

City of Sachse, Texas
Planning and Zoning Commission

Minutes of the Regular Meeting on Monday, December 09, 2013

Time: 7:00 p.m.

Place: Sachse City Hall

Members Present:

David Hock
Jack Bickler
Ty Lamb
Paul Watkins
Scott Everett
Wendy Stewart

Members Absent:

Warren Becker

Staff Present:

Marc Kurbansade, Community Development Director
Charlotte Youngblood, Secretary

Chairman Scott Everett 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 Paul Watkins and Wendy Stewart led the pledges.

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

Mr. Kurbansade stated because of cancellations last week the tree lighting was rescheduled to Thursday, December 12th. He also stated that the Christmas parade would be held this Saturday at 9 a.m. He also announced the Library will have their E-book kick off this evening.

3. Consider approval of the minutes from the November 25, 2013 Planning and Zoning Commission meeting.

David Hock made a motion to approve the minutes of the November 25, 2013 Planning and Zoning Commission meeting. Ty Lamb seconded the motion. The motion passed with all voting in favor.

4. Consider canceling the December 23, 2013, Planning and Zoning Commission Regular Meeting.

Paul Watkins made a motion to cancel the December 23, 2013 Planning and Zoning Commission Meeting. Wendy Stewart seconded the motion. The motion passed with all voting in favor.

5. Discuss the duties and responsibilities associated with the roles as a member of the Planning and Zoning Commission.

Mr. Kurbansade, Community Development Director, explained that it is necessary to do this training periodically as we get new Commissioners and it serves as a refresher for the existing commissioners. Mr. Kurbansade stated it is the Commission's responsibility to act in an advisory capacity to the City Council. The role of the Chairman and the various types of motions that may be used during a meeting were explained. He stated that the approval of plats is ministerial in

nature, generally stating that when a plat meets the City's criteria it shall be approved by the governing body by state law. He explained that the Commission does have the final approval authority for plats. He explained that the approval of zoning related cases are discretionary in nature, which allows the Commission to recommend approval or disapproval of an item based on the evidence presented. Mr. Kurbansade went on to explain what constitutes a conflict of interest and how that needs to be addressed at the meetings. More discussion followed about open meetings, ethics, and public information.

5. Conduct a public hearing and offer recommendation to City Council regarding the consideration of an Ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map so as to grant a Special Use Permit for a Private Beverage Club use on an approximately 0.973-acre tract of land located at 6504 State Highway 78, more particularly described in Exhibit "A" and located in a General Commercial (C-2) district; providing special conditions; providing for the approval of the site plan attached as Exhibit "B".

Mr. Kurbansade introduced the item. He explained that the subject property is located at 6504 Highway 78. He stated the property is located in C-2 zoning. He stated that the applicant has expressed their intent to operate a Private Beverage Club at the subject property. He stated the proposed use would consist of a 1,600-square foot lease space with occupancy of approximately 40-60 persons. Mr. Kurbansade said the applicant has another business location in Addison which has not had any issues with TABC or the City of Addison. He stated that the SUP will be tied to the owners and not the land. He stated that per our City Zoning Ordinance a Private Beverage Club is triggered when sales less than 50% are associated with food. He stated that due to the proposed applicant's request to vary from said requirements set in our Code of Ordinance for a Private Beverage Club staff is recommending denial.

Chairman Scott Everett opened the public hearing at 7:35 p.m.

William Kuhn, Applicant, said their intent was not to open a saloon. He explained they are committed to food. He stated his Addison location has received the Taste of Addison award four times. He stated his projections are 41%-42% of our sales would be from food. He stated they are very involved in the community in Addison and would be here also. He stated their business model would be similar to Boomer Jacks. He said him and his wife have two small children and would not want to put our name on a bar or saloon. He explained if it were not for the fact that their projections are around 41%-42% they would just have opened up as a restaurant. He stated we want to open up as a restaurant but can't be sure we will meet the 50% food requirement.

Richard Holloway, 3202 Clinton Street, said he has lived there for 20 years. He spoke in opposition to the Private Beverage Club. He said it was his understanding with talking to staff that alcohol would consist of 60% of sales. He stated by looking at their website they would be offering 33 different types of beer and people are there until 2 am. He stated that Addison caters to that type of late night entertainment where there is not a heavy population of residences. He stated he was worried about people leaving the place not clear headed. He was also concerned with the adjacent neighbors being disturbed by patrons leaving the location late at night.

Jill Markham, 4107 Arizona Street, spoke in opposition. She stated that her son-in-law was killed by a drunk driver two weeks ago in Wylie. She stated she has seen people passed out in their cars at Uncle Bruce's parking lot. She stated there are a lot of kids in the area close by and does not feel this is an appropriate location. She said she felt like Sachse has become trashier along Highway 78 over the years.

With no one else speaking, David Hock made a motion to close the public hearing. Ty Lamb seconded the motion. With all voting in favor the public hearing was closed at 7:55 p.m.

After discussion, David Hock made a motion to deny the request for a Special Use Permit for a Private Beverage Club. Paul Watkins seconded the motion. The motion passed with all voting in favor.

There being no further business, David Hock made a motion to adjourn. The meeting was adjourned at 8:05 p.m.

Secretary

Chairperson