City of Sachse, Texas
Planning and Zoning Commission

Minutes of the Regular Meeting of September 14, 2009
Time: 7:00 p.m. Place: Sachse City Hall

Members Present:
Warren Becker
Wally Sparks
David Hock
Scott Everett
Robert Corbin
Jeanie Martin

Members Absent:

Staff Present:
Barry Shelton, Community Development
Charlotte Youngblood, Secretary

Others Present:
Travis Bousquet, Applicant for Racetrac
Anita James, Project Coordinator for Racetrac

Chairperson Scott Everett 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 July 27, 2009 regular Planning and Zoning Commission meeting.

Jeanie Marten made a motion to approve the minutes. David Hock seconded the motion with all voting in favor the motion passed.

Regular Agenda

2. Conduct a public hearing and consider the application of The Bousquet Group, requesting a Special Use Permit for Retail Sales with Gas Pumps to construct a Racetrac gas station on the northeast corner of Murphy Road and Blackburn Road.

Barry Shelton, Community Development Director, introduced the item. He made a Power Point presentation. He explained that the item before the commission tonight was for an approval of a special use permit to allow construction of a Racetrac Gas Station. The Racetrac would be situated on a 1.925 acre tract of land zoned C-1 and would have access off of Blackburn and Murphy Road. Mr. Shelton explained that currently Murphy Road is listed as a principle arterial road on the City's Thoroughfare Map which is the same classification as Highway 78. He stated that C-1 Zoning is intended for commercial uses. One thing to note is a convenience store is allowed by right at this location. The Special Use Permit is to allow fuel pumps. Mr. Shelton said staff recommended approval of the Special Use Permit for Retail Sales with Gas Pumps on the property.

Anita James, Project Coordinator for Racetrac, made a presentation. She stated that the proposed location would be constructed with Racetrac's new image and would include a 100% masonry building with either brick or stucco along with brick towers and decorative lighting. The lighting installed would be down lighting and would be designed to produce a zero foot candles at the property line. She said in store there would be quality food and beverages for sale. She stated they

would be improving a portion of Blackburn Road and adding a deceleration lane on Murphy Road. She stated the benefits to Sachse would also include approximately 20 to 30 new jobs and additional sales tax revenue.

Scott Everett opened the Public Hearing at 7:27 p.m.

Charles W. Sprague, 1406 Westglen, stated that he was obviously opposed. He felt that the SUP would not be in harmony with the area. He stated that it would be open 24 hours a day and be brightly lit up at night. He stated that TCEQ currently has 11 Racetrac listed in the area with issues. The detention pond he felt would attract mosquitoes and varmints. He stated he served on the Planning and Zoning Commission for six years and is not anti-development but felt this was not in harmony with the area. He stated that he likes what he sees on Renner Road as far as development. He felt this was a detriment to the area and not a good revenue generator.

George Dewitt, 2506 Sandi Lane, ask the commission to deny the SUP because Murphy Road is a major thoroughfare but Blackburn is barely a two-lane road. He feels it would bring additional congestion. He stated petroleum is a hard odor to control and felt that could be an issue also. He said it could also attract the wrong type of people.

Michael Norten, 1310 Westgate, complained about the aesthetics of the store. He said he has not seen a Racetrac that was not an eyesore. He would like to see something similar to the type of development on Campbell Road in Garland.

Virginia Stein, 1016 Sleepy Hollow Ct., President of Murphy Farms HOA, said she was concerned about lighting on the Racetrac signs. She felt that loitering would be a problem. She said that it could affect property values negatively in the area and be a detriment to the neighborhood with the smell of gasoline and fumes from cars. She said that she liked the type of development along Renner Road.

Kenny Jones, 6804 Fairfield, stated he was opposed because of aesthetics and light pollution.

Gary Good, 6716 Southgate, stated he was opposed. His concerns were about property values and devaluing the property behind the proposed site.

Ron Langham, 6802 Southgate, said beyond site concerns, his concerns were about it being open 24 hours – 7 days a week. He stated they have a quiet neighborhood and did not think a major gas station would be appropriate in the area. He is also concerned with environmental issues and what would develop behind the site.

Ty Lamb, 6712 Southgate, lives in the neighborhood and is concern with the overall site development. He has major concerns about gasoline sales. He would like to see better businesses come to the location.

Cheryl Pegram, 7015 Westside Place, has been a resident for 10 years is concerned about fumes, aesthetics and increased traffic flow in the area.

Ralph Meyers, 16475 Dallas Parkway, represents the seller of the property. We feel it would be a good use for the site and would ask that it be approved.

Robert Scott, 6708 Southgate, said he agreed with all his neighbors and could not add much more and asked who Barry Shelton worked for and if he worked for the City of Sachse why he had consulted so much with the applicant. He stated that it is good that we do require a SUP.

George Rudnik, 1401 Westglen Drive, stated that most of his concerns were covered. He stated he was concerned with the light issue and it attracting bugs and crickets. He stated he was concerned with food being disposed of in the dumpsters and attracting rats and mice and then migrating into the neighborhoods. He had a question about taxes and wanted a rough comparison to other businesses.

Shauna Leicht, 1320 Edgemont, heads up volunteer homeowners association. She stated they enjoy their quiet neighborhood and they are concerned about lowering the standard of future development. She was concerned with the appearance of the site fading and not being well maintained. She said as a mother of three she is concerned about the negative impact that it would have on the neighborhood.

Sean Walters, 6810 Southgate, said he was opposed for the same reasons mentioned tonight. He has concerns about gas leaks, increased traffic in the area. He stated they did receive the notice and did not know what a SUP was exactly and there was not an attached map enclosed and called and was not able to get staff to respond.

Emily Vance, 6906 Morningside, said she is opposed to a strip mall or a gas station. She has met many of her neighbors and that it is a good place to raise a family and if the SUP is approved what measures would be put in place to protect the neighborhood.

Larry Jinks, 1409 Westglen, said he frequent Racetracs and has never seen one in a neighborhood. He felt that being open 24 hours a day inappropriate for the area. He felt that guys leaving the bar at 2 am in the morning would be stopping and buying beer there on the way home.

PenniMarie Sprague, 1406 Westglen, said that she is opposed and an environmental impact study was not done correctly or did not take into consideration the man with all the ponds in his yard that was featured in the paper.

Roger Tate, 1304 Westglen, lives behind the area and is concerned with crime and suggested that perhaps Racetrac set up a police substation that would increase police presence. He stated that crime just does not happen at night. He stated in reference to Renner Road development there are a couple bars in that area. He stated that additional code enforcement officers could prevent loitering and a lot of other issues.

Matt Nichols, 6922 Morningside Way, stated that he move next to the open field and the open field has always been intended for commercial development not a gas station.

Jeanie Marten made a motion to close the public hearing. Robert Corbin seconded the motion. The Public Hearing was closed at 8:03 pm.

Barry Shelton addressed some of the questions and concerns brought up in the Public Hearing. Jeanie Marten questioned where the proposed detention pond would be located. Mr. Shelton stated that it had not been designed yet and we are still in the preliminary stages. Travis Bousquet, applicant and civil engineer for the project said that they are in the early stages and said there are several options one being a regional pond that would serve the entire area. More discussion followed.

Wally Sparks made a motion to deny the SUP for retails sales with gas pumps to construct a Racetrac. Jeanie Marten seconded the motion. The motion passed 5-1 with David Hock voting no.

3. Conduct a public hearing and consider an ordinance amending the Sachse Code of Ordinances by amending Chapter 11, Zoning, Article 4 by adding Section 7, Non-residential Landscaping Requirements, and Section 8, Residential Landscaping Requirements.

Barry Shelton introduced the item. He said that currently the City's Landscape Ordinance is weak and the proposed ordinance would amend the ordinance and bring the standards that the city uses for nonresidential development in line with those of surrounding cities. Currently, the ordinance requires 5% of the lot area be landscaped and be maintained and the city right-of-way is included in this percentage. Proposed standards would increase this percentage to 10% and not include the city right-of-way. It also includes provisions for buffering from residential, landscaping along street right-of-ways, interior parking lot landscaping, submission requirements and an approved plant list. David Hock asked if this would include a screening wall requirement. Mr. Shelton said it does. Robert Corbin asked if we could prohibit trees at the intersections. Mr. Shelton stated there are visibility triangles that would address this issue. Mr. Shelton said this would increase cost for the developers. However, this ordinance is not any different than most cities in the area. Jeanie Marten asked about properties that are narrow would this preclude development. Mr. Shelton said that narrow sites might have to decrease building size to meet the ordinance. They also could go to Zoning Board of Adjustments for a variance if there is a special circumstance or hardship that prevents development of the site. Mr. Shelton stated the residential landscape standards in place currently are pretty tough standards. Currently, we require 4 trees, 12 shrubs, full sod with an irrigation system at the time of Certificate of Occupancy. More discussion followed. Jeanie Marten made a motion to approve the ordinance but withdrew the motion until the public hearing could be opened.

Scott Everett opened the Public Hearing at 9:16 pm. No one spoke at the Public Hearing. Wally Sparks made a motion to close the Public Hearing. Jeanie Marten seconded the motion. The motion passed with all voting in favor. The Public Hearing was closed at 9:16 p.m.

Jeanie Martin made a motion to approve the proposed landscape amendments with a reduction in amount of mandatory trees in residential from 4 to 3 and requiring a 5 foot setback from property lines on the mandatory trees. David Hock seconded the motion. The motion passed with all voting in favor.

There being no further business, Jeanie Marten made a motion to adjourn. David Hock seconded the motion. The item passed with all voting in favor.

The meeting is adjourned at 9:18 p.m.

Jeanie Marten
Secretary

J Scott Everett
Chairperson