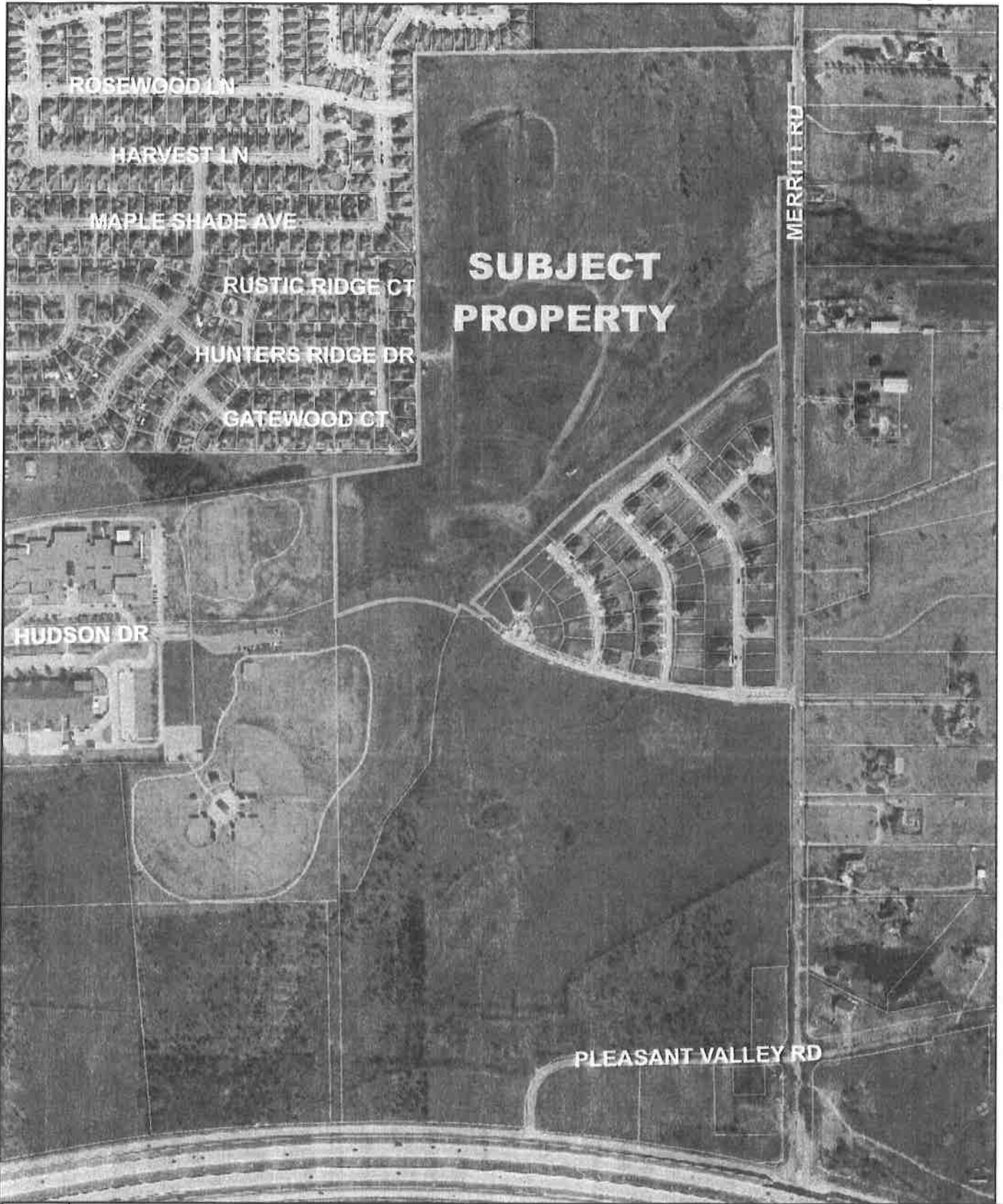
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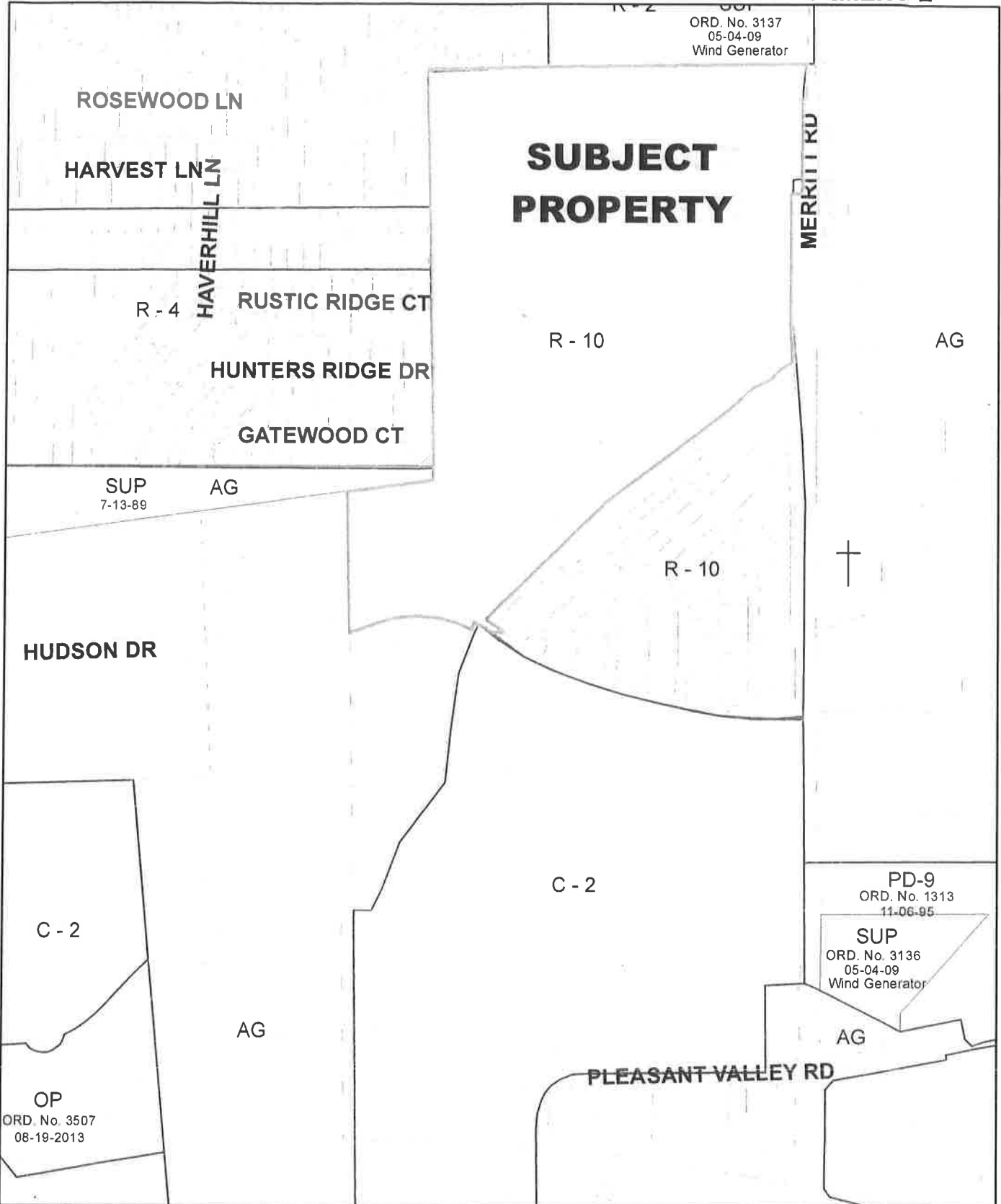


**AERIAL LOCATION MAP**

*Heritage Park Phases 2 & 3 Planned Development  
Final Plat (Z013-06)*

*Map Created: January 7, 2014*

ORD. No. 3137  
05-04-09  
Wind Generator



**SUBJECT  
PROPERTY**

ROSEWOOD LN

HARVEST LN

HAVERRILL LN

R - 4

RUSTIC RIDGE CT

HUNTERS RIDGE DR

GATEWOOD CT

SUP  
7-13-89

AG

R - 10

AG

R - 10



HUDSON DR

C - 2

C - 2

AG

OP  
ORD. No. 3507  
08-19-2013

PD-9  
ORD. No. 1313  
11-06-95

SUP  
ORD. No. 3136  
05-04-09  
Wind Generator

AG

PLEASANT VALLEY RD



**ZONING IDENTIFICATION MAP**  
*Heritage Park Phases 2 & 3 Planned Development*  
*Final Plat (Z013-06)*  
*Map Created: January 7, 2014*