

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., DECEMBER 8, 2008, 711 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

Present: Chairman Jane Ann Cruce, Vice Chairman Richard Allen, Commissioners, Barbara Dunn, Terry Tosch, Jack Akin, Ginny Stuit

Absent: Bob Johnson

Staff: Director of Community Development Richard Gertson, Manager of Planning and Zoning Jeff Armstrong, Planner Garrett Langford, Planner Bee Martin, Neighborhood Planner Arti Waghay, Deputy City Attorney Liz Lunday, Administrative Secretary Kim Attebery

Chairman Cruce called the meeting to order and declared a quorum present.

I. APPROVAL OF THE MINUTES OF THE NOVEMBER 24, 2008, MEETING

A motion was made by Ms. Stuit and seconded by Ms. Dunn to approve the minutes of November 24, 2008. The motion passed unanimously.

II. PUBLIC HEARINGS – ZONING

- A. Consider an application for a Zoning Change from Commercial and TERRA Overlay with Conditional Use Permit, for used merchandise sales in a 690 square feet lease space, to Commercial and TERRA Overlay with Conditional Use Permit, for used merchandise sales in a 1380 square feet lease space, submitted by Armando Comacho, Gamestop, Inc., on property described as a 28-acre tract out of the John T. Nelms Abstract south of Town East Blvd. and east of Interstate 635, located at 2050 Town East Mall (Zoning File No. 1095-47A).**

Sverselerna Gipson and John Craddock presented the case on behalf of Gamestop stating their request to be allowed to use additional space for the sale of used merchandise. Ms. Gipson stated that all merchandise is packaged appropriately and neatly and that damaged merchandise is sent to corporate for repair if necessary. Mr. Allen stated that Gamestop has proven they can abide by the regulations as set and will continue to operate appropriately.

Ms. Cruce opened the public hearing. No one appeared and Ms. Cruce closed the public hearing.

A motion was made by Mr. Allen and seconded by Ms. Dunn to approve the request with staff recommendations 1 through 12. The motion passed unanimously.

- B. Consider an application for a Zoning Change from General Retail to Planned Development General Retail, submitted by Carolyn Miller, on property described as Miles Smith Addition, Block A, Lot 15, located at 1320 E. U.S. Highway 80 (Zoning File No. 1462-263).**

Carolyn Miller presented the request to use this property for a heating and air conditioning contracting service which is not permitted in General Retail zoning districts. She stated that she had received and understood the staff recommendations. Commissioner Akin asked about the size of the service vehicles to be parked on the lot. Mr. Stan Coker spoke on behalf of the applicant stating that they were regular vans and pickup trucks smaller than 1-ton. Mr. Coker questioned the need for and ability to fit 2 trees in such a small area as recommended by Staff. Commissioner Allen stated that it would work fine and that it was necessary for proper screening. Staff and Commission discussed the need for clarification of vehicle size and tree description on staff recommendations.

Ms. Cruce opened the public hearing. No one appeared and Ms. Cruce closed the public hearing.

A motion was made by Mr. Tosch and seconded by Mr. Allen to approve the request with staff recommendations 1 through 8, to be amended as follows:

Amend #4 to read: Outdoor storage shall be prohibited with the exception of three 1-ton service vehicles.

Amend #6 to read: Two large shade trees shall be placed in front of the building east of the driveway.

The motion passed unanimously.

III. OTHER

A. Consider for approval the 2009 schedule for Planning and Zoning Commission meetings.

A motion was made by Ms. Stuit and seconded by Mr. Allen to approve the 2009 meeting schedule. The motion passed unanimously.

IV. DIRECTOR'S REPORT

A. Report on recent City Council action.

Mr. Gertson briefed the Commission on current and upcoming planning and zoning issues. Mr. Gertson also summarized the significant actions of the Planning Commission and City Council for 2008. He thanked them for their role in promoting progressive planning for Mesquite.

There being no further business for the Commission, Chairman Cruce adjourned the meeting at 7:45 P.M.

Jane Ann Cruce, Chairman