

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 6:30 P.M.,
OCTOBER 22, 2007, 711 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

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

Absent: None

Staff: Director Richard Gertson, Manager of Planning and Zoning Jeff Armstrong, Principal Planner Tammi Nunn, Planner Garrett Langford, Neighborhood Planner Arti Waghray, Deputy City Attorney Liz Lunday

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

I. APPROVAL OF THE MINUTES OF THE OCTOBER 8, 2007 MEETING

A motion was made by Ms. Stuit and seconded by Mr. Tosch to approve the minutes of October 8, 2007, with changes to item IV. C. The motion passed unanimously.

II. PUBLIC HEARINGS - ZONING

A. Consider an application for a Zoning Change to Mixed Use on property presently zoned R-3, Single-Family Residential. Submitted by David Belt, White Properties, on property described as Part of Block 18, Original Town of Mesquite, located on the south side of Holley St. between Belt Line and Carver (Zoning File No. OT-73.)

David Belt, 3118 Ridge Circle, presented the zoning case. Mr. Belt stated that lots 1, 2 and part of lot 5 of Block 18 Original Town would be replatted into one lot. Additionally, Mr. Belt stated that the future lot will most likely be used as a parking lot.

Mr. Apel opened the public hearing. No one appeared, and Mr. Apel closed the public hearing.

A motion was made by Ms. Cruce and seconded by Ms. Stuit to approve the request. The motion passed unanimously.

III. PUBLIC HEARINGS - TRUMAN HEIGHTS NEIGHBORHOOD

A. Consider an amendment to the Mesquite Zoning Ordinance to create a new zoning classification to be known as the Truman Heights Neighborhood District (THN), which shall incorporate the Truman Heights Revitalization Code containing new or amended procedural requirement, standards for site design, and regulations affecting building form, building design, setbacks, parking, signage, landscaping, and permitted uses. (Zoning Text Amendment 2007-6)

Richard Gertson briefed the Commissioners on a few changes to the proposed Truman Heights Revitalization Code since the October 8 meeting.

Mr. Apel opened the public hearing.

John La Fevers: 836 Via Altas, a deacon from Galloway Avenue Baptist Church, spoke neither in favor of nor in opposition to the Truman Heights Neighborhood District. Instead, he spoke on behalf of Keith Dilling to allow the expansion of his car wash.

Mr. Allen asked Richard Gertson to respond to Mr. La Fever's comments.

Richard Gertson told the commissioners that Mr. Dilling's 1998 Conditional Use Permit had expired and that car washes are not permitted under the terms set out in the Mesquite Zoning Ordinance. Further, car washes would not be permitted under the Truman Heights Revitalization Code. However, the current car wash can remain in operation, and if Mr. Dilling chooses to expand, the expansion has to be built to form. Mr. Allen continued to explain that this provides the owner with more options than the current Zoning Ordinance. Mr. Allen and Richard Gertson explained that Mr. Dilling always has the option of applying to have car washes included as a permitted use in the District through a text change. City Council approval would be required. Mr. Apel reminded the Commissioners that if a car wash were to be allowed in the District then it would not be exclusive to Mr. Dilling's property. Mr. Johnson stated that staff has looked at the Code in detail and that there is a very good reason that car washes are not permitted and that the Code should not be amended to allow car washes. Mr. Allen agreed.

No one else appeared and Mr. Apel closed the public hearing.

A motion was made by Mr. Allen and seconded by Mr. Johnson to approve the request. The motion passed unanimously.

B. Consider rezoning of the following properties from their current zoning classifications to the new Truman Heights Neighborhood classification, to wit:

All properties with frontage on the southwest right-of-way line of N. Galloway Avenue from U.S. Highway 80 to and including the south corner of the intersection of N. Galloway Avenue and Hillcrest Street, inclusive of all tracts abutting such properties that are currently used for non-residential purposes, and all properties located within Census Tract 177.02, Block Group 3, which is bounded by Galloway Avenue, Hillcrest Street, and U.S. Highway 80, all as shown in Exhibit A. (Combined applications No. 486-17/1256-7/1462-253)

Richard Gertson informed the Commissioners that the proposed rezoning was published two times and two sets of notifications were mailed out to property owners.

Mr. Apel opened the public hearing. No one appeared, and Mr. Apel closed the public hearing.

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

IV. PUBLIC HEARINGS – TEXT AMENDMENT

A. Consider a Zoning Text Amendment 2007-7 establishing a quorum for the Planning and Zoning Commission.

Richard Gertson presented the request explaining the text amendment establishes that a minimum of four Planning and Zoning Commissioners, rather than five, would be needed to establish a quorum.

Mr. 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 text amendment. The motion passed unanimously.

V. DIRECTOR'S REPORT

A. Report on City Council action regarding planning and zoning issues.

Mr. Gertson briefed the Commission on recent City Council action.

There being no further business for the Commission, Chairman Apel adjourned the meeting at 7:28P.M.

Tony Apel, Chairman