

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., OCTOBER 27, 2008, 711 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

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

Absent: Commissioner Jack Akin

Staff: Director of Community Development Richard Gertson, Planner Garrett Langford, Planner Bee Martin, Neighborhood Planner Arti Waghray, 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 OCTOBER 13, 2008, MEETING

A motion was made by Mr. Johnson and seconded by Ms. Stuit to approve the minutes of October 13, 2008, correcting the last paragraph on page 3 from "Chairman Apel" to "Chairman Cruce". The motion passed unanimously.

II. PUBLIC HEARING – GUS THOMASSON CORRIDOR

**A. Consider whether the Mesquite Comprehensive Plan shall be amended to allow for neighborhood-related land uses and redevelopment policies along the Gus Thomasson Corridor.**

Richard Gertson and Arti Waghray presented the case. Mr. Gertson stated that Items II.A., B., and C. were interrelated. He explained that the public hearing would be opened for discussion of all items and that this was the first of two meetings during which this case would be presented. Staff is not requesting action until November 10, 2008.

**B. Consider whether the Mesquite Zoning Ordinance shall be amended by creating a new zoning classification to be known as the Gus Thomasson Corridor District (GTC), which shall incorporate the Gus Thomasson Revitalization Code containing new or amended procedural requirements, standards for site design, and regulations affecting building form, building design, setback, parking, signage, landscaping and permitted uses (Zoning Text Amendment 2008-8).**

Art Waghray presented the proposed Gus Thomasson Revitalization Code (GTC). Mr. Johnson asked about some of the deeper properties and whether they would be required to conform to the rear parking regulations. Ms. Waghray stated that upon redevelopment all properties within the GTC could be required to comply if redevelopment will cost at least 25% of the replacement value of the property. Mr. Johnson asked about incentives and warrants. Mr. Gertson explained that the City Council could consider incentives at any time. He said that HUD Section 108 funds were a possible source of economic development funding. He also explained that warrants were to be utilized in a situation where the developer is proposing something that is not specifically covered in the ordinance but that is in line with the intent of the plan. The Director can approve the proposal by warrant and avoid possible delays due to red tape. Mr. Johnson asked whether fire damaged properties will be required to comply and Ms. Waghray explained that they would in cases where there was extensive damage.

Chairman Cruce opened the public hearing. Mr. Gerald Henley, 4411 Gus Thomasson, spoke in opposition. He believes it will be cost prohibitive, that the 25% rule will discourage improvements and that most of the people who will have to bear the cost will

not be around to see it come to fruition. He stated that he doesn't believe this type of development will work in this area and that the residential support is not there. Mr. Gertson stated that it took decades for this area to get into the condition it is in and it will take time to make improvements. He explained that this type of code allows developers to move quickly with fewer steps and approvals than current codes allow. Benny Gordon, 1918 Del Oak, spoke in opposition. Mr. Gordon questioned how much grant money would be available and would it be enough for what is proposed. Jim Rosenberg, 3100 Oates, also spoke in opposition. He owns a property in the area that he referred to as "the green monster" and says that he did multiple improvements on his property but the resulting effects on other properties stalled out. He questioned why this area was chosen and the ability of the residents and businesses to support this type of redevelopment plan. Mr. Gertson briefly explained the Target Neighborhood program and stated that this area along with other areas in the city deserve to be treated with the same care and respect as more prosperous areas. Mr. Gertson stated that the only other option is to write the area off and that the City is not prepared to do that. Commissioner Johnson commented that in his experience developers are not known to voluntarily upgrade their projects and that updated codes are needed. Ms. Cruce agreed and said that the areas are chosen based on need and if the area is lacking we should aspire to the best possible solution. No one else appeared and Chairman Cruce closed the public hearing.

A motion was made by Mr. Johnson and seconded by Ms. Dunn to continue this case until the November 10, 2008, meeting. The motion passed unanimously.

**C. Consider whether the following properties shall be rezoned from their current zoning classifications to the new Gus Thomasson Corridor District classification, to wit:**

**All properties with frontage on Gus Thomasson Road from Interstate Highway 30 north to the City Limit line and, in addition, all properties lying within 1,500 feet of Gus Thomasson Road except for such properties that are currently zoned R-1, R-2 or R-3 Single-Family Residential (Combined applications – Nos. 705-7, 706-4, 1461-144, 545-22).**

**VI. DIRECTOR'S REPORT**

**A. Report on information from the Texas Chapter of the American Planning Association.**

Mr. Gertson informed the Commission that the City of Mesquite had been chosen to receive two awards this year: the 2008 Comprehensive Planning Award for the ETJ Element and Honorable Mention for the 2008 Community of the Year Award. The awards will be presented at the annual conference for the Texas Chapter of the American Planning Association In February, 2009.

**B. Report on City Council action regarding planning and zoning issues.**

Mr. Gertson briefed the Commission on current and upcoming planning and zoning issues.

There being no further business for the Commission, Chairman Cruce adjourned the meeting at 8:50 P.M.

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Jane Ann Cruce, Chairman