

City of Sachse, Texas
Planning and Zoning Commission

Minutes of the Regular Meeting on Monday, December 10, 2012
Time: 7:00 p.m. Place: Sachse City Hall

Members Present:

Stephen Curtis
Scott Everett
Charles Ross
David Hock

Members Absent:

Scott Williams
Warren Becker

Staff Present:

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

Others Present:

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 Stephen Curtis led the pledges.

2. Consider approval of the minutes from the November 12, 2012 Planning and Zoning Commission meeting.

David Hock made a motion to approve the minutes of the November 12, 2012 Planning and Zoning Commission meeting. Charles Ross seconded the motion. The motion passed with all voting in favor.

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

Marc Kurbansade, Community Development Director, stated that the next Planning and Zoning Meeting would be canceled. He said City Council accepted Wally Sparks resignation and the City Secretary would be working to fill that vacancy.

4. Conduct a public hearing and offer recommendation to City Council regarding an Ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map so as to grant a Special Use Permit for the installation on one (1) Used Goods or Products Collection Point (Temporary) for a period of (5) five years on an approximately 1.9554-acre tract of land located at 5434 State Highway 78, with a base zoning of Commercial 2 ("C-2") district; more particularly described as being Lot 1, Block A of the Ben Davis Crossing Addition; providing a severability clause; providing a penalty of fine not to exceed the sum, of two thousand dollars (\$2,000) for each offense; and providing an effective date.

Marc Kurbansade, Community Development Director, made a PowerPoint presentation. He stated that the applicant is seeking approval for a Temporary Donation Box within the parking lot of the existing Walgreen's Pharmacy at the corner of Ben Davis Road and State Highway 78. The donation box will be operated by ARC and the permit would be good for a period of five years. Mr. Kurbansade explained that the donation box has been at its current location occupying one parking space since September 2011. The applicant was mistakenly issued an improper permit for the donation box. Since the applicant was made aware of this they have come forward to request the proper permit. Mr. Kurbansade said staff recommends approval the application.

Stephen Curtis opened the public hearing at 7:09 p.m.

Ivy Womack, 1300 Bear Creek Parkway, stated that the donation site generates on average 400 pounds of clothes a week. She stated that her organization helps people of all ages with special needs. The organization wanted to correct the situation and be in compliance with the City's Ordinances.

David Hock made a motion to close the public hearing. Charles Ross seconded the motion. The motion passed with all voting in favor. The public hearing was closed at 7:12 p.m.

Charles Ross asked how often the donations get picked up from the site. Ms. Womack stated that they pick up donations a couple times a week and if something gets left outside of the donation bin the store will call and they will have it picked up within the hour. Stephen Curtis was concerned that the five year time period would be too long and in that timeframe the donation bin may fall in disrepair. Mr. Kurbansade said the permit could be revoked by the city anytime they felt it was not being maintained.

David Hock made a motion to approve the Special Use Permit for a Used Goods or Products Collection Point for a period of 5 years. Charles Ross seconded the motion. The motion passed with all voting in favor.

5. Discuss the regulations pertaining to Tree Mitigation as contained in Chapter 3, Article II of the City of Sachse Code of Ordinances.

Marc Kurbansade introduced the item. He explained that the removal of trees from property within the City is regulated by the Tree Mitigation Standards. He said the main reasons for the original adoption of this Ordinance were to create regulating standards as well as to meet the requirements that would enable the City to obtain a Tree City USA designation. At the November 8, 2012 Parks and Recreation meeting the Commission discussed amending these standards. The Commission recommended that staff present the following options to City Council as discussion items: designating a minimum caliper inch size/ diameter at breast height (DBH) for trees to be mitigated; offering an exemption from mitigation for trees that fall within the building area when a lot is developed; and means of providing flexibility in considering tree mitigation requirements. The discussion item was then presented to City Council on December 3, 2012. The City Council directed staff to move forward with the recommendations presented. Mr. Kurbansade said that the purpose of this discussion item is to examine the current standards and make sure the intent of the previously adopted provisions are met but are not overly burdensome on new development. Scott Everett asked if there has been a lot of feedback from developers. Mr. Kurbansade stated that the City has gotten some feedback. He said there are a lot of sites that are economically unbuildable because of the Tree Mitigation Standards. Mr. Ross asked if the buildable area is open to interpretation. Mr. Kurbansade said that the buildable area would be clearly defined. Stephen Curtis asked what time during the development process is the building area defined. Mr. Kurbansade said that the building area would be defined at the Preliminary Plat process when the

Tree Mitigation Plan is submitted. Stephen Curtis was concerned that a 10-acre shopping center could potentially wipe out a lot of trees and wanted to prevent shopping centers devoid of trees. He asked if our Landscape Standards would prevent this from happening. Mr. Kurbansade stated that they would have to submit a Tree Mitigation Plan and also meet our Landscape Standards. Scott Everett said he did not want the Tree Mitigation Standards to be burdensome to developers. He wanted to make sure the standards are business friendly. Mr. Everett asked what the changes are that improves it over the current standards. Mr. Kurbansade said we are relaxing the standards to be more developer friendly and taking a more balanced approach. Mr. Ross asked who would be exempt from the Ordinance. Mr. Kurbansade said residential property would be exempt from Tree Mitigation. Mr. Kurbansade stated that the proposed new standards are fairly consistent with other cities. More discussion followed.

There being no further business, Scott Everett made a motion to adjourn. The meeting was adjourned at 7:54 p.m.

Secretary

Chairperson