

City of Sachse, Texas
Planning and Zoning Commission

Minutes of the Regular Meeting of June 9, 2008
Time: 7:00 PM Place: Sachse City Hall

Members Present:

Scott Everett
David Zukosky
Jeanie Martin
Robert Lafaye
Robert Corbin

Members Absent:

Staff Present:

Barry Shelton, Community Development Director
Michael Spencer, Building Official
Charlotte Youngblood, Secretary

Others Present:

Pat McMillian, City Council Liaison
Guy Brown, Economic Development

Vice-Chairperson David Zukosky opened the regular meeting of the Planning and Zoning Commission at 7:00 P.M. and a quorum was declared.

Consent Agenda

1. Consider approval of the minutes for the May12, 2008 regular meeting.

Jeanie Martin made a motion to approve the minutes Scott Everett seconded the motion with all voting in favor the item passed unanimously.

Regular Agenda

1. Conduct a public hearing and consider an ordinance amending Chapter 11, the City of Sachse Zoning Ordinance, by adding Section 12 creating standards for the Mixed Use Zoning District and amending the schedule of permitted uses.

Mr. Barry Shelton, Community Development Director, introduced the item. A power point presentation was made highlighting the main points of the district. Mr. Shelton stated that the intent would be to develop a "core" or downtown area that Sachse currently does not have. Mr. Shelton stated that the Mix Use Zoning District has been on the comprehensive land use map since 2001 and the intent of this ordinance is to have development standards in place for the district. Mr. Shelton reiterates that this action does not rezone anyone's property in the area but allows for property owners to rezone in the future if they choose too. Mr. Shelton reviewed the design standards highlighting the special provisions in the ordinance in regards to building materials, pedestrian access, four sided architecture, storefront appearance, and landscaping. Mr. Shelton stated that there was a June 2 workshop meeting with city council. The city council was able to review the draft ordinance for the mix use district. More discussion followed.

David Zukosky, Vice- Chairperson, opened the public hearing at 7:30 p.m.

Bill Smith, 4803 Sachse Road, inquired if we have map for the location. He also asked if someone put a big commercial business next to your home would it not raise the homeowner's taxes.

Martha Long, 3419 6th Street, asked Mr. Shelton if eminent domain would be used. She stated we were told we won't have to sell if we do not want but what if a developer came in and wants to take our property can we say no? How about putting that in writing my property has been in my family since Mr. Sachse bought it and its very important to me. She stated she was also concerned about a private beverage club being on the list of things that could be put in the area. She also stated to not forget about the \$37.5 million dollar complex coming and how people are just going to drive down the road.

Liz Tobbler, 3345 7th Street, expressed her concern by using the example on Boone Street with three houses on the street what if the two developed into business and the one in the middle did not. How could that resident be protected? Would the resident be allowed to put a fence to the road to keep people from walking along their property? Ms. Tobbler stated that she thinks that parking will be a problem.

Wayne Long, 3419 6th Street, stated that the whole concept allows itself to majors problems. Parking for one and trash from the area is another. He felt that clean up will be a major problem and who would be responsible for cleaning up the area. He also stated that the map was scewed also cutting off part of his property which is not actually in the district. He asked that this be corrected.

Karen Anthes, 6330 Sachse Street, asked if the widening of Fifth Street would be done before development of the area.

Guy Brown, Economic Development Director, stated that 38-40 months ago the City of Sachse asked EDC for a grant to define the district. EDC provided the grant and Wilbur Smith Consultants were hired. Mr. Brown congratulated the Commission and Mr. Shelton for developing a superior plan. Mr. Brown stated that all neighborhoods have an evolution and all neighborhoods will decline if not revitalized. He stated that the City of Sachse was fortunate not to have a bad side of town. However, with future development along 190 the areas along Third and Fourth Street will begin to decline if we fail to act.

Kathy Cobb, 3820 6th Street, asked if the City would allow Allsup's to remodel to blend in with the area. Ms. Cobb asked what the possibility was of the area expanding. She also ask what agriculture use would be allowed. She asked could a restaurant have a small garden behind their business. She also inquired as to on-street parking. If Sachse Road was widened would parking be allowed on one side or both. She also had concerns about preserving the night sky and hours of operation for business.

Rainey Lovell, 5045 Bunker Hill, remarked that he had requested a zoning change on his property in the area twice and had spent \$1100 in doing so. He stated that now it seems that the whole district has changed from what was originally discussed. He asked if eminent domain would be used and if the city could guarantee they would not be taking any of his property for widening of the streets in the district. He questioned what is in it for him and who wants this to happen. He also stated that if property owners wanted to rezone that they would still have to pay \$550 to rezone and then could possibly still be denied.

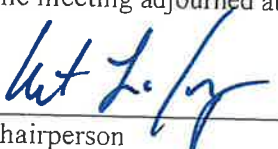
Robert Lafaye made a motion to close the Public Hearing. Robert Corbin seconded the motion with all voting in favor the Public Hearing was closed at 7:50 p.m.

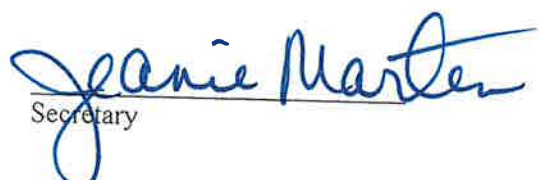
Mr. Shelton, stated that he would like to address some of the questions that have been raised. Mr. Shelton said that the question had been raised as to who wanted this district. He stated that previously there was a committee made up of citizens that was involved with creating the future land use map and comprehensive plan for the city. Their recommendations were then forwarded to City Council where it was later approved. The City Council then directs staff to create and develop standards and guidelines for the district. Mr. Shelton stated as far as protecting residents from future development that there is no good answer with new development being able to build within five foot of property lines. Temporary landscape screening could be utilized. The district is intended to keep residential uses but allow for redevelopment to mix use. Jeanie Martin asked what would be the tax implications to the residents who do not rezone. Mr. Shelton stated that he was not affiliated with the appraisal district. However, they would still maintain their residential zoning and be tax the same way as they had been in the past. Mr. Shelton addressed Ms. Long's question about eminent domain. He stated that Texas State Law now states that a City can no longer use eminent domain to purchase properties for private use. However, that does not mean that the City cannot use this process to obtain needed additional right of way for street widening. Mr. Shelton said that a resident would be allowed to put decorative fencing that does not exceed 30" in height in their front yard in order to protect their property from pedestrians in the area. He said that parking issues are a valid concern and it is addressed through shared off-site parking and on-street parking therefore allowing that not every lot has to provide for its own parking. Jeanie Martin asked how this would work for a business in a residential home. Mr. Shelton explained that you can see examples of this in downtown Plano where homes have been converted to business and the parking is in the rear. He went to say that a 1,000 square foot home would require 4 parking spaces in the rear he did note that not all the homes in the area are in a position to be converted because of the requirement. Scott Everett stated his concern that a property owner could sell and the new buyers would expand their home before rezoning and therefore creating a loop hole. Mr. Shelton stated that they could expand but the expansion would increase their parking requirements. Addressing some of the other concerns Mr. Shelton stated he does not know if widening would be completed on Fifth Street before future development began in the district. He stated trash would be a code enforcement issue and the city would work with existing business in the area if they choose to remodel to blend in with the district. As far as the district enlarging, the future land use plan would have to be amended and that it would be done so through the public hearing process. Mr. Shelton stated that currently the city has no plans to build any structures in the district. Scott Everett expressed his concerned with regards to a perceived loop hole of expanding a property in advance of a zoning request to mix use. Jeanie Martin stated she felt that the improved draft ordinance was phenomenal. More discussion followed.

Jeanie Martin made a motion to approve the Mixed Use Zoning District standards. Robert Lafaye seconded the motion. The motion was approved with a 4-1 vote with Scott Everett voting no.

There being no further business, Jeanie Martin made a motion to adjourn. Robert Lafaye seconded the motion and it passed unanimously.

The meeting adjourned at 8:38 pm.


Chairperson


Secretary