

City of Sachse, Texas
Planning and Zoning Commission

Minutes of the Regular Meeting on Monday, October 28, 2013
Time: 7:00 p.m. Place: Sachse City Hall

Members Present:

Paul Watkins
David Hock
Ty Lamb
Scott Everett
Warren Becker
Julie Morris

Members Absent:

Staff Present:

Marc Kurbansade, Community Development Director
Billy George, City Manager
Greg Peters, City Engineer
Charlotte Youngblood, Secretary

Others Present:

Bill Adams, City Council Liaison
Don Herzog, Herzog Development

Vice -Chairman David Hock 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 Warren Becker and Julie Morris led the pledges.

2. Community Development Director's Update Report: Briefing on current activities of staff.

Mr. Kurbansade said with the length of tonight's meeting he does not have an update report.

3. Consider approval of the minutes from the October 14, 2013 Planning and Zoning Commission meeting.

Paul Watkins made a motion to approve the minutes of the October 14, 2013 Planning and Zoning Commission meeting with corrections noted. Warren Becker seconded the motion. The motion passed with all voting in favor.

4. Consider the Election of Chairperson of the Planning and Zoning Commission.

Mr. Hock stated that he would like to stay Vice-Chairman and made a motion to elect Scott Everett as Chairman. Paul Watkins seconded the motion. The motion passed with all voting in favor.

5. Consider the application from Woodbridge XVII, Ltd., for approval of a Final Plat for Woodbridge Phase 18, being 93 single-family lots and three Homeowner's Association (HOA) lots, on approximately 40.632 acres.

Mr. Kurbansade introduced the item. He stated that the applicant is requesting to subdivide an approximately 40.632-acre tract to consist of 93 single-family residential lots and three HOA lots located on the north side of Ranch Road. He stated that the Planning and Zoning Commission approved the Preliminary Plat on October 8, 2012 and City Council approved the Preliminary Plat on November 5, 2012. He stated that the Final Plat meets the standards of the City of Sachse Zoning and Subdivision Ordinance. He explained that the temporary access easement shown on the face of the plat in Lot 21, Block G will need to be released at a future date to release the encumbrance on the property and staff is recommending that the following be included in their motion: "Authorize the City Manager to execute a release of the Temporary 24' Fire Lane Easement for Lot 21, Block G upon construction and acceptance by the City Engineer of a second point of access which is to be provided in a future phase of development."

After discussion, Mr. Hock made a motion to approve the Final Plat for Woodbridge Phase 18 and to authorize the City Manager to execute a release of the Temporary 24' Fire Lane Easement for Lot 21, Block G upon construction and acceptance by the City Engineer of a second point of access which is to be provided in a future phase of development. Julie Morris seconded the motion. The motion passed with all voting in favor.

6. Conduct a public hearing and make recommendation to City Council regarding the consideration of an Ordinance of the City of Sachse, Texas, amending Figure 3-3 Future Land Use Plan of the Sachse Comprehensive Plan; amending Table 3-2 Future Land Use Plan Acreage of the Sachse Comprehensive Plan.

Mr. Kurbansade stated that this is part of a two part request that will be acted on separately with two different motions and votes read into the record. The applicant is requesting a change in the Future Land Use Plan designation from Rural Residential to Low Density Residential. The reason for the requested change is that the Future Land Use designation is not consistent with the proposed zoning designation that is part of this companion item. Mr. Kurbansade highlighted the goals and policies of the Future Land Use Map and explained that the proposed zoning change is not consistent with the Future Land Use Map and therefore an amendment is required. Mr. Kurbansade said staff is recommending denial of the request to amend the Future Land Use Plan at this time without a larger evaluation of this region as a whole.

Chairman Scott Everett opened the public hearing at 7:23 p.m.

William Hempel, 6318 Ben Road, said he had major concerns over this request because of the land use not being consistent with the surrounding areas and the additional traffic that type of new development will bring. He stated that Pleasant Valley in its condition is not designed to handle that kind of traffic.

Allen Baxter, 5604 Pinnacle Circle, stated he would like to keep this area rural residential. He stated that the road conditions on Sachse Road are horrible and he hopes the city has a plan to fix that road. He stated he felt if Ben Road was connected that this would become another speed hump neighborhood and he did not want to see that.

Sandra Newman, 5508 Pinnacle Oak Drive, stated she was opposed to this change because it would destroy the character of her neighborhood. She said their neighborhood has no sidewalks and children play in the streets and neighbors walk their dogs and visit in the street and this would destroy that.

Sheryl Baxter, 5604 Pinnacle Circle, said she was concerned about the current road conditions and an increase in crime rate in the area if this was allowed. She said she felt there are plenty of subdivisions in the area already. She also stated that she was concerned about overcrowding at Sachse High School and potential flooding in the area. She stated she would like to keep her neighborhood peaceful.

Kevin Quinn, 6613 Eastview Drive, is not in favor of changing the Future Land Use Map. He said if we change this area's land use it would be a real detriment to Sachse's rural residential neighborhoods. He felt that a lot of people are looking for what the City of Sachse has to offer because of the rural residential areas.

Judy Gouge, 6408 Ben Road, lives within 200 feet of the proposed area. She stated she is against the change and agreed with the previous homeowner's comments. She stated she was concerned about her property values. She stated that the roads in the area are also in horrible condition and that needs to be addressed.

Rudy Garcia, 5714 Pinnacle Oaks, lives at the intersection of Sachse Road and Pinnacle Oak and stated that he sees all the traffic we get coming from Wylie and surrounding areas and he does not want to see additional traffic being diverted into their neighborhood.

Michael Aragon, 5612 Pinnacle Circle, stated in addition to the items that have already been mentioned; lifestyle change, property values, and taxes he is opposed to it because it goes against the city's goals for that area. He stated this is one of the very few rural areas left in Sachse.

Kelly Aragon, 5612 Pinnacle Circle, stated she is opposed to the land use. She stated they moved from Plano and Sachse is one of the few cities that have these types of lots. She stated there was an economic study done in 2004 that stated houses actually cost the city money with the additional fire and police personnel that are required. She stated she was also concerned with drainage in the area.

Brian Roth, 5608 Pinnacle Circle, stated he found a place in Sachse where he could have a horse and heard the dump was going to be behind him and he sold his home to move to Pinnacle Oaks to a nicer neighborhood and thought this would not happen to him again. He is opposed to tract housing being built in the area. He stated we cannot maintain the roads we have already.

Emily Donnelly, 6302 Ben Road, said she has lived on Ben Rd for 33 years and is opposed to the zoning. She said she has always been told this property would be zoned for 5 acre lots. Now to hear this request it feels like a betrayal. She felt these particular homes are starter homes and doesn't know why we can't have large lots like the City of Fairview and Argyle. She felt this is a very unique area they live in and it adds character to the city.

Julie Alvizo, 5411 Pinnacle Oak Drive, said her property would back up to the proposed area. She stated she is being selfish and loves the country close to the city and does not want that to change. She appreciates staffs work and would like to see denial of this request. She also has concerns about increased traffic in the area.

Ari Yallon, 5515 Oakridge Circle, said he did not end up in this area on accident. He stated all the properties in the area are large and roomy. He said it is quite a commitment to maintain 2-5 acre tract of land and he is opposed to this request.

Deidre Debruin, 5403 Oakridge Circle, said her house is adjacent to the property. She stated that it took her 5 years to find her home. She said she is disappointed that this is the best the city can come up with.

Wendy Day, 5507 Pinnacle Oak Drive, lives on the corner of Pinnacle Oak and Ben Road. She stated she has a major concern about the traffic that opening up Ben Road is going to cause. She said she moved here for the peace and quiet of the country and to please take that into consideration and asked that the commission to deny this request.

With no one else speaking, Warren Becker made a motion to close the public hearing. Paul Watkins seconded the motion. The motion passed with all voting in favor. The public hearing was closed at 7:58 p.m.

Chairman Everett asked what the future plans are for the roads in this area.

Mr. Kurbansade stated that Ben Road has been on the Master Thoroughfare Plan as a collector street for many years. He showed a slide of the Master Thoroughfare Plan. He explained that this is long range vision of what Sachse will be at build out. The plan shows the intent was to have Ben Road connected and serve as a collector street. There are no plans currently with regards to Ben Road.

Greg Peters, City Engineer, explained there are two projects for Sachse Road. The first project is a joint project with Dallas County for asphalt resurfacing and is expected to start in 2014 and the second project in preliminary design is to widen Sachse Road into a four lane divided roadway similar to Miles Road. He stated that the project is under design but funding for construction has not been determined yet. He stated that Pleasant Valley Road is under contract with the City of Garland because it is a truck route for the trash trucks and the City of Garland is responsible for maintaining the road. He stated Pleasant Valley Road has been identified for future improvements again working with Dallas County; however, it is further out.

After more discussion, Paul Watkins made a motion to deny the request for amending Figure 3-3 Future Land Use Plan of the Sachse Comprehensive Plan; amending Table 3-2 Future Land Use Plan Acreage of the Sachse Comprehensive Plan. Warren Becker seconded the motion. The motion passed 6-0 with all voting in favor.

7. Conduct a public hearing and make recommendation to City Council regarding the consideration of 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 an Agriculture District (AG) to a Planned Development District (PD) on an approximately 174.82-acre tract of land, more particularly described in Exhibit "A" and located on the northeast corner of Pleasant Valley Road and Ben Road, 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".

Mr. Kurbansade introduced the item. He explained that the applicant is requesting to rezone the property from its existing Agriculture zoning district to a Planned Development zoning district. He said this was the companion item to the Future Land Use Plan amendment because the proposed zoning designation is not consistent with the Future Land Use Plan. He stated that the site area is 174.82 acres and retains a current zoning designation of Agricultural District. He explained that the proposed Planned Development would be comprised of single-family

residential lots with typical lot sizes of 50-ft x 115-ft with a minimum area of 6,000 square feet and 60-ft x 115-ft with a minimum of 7,200 square feet. He said the Future Land Use designation for the subject property is Rural Residential and is described as "rural, larger lot neighborhoods". Therefore, the property owner is requesting an amendment to the Future Land Use map concurrent with this zoning request. He stated that because the proposed zoning request is not consistent with the Future Land Use category of Rural Residential that staff is recommending denial of this request.

Don Herzog, Herzog Development, made a presentation. He said they are in their 15th year of development. He said Woodbridge comprises of 1,761 acres. This request is to rezone 174 acres. He explained that currently they have two phases of lots under development Phase 17 and Phase 18 and all those lots are under contract which leaves only 60 acres left in Woodbridge which would yield 161 additional lots. He said when this land is developed that is all we have left. He presented sales history of different lot sizes, home sizes and average home prices. He stated he is extremely proud of how Woodbridge has developed. He said it is a vibrant golf course community with trails, open space, pools, playgrounds, and landscape entries that are all maintained by the Homeowners Association. He explained that this project would also be a part of the Woodbridge community.

Chairman Everett opened the public hearing at 8:42 p.m.

Emily Donnelly, 6302 Ben Road, stated she would not like having to look at brick screening wall along her road. She also said that wildlife would be displaced if development was to occur. She said this was a unique area with character.

Allen Baxter, 5604 Pinnacle Circle, asked who would maintain the greenbelt behind the proposed area and would also like to see a retaining wall run across the other side of the development.

Michael Argon, 5612 Pinnacle Circle, wanted some clarification on how many votes are required for approval when 20% of the property owners within 1,000 feet were in opposition.

William Hempel, 6318 Ben Road, wanted to point out that the form had an incorrect fax number.

Judy Gouge, 6408 Ben Road, said she did not hear any discussion about drainage in the area. She stated some of that property is in the floodplain and she wanted to hear what he proposes to do about drainage issues.

With no one else speaking, David Hock made a motion to close the public hearing. Ty Lamb seconded the motion. The motion passed with all voting in favor. The public hearing was closed at 8:49 p.m.

Mr. Kurbansade explained that the green belt area is an existing utility and water easements and are on private property. Secondly, he wanted to address the 20% rule. He stated our code states that if 20% of the property owners within 1,000 feet oppose a zoning request at City Council a super majority is required to pass that item by state law and by our local ordinances.

Mr. Peters, City Engineer, said that the city does have a storm water drainage and detention ordinance and so any development would have to provide detention to match the existing flow rate prior to development. He explained that if the project was to move forward it would have a full and complete engineering review of all improvements.

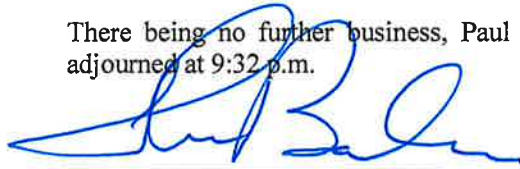
After more discussion, Paul Watkins made a motion to deny amending the Comprehensive Zoning Ordinance and Map, as heretofore amended; to grant a change of zoning from an Agriculture District (AG) to a Planned Development District (PD) on an approximately 174.82-acre tract of land, more particularly described in Exhibit "A" and located on the northeast corner of Pleasant Valley Road and Ben Road, 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". Julie Morris seconded the motion. The motion passed 4-2 with Ty Lamb and David Hock voting in opposition.

8. Consider a recommendation to City Council of three Planning and Zoning Commission members to serve on the State Highway 78 Advisory Committee.

Mr. Kurbansade introduced the item. He stated that recently City Council and Economic Development Corporation discussed a Vision Plan for the State Highway 78 Corridor. At this meeting staff was instructed to move forward with this process. He explained that three members of the Planning and Zoning Commission along with three members of each City Council and Economic Development Corporation would make up this 9-member Advisory Committee. He stated that the recommendations made at this meeting will be provided to City Council to consider appointment of the Advisory Committee at the November 18, 2013 meeting. The first meeting would be held on January 9, 2014.

After discussion, Warren Becker made a motion to recommend himself, David Hock, and Paul Watkins to serve on the Advisory Committee. David Hock seconded the motion. With all voting in favor the motion passed unanimously.

There being no further business, Paul Watkins made a motion to adjourn. The meeting was adjourned at 9:32 p.m.


Secretary
Chairperson