City of Sachse, Texas
Planning and Zoning Commission

Minutes of the Regular Meeting on Monday, May 13, 2013
Time: 7:00 p.m. Place: Sachse City Hall

Members Present:
Stephen Curtis
Scott Everett
Charles Ross
David Hock

Members Absent:
Warren Becker
Scott Williams

Staff Present:
Marc Kurbansade, Community Development Director
Charlotte Youngblood, Secretary

Others Present:
Bill Adams, City Council Liaison

Chairman Stephen Curtis opened the meeting of the Planning and Zoning Commission at 7:00 p.m. and a quorum was declared.

1. Invocation and Pledge of the Allegiance to the U.S. and Texas Flags
The invocation was offered by Scott Everett and he also led the pledges.

2. Community Development Director's Update Report: Briefing on current activities of staff.
Marc Kurbansade, Community Development Director, stated we have one upcoming agenda item at our next meeting that will fall on Memorial Day so the commission will be meeting the following Tuesday night and he wanted to inform the commissioners in enough time to make sure we had a quorum that night.

3. Consider approval of the minutes from the April 22, 2013 Planning and Zoning Commission meeting.
Charles Ross made a motion to approve the minutes of the April 22, 2013 Planning and Zoning Commission meeting. Scott Everett seconded the motion. The motion passed with all voting in favor.

4. Conduct a public hearing and make recommendation to City Council regarding the 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 A-1 to remove 15.55 acres and by amending the site boundary for Tract C-2 to remove 10.72 acres for a new Tract C-4 totaling 26.27 acres to be created; by amending the site boundary for Tract C-2 to remove 1.49 acres to be added to Tract A-1; by amending Exhibit "A" to reflect the amended site area for Tracts A-1, C-2 and C-4; by amending Exhibit "C" to amend Schedule "B" titled "Parking Requirements" for Retail Stores and Shops uses located in Tract C-4; and by amending Exhibit "C" to amend Section 4.10 to amend the requirements for screening walls required in or adjacent to Tract C-4.

Marc Kurbansade, Community Development Director, introduced the item. He made a PowerPoint presentation. He explained that the applicant is requesting to amend the existing Planned Development Ordinance to create a new commercial Tract C-4. The tract will be created in part from the existing commercial Tract C-2 and from the existing Single-Family Residential Tract A-1. The property is generally located on the northwest corner of Canyon Crest and recently constructed Cody Lane. Mr. Kurbansade explained as part of the Planned Development Amendment the applicant is also requesting with the creation of Tract C-4 to reduce the parking requirements and screening wall standards. He stated the main reason staff is recommending denial is because the buffer between single family development and commercial property in the Woodbridge PD as it stands requires a masonry screening wall at the minimum. It does not allow a choice between a berm and a screening wall. Staff feels at the minimum that is necessary to provide the buffering between those two uses. Mr. Curtis asked if there was a definition of what a food product service use was as listed in the Planned Development Section 4.03 restricted uses. Mr. Kurbansade stated that in the Planned Development language there is not a definition for food product centers or food service uses. There was a prior determination by the previous Community Development Director that equated them to grocery store and supermarket type uses. He explained that if it is the Planning and Zoning Commission wish that staff clarify the use before the staff report goes to City Council he suggests that desire to be included in the motion. Mr. Hock asked if the existing HOA would be considered to be commercial or residential use. Mr. Kurbansade said it would be residential.

Don Herzog, Herzog Development Corporation, made a PowerPoint presentation for the zoning request known as Woodbridge Commons. He showed the overall Woodbridge Development Concept Plan and location of the proposed zoning request. He said we recognize and acknowledge the concept plan; it indicates residential zoning on the western portion of this request. He said there have been several delineations to the PD for Wal-Mart and the Multi-family tract. The configuration of the commercial tract has changed as development has progressed in Woodbridge. Staff has recommended we delineate this particular property as C-4 because it will have specific standards. The concept plan had a 17.5 acre commercial tract north of Woodbridge Parkway. This tract has been reduced to 9.3 acres because of the delineation of the limits of the floodplain and storm water detention that can never be used for commercial development. This reduces the commercial developable area to the city to 8.2 acres resulting in a loss of tax revenue. The area of this request has 18.5 acre tract. Mr. Herzog showed the proposed concept plan and distances from residential to commercial. He stated that an email was sent out to the residents in Woodbridge West; that after the annual meeting they would be presenting the zoning request to the neighborhood and answering questions. After listening to neighborhood concerns, he said he took several pictures from the sidewalk across the street highlighting how plantings could be used to minimize the visual impact of commercial development and how landscaping can soften the view. Another concern of those in attendance was parking lot lighting. The outdoor lighting ordinance passed in February 2013 set standards for shielding and illumination levels on the property along with maximum height of lighting poles and hours of operation. He said the estimated real estate property value of the proposed development would be between $30 million and $35 million which equates to $231,000 to $270,000 per year in real estate tax revenue. The proposed development would also generate an estimated $4 million in sales tax revenue. This tax revenue to the city would be equivalent to that of another Wal-Mart. It is our understanding that the staff report recommended denial. The denial was based on giving the commercial developer the option of constructing a brick screening wall or landscape berm. If the city ordinance requires a screening wall we can agree to a brick screening wall and have no problem with that at all.

Scott Everett asked if we had a particular anchor store at this point. Mr. Herzog stated we have a commercial developer who is talking to several people users such as LA Fitness, Conns, and Stienmart type of uses.

The public hearing was opened at 7:35 p.m.

Kari Hunt, 4518 Glenshire Ct., explained that her house backs up to the development. She stated that she did not get a notification from the city. She also stated as far as the $4 million dollars in tax revenue that the developer mentioned the City of Sachse will only see 2% of the sales tax collected. She says as a parent she is concerned about the children and increased traffic.

Eric Murphy, 4524 Glenshire Ct, stated he has been in the area for a year. The only thing we liked about our house was the view. We paid a premium for our lot because of the view. He's concerned about property values if this development goes through. He stated he did not receive an email and had thirty people in his house last night that are opposed to this and none of them got an email either. He stated that he is required by the homeowner's association to have a view fence to overlook the nature trails not to look at commercial development.

Kevin Kirkman, 7611 Clearmeadow, said to give a perspective, the pictures taken by Don Herzog were in my front yard. As a professional photographer by trade it is very easy for you to look at that and have the look that he wanted you to see but when trees are cleared and buildings are built we are not going to be looking at trees but a huge concrete building. He stated the notice the city sent out, although legal, did not fully explain the full impact of the zoning change. He said that me and my wife went out together with a flyer we created and talked to our neighbors and none of neighbors had anything positive to say about it.

Jason Daniels, 7822 Glencrest Dr., said he is 300 feet from this proposed property. He said he is not opposed to growth in Sachse. He actually spent most of his life in Sachse on 6512 Dewitt Rd. and the home no longer exist because of growth and widening of the street. He is opposed to reducing the buffer between residential and commercial.

Bryan Pope, 4534 Glenshire Ct., said his property faces the development and it is possibly the closest house to it. Most important thing to us when we bought our house was the view. He said they chose a longer commute because they did not want to be in a heavily developed commercial area. He said it's unfair that the development plan can change for a few dollars. He said he is a neighborhood representative and does not know anyone that is for this. He stated he never received an email from Mr. Herzog.

Ryan Alexander, 4530 Glenshire Ct., moved to Sachse to start a family and his home backs up to the proposed zoning change. He said there are lots of kids in the neighborhood and if the zoning is approved it will create a problematic area. It will no longer be safe for the children.

Kalyn Brassfield, 7508 Fairmeadow Tr., stated that he felt the city should expand commercial development but not at the cost and sacrifice of the private residential areas. He said he moved here five years ago for the aesthetics and safety of the neighborhood. He is concerned with the safety of the children and the increase in traffic flow.

Lana Bass, 4515 Forest Glen Ct., explained that some of the neighbors had made contact with Bob Colley with Hillcrest Partners whom Don Herzog says he has a contract with. She said she spoke to him this afternoon and he said he was disgusted and upset by how this was being handled. He said he was told that this property was going to be zoned and that the neighbors were

happy about it. He told me he had drafted an email that he was going to send to Mr. Herzog retracting the contract and he would work with Mr. Herzog on the 10-acres that is already zoned commercial. She asked if there was still a contract with Mr. Colley.

Erin Hallman, 7716 Glencrest Drive, said she backs up to the greenbelt. She said she did receive the letter from the city but not the email from Mr. Herzog. She said her view will be destroyed. She said the numbers that Mr. Herzog gave tonight does factor in the negative impact to our property values.

Carrie Powell, 3712 Hidden Glen, said she does not live directly in the effective area but her family does enjoy the trails and open space that will be negatively impacted by this development if approved.

Nicole Boyle, 7833 Woodcreek Way, said she does not live close to the proposed location but uses the trails all the time. She stated if she wanted to live with a shopping center in her backyard she would have built in Frisco or Allen.

Matthew Emmons, 7616 Meadow Run Drive, stated this is not a 'not in my backyard type situation, we did our due diligence and research before purchasing our homes. This is a great development and this area was zoned residential.

Robert Snowbarge, 7725 Glencrest Drive, said he lived and currently works in Dallas. He said in the community he lived previously backed up to a commercial development with a concrete wall. He stated that the store gave him a discount simply because no one wanted to live back there. He moved to Sachse for the atmosphere. He stated they were told that when Wal-Mart came in not to worry because there was a buffer that will now be going away. He felt there is adequate commercial in Sachse. He stated further up Canyon Crest there is an empty lot where they are still waiting on their swimming pool.

Kathy Bauer, 3709 Hidden Glen, said her comments are based on the presentation tonight. She asked if clarification could be made on what an amendment means. She asked if this was a change from the original zoning and does it need committee approval to proceed. She stated Mr. Herzog says there will be a six foot wall that will separate the businesses from the neighborhoods and he is showing a pleasant picture of a pool with trees and shrubbery, which the pool is not unsightly to look at to begin with. My opinion is that trees and shrubbery and a six foot wall fence are not going to do a lot of good screening a 20-30 foot high building.

Jeremy Staab, 7624 Forest Ridge Trail, said they were not directly affected by the development. They did receive the email although it was confusing. He said he would challenge the board to look at the Woodbridge Concept Plan and you will see a very nice community. He said nothing in this proposed development change is reflected in the original concept plan.

Erwin Chessler, 7704 Glencrest Drive, said there are not very many family restaurants in Sachse. He said there is a mall across the railroad tracks that can't even be filled and the type of establishments that are there are not conducive to raising children.

After no one else spoke, Scott Everett made a motion to close the public hearing. David Hock seconded the motion. The motion passed unanimously. The public hearing was closed at 8:04 p.m.

After more discussion followed, David Hock made a motion to table the item until a future date uncertain until the developer and city could resubmit. Charles Ross seconded the motion. The motion passed unanimously.

There being no further business, Charles Ross made a motion to adjourn. The meeting was adjourned at 8:35 p.m.

Secretary

Chairperson