



Tuesday, May 28, 2019
Planning and Zoning Commission Meeting

Council Chambers
3815 Sachse Road, Building B
6:00 p.m.

To address the Commission for any public hearing item, please sign a speaker's sheet located on the tables by the front entry and submit to the acting Secretary. You will have three (3) minutes to address the Commission. In accordance to the Open Meetings Act, the Commission may not discuss or take any action on any item which has not been posted on the agenda.

A. Regular Meeting - 6:00 PM

1. Call to Order: The Planning and Zoning Commission of the City of Sachse will hold a Regular Meeting on Tuesday, May 28, 2019 at 6:00 p.m. at Sachse City Hall, 3815 Sachse Road, Building B, Sachse, Texas to consider the following items of business:
2. Invocation and Pledge of Allegiance to the U.S. and Texas Flags.
3. Consider approval of the May 13, 2019 meeting minutes.
4. Conduct a public hearing to consider and act on a request by Inderpreet Sangha to rezone approximately 6.18 acres of land from Residential 1 (R-1) and Agricultural (AG) to Planned Development District (PD), to modify development standards and allow for neighborhood commercial uses, located at 5706 Sachse Road, within Sachse city limits.
5. Discussion of future agenda items, update on Council actions, training topics, and requests for new business consideration.
6. Adjournment.

I, the undersigned authority, do hereby certify that this notice of meeting was posted in accordance with the regulations of the Texas Open Meetings Act and on the bulletin board, an accessible location at Sachse City Hall.

Michelle Lewis Sirianni, City Secretary

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Lauren Rose, ADA Coordinator, via phone at 972.429.4770, via email at lrose@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, Texas 75048.



Agenda Item Details

Meeting	May 28, 2019 - Planning and Zoning Commission Meeting
Category	A. Regular Meeting - 6:00 PM
Subject	3. Consider approval of the May 13, 2019 meeting minutes.
Access	Public
Type	Action, Minutes
Recommended Action	Approve as presented.
Minutes	View Minutes for May 13, 2019 - Planning and Zoning Commission Meeting

Public Content

Planning and Zoning Commission Meeting (Monday, May 13, 2019)

Generated by Charlotte Youngblood on Tuesday, May 14, 2019

Members present

Scott Ohman, Chance Lindsey, Jeanie Marten, Teddy Kinzer

1. Call to Order: The Planning and Zoning Commission of the City of Sachse will hold a Regular Meeting on Monday, May 13, 2019 at 6:00 p.m. at Sachse City Hall, 3815 Sachse Road, Building B, Sachse, Texas to consider the following items of business:

Chairman Lindsey opened the meeting of the Planning and Zoning Commission at 6:00 p.m.

2. Invocation and Pledge of the Allegiance to the U.S. and Texas Flags.

Commissioner Marten offered the invocation. Commissioner Ohman led the pledges.

3. Consider approval of the April 22, 2019 meeting minutes.

Approve as presented.

Motion by Marten, seconded by Ohman.

Final Resolution: Motion Carries

Yes: Scott Ohman, Chance Lindsey, Jeanie Marten, Teddy Kinzer

4. Consider and act on a Preliminary Plat for The Station, generally located north of the President George Bush Turnpike and west of Merritt Road, within Sachse city limits.

Matt Robinson, Development Services Director, made a presentation. He stated the Preliminary Plat meets all the subdivision regulations. He said the proposed plat has 164 single family detached lots, 59 single-family attached lots, 5 commercial lots and 2 multi-family lots. He stated that staff recommends approval of the proposed preliminary plat.

Approve as presented.

Motion by Ohman, seconded by Kinzer.

Final Resolution: Motion Carries

Yes: Scott Ohman, Chance Lindsey, Jeanie Marten, Teddy Kinzer

5. Discussion of future agenda items, update on Council actions, training topics, and requests for new business consideration.

Robinson updated the commission on future agenda items.

6. Adjournment.

Meeting adjourned at 6:07 p.m.



Agenda Item Details

Meeting	May 28, 2019 - Planning and Zoning Commission Meeting
Category	A. Regular Meeting - 6:00 PM
Subject	4. Conduct a public hearing to consider and act on a request by Inderpreet Sangha to rezone approximately 6.18 acres of land from Residential 1 (R-1) and Agricultural (AG) to Planned Development District (PD), to modify development standards and allow for neighborhood commercial uses, located at 5706 Sachse Road, within Sachse city limits.
Access	Public
Type	Action, Discussion, Information
Fiscal Impact	No
Budgeted	No
Recommended Action	Approve as presented.

Public Content

OVERVIEW

- The subject property is two separate tracts.
- Zone change request from R-1 and AG to PD
- Applicant/Owner: Inderpreet Sangha
- Size: Approximately 6.18 acres
- Noticing: Approximately 116 property owners were notified of the proposed request. Staff received three emails stating opposition to the request.
- Merritt Road is planned to be reconstructed into a four lane divided roadway and realigned with the intersection of Woodbridge Parkway and Sachse Road. This roadway will split the property into two separate tracts on each side of Merritt Road and will necessitate the removal of the existing home on the property.

POLICY

- The subject property is currently identified as Estate Residential on the Future Land Use Plan.
- Property to the north is identified as low density residential, while properties to the east, west and south are identified for Estate Residential uses.
- With the realignment of Merritt Road and the reconstruction of Merritt Road and Sachse Road into four lane roadways, the property lends itself to non-residential neighborhood commercial type uses.
- The proposed zone change would allow for neighborhood scale commercial uses.
- Development standards proposed include:
 - A base zoning district of C-1 Neighborhood Shopping District;
 - Reduction in the type and variety of uses permitted (i.e. auto repair, residential, car wash, commercial amusement, liquor store, outdoor storage/display would not be permitted);
 - No development on property prior to the completion of construction of the realignment of Merritt Road, including signalization;
 - No development on the property prior to a development plan being approved by the City Council.

RECOMMENDATION

Given the planned roadway widening of Sachse Road and the changing conditions related to the realignment and reconstruction of Merritt Road, a change to a neighborhood commercial zoning designation would be appropriate for the property. As such, Staff recommends approval of the proposed rezoning request.

[Proposed PD Regulations.pdf \(101 KB\)](#)

[Staff Presentation - Sachse Road Rezoning.pdf \(904 KB\)](#)

Sachse Road Rezone

PLANNING & ZONING COMMISSION

MAY 28, 2019



Background

Conduct a public hearing to consider and act on a request by **Inderpreet Sangha** to rezone approximately 6.18 acres of land from Residential 1 (R-1) and Agricultural (AG) to Planned Development District (PD), to modify developmental standards and allow for neighborhood commercial uses, located at 5706 Sachse Road, within Sachse city limits.

Overview

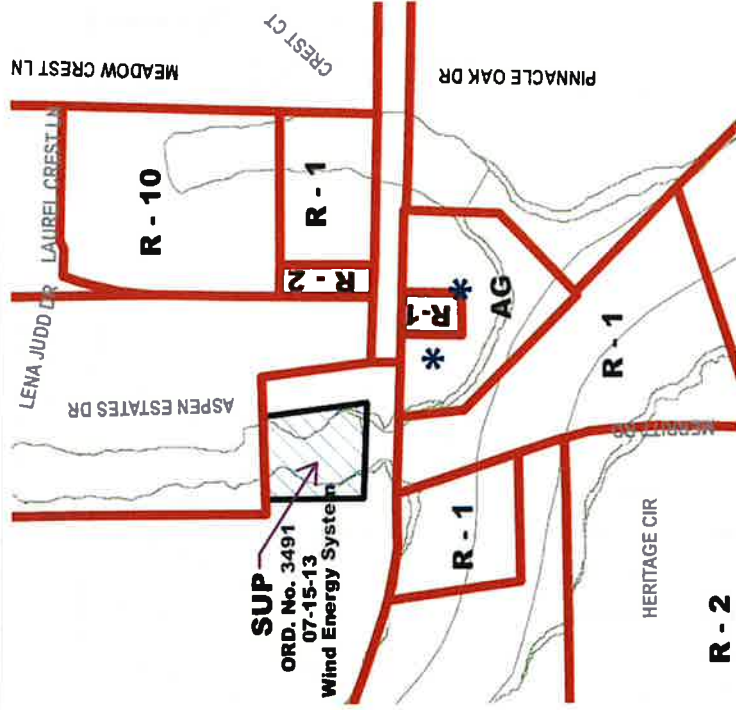
- The subject property is located at 5706 Sachse Road, south of the intersection of Sachse Road and Woodbridge Parkway.
- The subject property is currently zoned R-1 and AG, which allows for single-family residences and agricultural uses.
- The subject property will be bisected by the realignment and reconstruction of Merritt Road.
- Proposed zoning would permit C-1 Neighborhood Commercial uses with additional restrictions.

Aerial Map

The subject property is located at 5706 Sachse Road, south of the intersection of Sachse Road and Woodbridge Parkway.



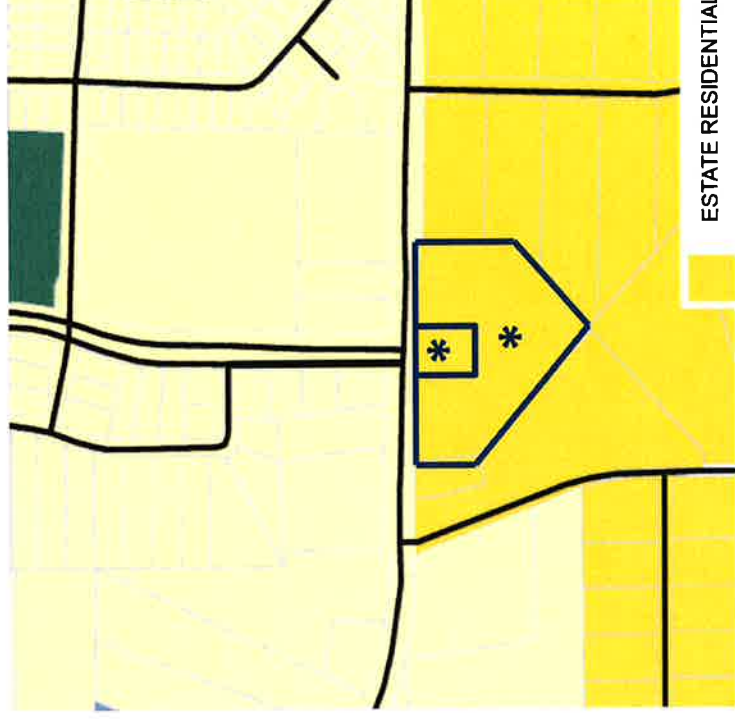
Zoning Map



The property is zoned R-1 and AG. The blue dot indicates the subject property.

FLUP

- The Future Land Use Plan (FLUP) designates the subject property for Estate Residential Uses.
- The FLUP does not support the proposed rezoning request, however the FLUP did not consider the realignment of Merritt Road which will create a signalized 4-way intersection.
- The changing condition of the Merritt Road and Sachse Road intersection supports the change to neighborhood scale commercial uses.



ESTATE RESIDENTIAL

Applicant's Request

- The applicant desires to rezone the subject property from R-1 and AG to PD
- If the rezoning is approved the subject property could be used for neighborhood scale commercial uses.
- As proposed:
 - Base zoning district of C-1 Neighborhood Shopping with use restrictions
 - No development can occur until the completion of construction of the realignment of Merritt Road, including signalization.
 - No development can occur on the property prior to approval of a development plan by the City Council.

Permitted Uses

- Child care center;
- Drive-through restaurant;
- Indoor display (showroom, nursery);
- Medical building, clinic or lab;
- Municipal facilities and uses;
- Office, medical or professional;
- Personal or professional services;
- Religious institutions;
- Retail Sales, general stores;
- Retail Sales w/ Gas Pumps (no more than 4 pumps);
- Restaurant;
- Schools, public (all facilities);
- Studio (gymnastics, martial arts, etc.)



Non-Permitted Uses

- Residential use (single-family/multi-family, assisted living, and institutional);
- Alternative financial services;
- Assembly uses;
- Auto Repair;
- Bingo Hall;
- Car wash;
- Commercial amusement (indoor/outdoor);
- Gaming or slot machines;
- Liquor store;
- Mining;
- Outdoor storage/display;
- Tire dealer;
- Veterinary clinic



Recommendation

Staff recommends approval of the proposed rezoning request for the following reasons:

- The realignment and reconstruction of Merritt Road and Sachse Road, both minor arterial roadways, creates an opportunity for neighborhood scale commercial uses at a four-way signalized intersection.
- The viability for development of the property for a residential use is diminished with the realignment of Merritt Road due to the splitting of the property into two separate tracts and the proximity to the intersection.
- The permitted uses within the PD district would be for neighborhood scale commercial and office use that are designed for the convenience of the people in adjacent residential areas.



ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED; BY CHANGING THE ZONING RELATING TO THE USE AND DEVELOPMENT OF A 6.18± ACRE TRACT OF LAND OUT OF THE T.R. GOODWIN SURVEY, CITY OF SACHSE, DALLAS COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO FROM RESIDENTIAL 1 (“R-1”) AND AGRICULTURAL (“AG”) TO PLANNED DEVELOPMENT NO. 38 (“PD-38”) WITH A BASE ZONING OF C-1 NEIGHBORHOOD SHOPPING DISTRICT; APPROVING DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE SITE PLANS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Sachse and the governing body of the City of Sachse, in compliance with state laws applying to amending the Comprehensive Zoning Ordinance and Map, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the City of Sachse is of the opinion that said comprehensive Zoning Ordinance should be amended as provided herein;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, THAT:

SECTION 1. The Comprehensive Zoning Ordinance and Map of the City of Sachse, Texas, as heretofore amended, be and the same are hereby further amended by changing the zoning relating to the use and development of a 6.18± acre tract of land out of the T.R. Goodwin Survey, City of Sachse, Dallas County, Texas, more particularly described in Exhibit “A” attached hereto and incorporated herein by reference (“the Property”) from Residential 1 (“R-1”) and Agricultural (“AG”) to Planned Development No. 38 (“PD-38”) with a base zoning of C-1 Neighborhood Shopping District subject to the provisions of Section 2 of this Ordinance.

SECTION 2. The Property shall be developed and used only in accordance with the following development standards:

- A. Purpose.** The purpose of this Planned Development District is to allow the Property to be developed and used for low intensity retail, neighborhood services, and/or garden office (professional, medical) uses.
- B. Base Zoning District.** The Property shall be used and developed in accordance with the regulations of the Comprehensive Zoning Ordinance applicable to property located within a C-1 Neighborhood Shopping District, except as otherwise provided in this Ordinance:

C. Uses.

1. The Property may be developed and used for the following purposes in addition to the used permitted within the C-1 Neighborhood Shopping District:
 - a. Child care center;
 - b. Drive-through Restaurant; and
 - c. Retail sales with gas pumps (no more than 4 pumps)

2. Notwithstanding anything to the contrary in the Comprehensive Zoning Ordinance relating to the uses permitted within the C-1 Neighborhood Shopping District, the Property shall not be used and developed for the following purposes:
 - a. Any form of Residential use, including, but not limited to, any single family, medium density, assisted living facility, or multi-family use, and regardless of whether the residential use is institutional or non-institutional, and regardless of the duration of the occupancy of the resident;
 - b. Alternative financial services;
 - c. Auto Repair;
 - d. Assembly uses;
 - e. Bingo hall;
 - f. Car wash;
 - g. Commercial amusement, indoor;
 - h. Commercial amusement, outdoor;
 - i. Commercial school;
 - j. Gaming or slot machines;
 - k. Liquor store;
 - l. Mining;
 - m. Outdoor storage/display;
 - n. Tire dealer, no outside storage; and
 - o. Veterinary clinic

D. Landscaping

1. A minimum fifteen (15') wide landscape buffer shall be maintained along the corner clip at any street corners on the Property, and

2. A minimum ten foot (10') wide landscape buffer shall be maintained along all perimeters other than those described in Paragraph 1 above.

3. Large canopy shade trees shall be planted not greater than thirty feet (30') on center, exclusive of driveways, along all rights-of-way. Other perimeters shall have evergreen large canopy shade trees planted on not greater than fifty (50') on center. The Director of Development Services shall have the authority to approve minor modifications to the tree spacing requirements to facilitate site design.

4. The terminus of each parking row shall have a landscape island no smaller than 180 square feet in area or approximately the size of a parking space. Large canopy shade trees shall be planted at the terminus of each parking row and in all other interior landscape islands.
5. For every five (5) large canopy trees or fraction thereof required along the street frontage and other perimeters, one small ornamental tree shall also be planted on the Property.

E. Miscellaneous Development Standards.

1. All exterior lighting (wall packs & light poles) shall be recessed or otherwise shielded and shall consist of LED lights.
2. Due to the unique topography and geological features of the subject property, which is entirely enclosed and surrounded by creeks with dense vegetation or rights-of-way, the requirement for a masonry screening wall is waived.
3. The City hereby agrees to waive detention requirements based on a drainage plan to be provided by the Developer and reviewed and approved by the City Engineer demonstrating that the development will not cause a net rise to the 100-year floodplain and floodway of the Long Branch of Muddy Creek.
4. No development permit may be issued for development of the Property prior to completion of construction of the realignment of Merritt Road to connect to Woodbridge Parkway, per the Master Thoroughfare Plan, including signalization.

SECTION 3. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Sachse and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Sachse, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas on the _____ day of _____, 2019.

APPROVED:

Mike J. Felix, Mayor

DULY ENROLLED:

Michelle Lewis Sirianni, City Secretary

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(5/15/18:99346)

EXHIBIT "A"
Description of Property

LEGAL DESCRIPTION

Legal description of the land:

TRACT I:

BEING a tract or parcel of land in the T.R. GOODWIN SURVEY, Abstract No. 502, and being part of the Second Tract described in a Deed from Margaret Angeline Massey to William D. Brand, et ux, dated March 18, 1947, and recorded in Book 2806, Page 489 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found for corner and fence corner in the Southerly right-of-way line of Sachse Road (100') said iron rod being East a distance of 237.50 feet from the intersection of the Easterly right-of-way line of Merritt Road (60') and the Southerly right-of-way line of Sachse Road (100');

THENCE East with the Southerly right-of-way line of said Sachse Road and fence a distance of 219.91 feet to a 5/8" iron rod set for corner;

THENCE South a distance of 217.80 feet to a 5/8" iron rod set for corner;

THENCE East a distance of 200.00 feet to a 5/8" iron rod found for corner;

THENCE North a distance of 217.80 feet to a 5/8" iron rod found for corner, said iron rod being in the Southerly right-of-way of Sachse Road (100');

THENCE East with the Southerly right-of-way line of Sachse Road a distance of 247.90 feet to an 8" fence post found for corner;

THENCE South 00 degrees 07 minutes 30 seconds East with a fence a distance of 320.41 feet to a 8" fence post found for corner;

THENCE South 45 degrees 27 minutes 40 seconds West a distance of 362.17 feet to a 1/2" iron rod found for corner;

THENCE North 46 degrees 44 minutes 30 seconds West with a fence a distance of 526.52 feet to a 1/2" iron rod found for corner;

THENCE North 07 degrees 10 minutes 30 seconds West with fence a distance of 215.30 feet to the POINT OF BEGINNING and containing 5.183 acres of land.

TRACT II:

BEING a tract or parcel of land in the T.R. GOODWIN SURVEY, Abstract No. 502, and being part of the Second Tract described in a Deed from Margaret Angeline Massey to William D. Brand, et ux, dated March 18, 1947, and recorded in Book 2808, Page 489 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found for corner and fence corner in the Southerly right-of-way line of Sachse Road (100') said iron rod being East a distance of 457.41 feet from the intersection of the Easterly right-of-way line of Merritt Road (60') and the Southerly right-of-way line of Sachse Road (100');

THENCE East with the Southerly right-of-way line of said Sachse Road (100') and fence a distance of 200.00 feet to a 5/8" iron rod found for corner;

THENCE South a distance of 217.80 feet to a 5/8" iron rod found for corner;

THENCE West a distance of 200.00 feet to a 3/8" iron rod found for corner;

THENCE North a distance of 217.00 feet to the POINT OF BEGINNING and containing 1.00 acres of land.