

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., MAY 12, 2008,
711 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

Present: Chairman Tony Apel, Vice Chairman Jane Ann Cruce, Commissioners Richard Allen, Ginny Stuit, Terry Tosch, Bob Johnson, Barbara Dunn

Absent: None

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

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

I. APPROVAL OF THE MINUTES OF THE APRIL 28, 2008, MEETING

A motion was made by Ms. Stuit and seconded by Ms. Dunn to approve the minutes of April 28, 2008. The motion passed unanimously.

II. DRIVEWAY VARIANCE

Consider a traffic variance request by Rick Finlan for a driveway spacing variance on property located at 2130 Franklin Drive.

Mr. Rick Finlan presented the request.

A motion was made by Mr. Johnson and seconded by Ms. Cruce to approve the variance. The motion passed unanimously.

III. PUBLIC HEARINGS - ZONING

A. Consider an application for a Zoning Change to Planned Development-Office on property presently zoned Planned Development-Industrial, submitted by Mac Costlow, on behalf of Calvary First Baptist Church, on property described as three unplatted tracts in the Thomas J Sewell Survey, Abstract 1359, located at 2600 East Glen, 2600 Newsom, 2821 Newsom (Zoning File No. 1359-8).

Mac Costlow presented the request and acknowledged receipt of staff comments. He is building a new church and would like to have access from both East Glen and Newsom for the convenience of his members. Commissioners Allen and Tosch expressed concerns about the additional traffic on Newsom and possible use of the applicant's property as a short cut from Newsom to East Glen. Mr. Costlow stated that the church would provide a gated barrier when not in service. Chairman Apel opened the public hearing. No one appeared and Mr. Apel closed the public hearing.

A motion was made by Mr. Johnson and seconded by Ms. Cruce to approve the request with staff recommendations 1-6 with additional condition 7 stating that ingress and egress to Newsom shall be prohibited for all uses other than a church. The motion passed 6 to 1 with Mr. Tosch dissenting.

B. Consider an application for a Zoning Change to Commercial on property presently zoned Service Station, submitted by Alka Patel, Alka Enterprise Inc., on property described as Eastfield Plaza, Block A, Lot 1, located at 3021 Big Town Boulevard. (Zoning File No. EP-11).

Alka Patel presented the request stating that her plan is to expand the convenience store and possibly have office space or a coin-operated laundry in the remaining space. She had received the staff report and expressed her desire to keep the pole sign if possible. She also stated concerns about the flexibility she would have if approved for the staff recommended Planned Development General Retail zoning. Staff assured her that General Retail zoning allows for ample viable options

for this property. Chairman Apel opened the public hearing. No one appeared and Mr. Apel closed the public hearing.

A motion was made by Mr. Tosch and seconded by Mr. Allen to approve a zoning change to Planned Development-General Retail with staff recommendations 1-4. The motion passed unanimously.

C. Consider an application for a Zoning Change to General Retail on property presently zoned Service Station, submitted by Dr. Mahdi Dezham on property described as Vickers Addition Revised, Block A, Lot 1, located at 3225 N. Town East Boulevard. (Zoning File No. VIC-3).

Dr. Mahdi Dezham presented the request and explained that he will demolish the current structure and rebuild a structure to be used for a dental office and other health-related offices. Dr. Dezham stated that he had received the staff recommendations but that he wished to keep the existing pole sign and would prefer not to have a Planned Development. He also expressed concern that the 15% landscape requirement would limit his parking area. Commission and staff discussed this at length with the applicant. Mr. Johnson stated that there appeared to be plenty of room for the required landscaping and parking. Mr. Allen stated that Dr. Dezham had not presented anything demonstrating that he couldn't meet both the parking and the enhanced landscaping requirements. He suggested to the applicant that he provide a plan with a layout to present to City Council.

A motion was by Mr. Allen and seconded by Ms. Stuit to approve a zoning change to Planned Development-General Retail with staff recommendations 1 through 5. The motion passed unanimously.

IV. COMPREHENSIVE PLANNING

Update on the Extraterritorial Jurisdiction element for the Comprehensive Plan.

This item will be discussed at a later date.

V. DIRECTOR'S REPORT

Report on City Council action regarding planning and zoning issues.

Mr. Gertson and Mr. Armstrong briefed the commission on recent City Council action, including the approval of the contract with Spencer, Fane, Britt & Browne for the Unified Development Code.

There being no further business for the Commission, Chairman Apel adjourned the meeting at 8:30 P.M.

Tony Apel, Chairman