

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 6:30 P.M., NOVEMBER 23, 2009,
711 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

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

Absent:

Staff: Manager of Planning and Zoning Jeff Armstrong, Senior Planner Garrett Langford, Planner Liz Butler, Planner Danielle Wonkovich, Assistant City Attorney Steve Crane, Administrative Secretary Kim Attebery

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

I. APPROVAL OF THE MINUTES OF THE NOVEMBER 9, 2009, MEETING

A motion was made by Ms. Stuit and seconded by Ms. Dunn to approve the minutes of November 9, 2009, adding a sentence noting the opening and closing of the public hearing on item II.A. The motion passed unanimously.

II. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT

A. Consider a zoning text amendment that would amend Section 2-600 and Section 6-100 that would modify or create new regulations governing the permitting, height, size, placement, exterior materials and other construction standards for front carports. This item was tabled at the November 9, 2009, meeting. (Zoning File No. 2009-05).

Garrett Langford presented the request. Mr. Langford summarized the proposal explaining that the suggested changes to the Zoning Ordinance would establish design standards for front carports and revise the approval process for front carports. Mr. Langford stated that Staff had come up with several options for design standards and the approval process in response to Commission's concerns about the cost of the carports under the new regulations. Ms. Cruce stated that Option B for design standards appeared to be very similar to Option A and questioned whether Option B would offer much relief on the cost of the carport. Mr. Allen stated that he understands that Mesquite is in the midst of Project Renewal and that indicates a directive to improve the looks of the City but reiterated his concerns about the cost and wondered if they were going to have to select one of the more expensive options. Mr. Armstrong explained that they would not be forced into the suggested options but could deny or change the options in their motion. Ms. Cruce asked if Option C is an upgrade for what is currently in place. Mr. Langford explained that it was an upgrade because there are currently no design standards in place for carports; they just have to meet building codes. Mr. Johnson asked if applicants could get a variance from the new standards if approved. Mr. Langford said they would not be able to apply for a variance as written. Mr. Johnson stated that he appreciated the new standards and mentioned accessory buildings and how their appearance has greatly improved with the new standards regulating their design. He also mentioned that making carports allowed by right in some areas would eliminate the public notice process and stated that some carports have been denied after the notice and public hearing. Ms. Cruce feels that some of the options are still too strict for those most likely to need it. Commission also expressed concerns about the locations where the new ordinance would go into effect. Mr. Akin said that one of the neighborhoods had no existing carports and would be permitted by right if the suggested changes were made. Mr. Langford briefly explained the method used to select the neighborhoods. Mr. Armstrong stated that any time a change is made there is a chance that situations will come up that you didn't anticipate and that you have to weigh the benefits against the risks.

A motion was made by Mr. Tosch and seconded by Ms. Stuit to approve Option A and Option 1, with the ability to seek a variance from the Board of Adjustment on the design standards and with changes to definitions. The motion failed 3 to 4 with Ms. Cruce, Mr. Akin, Ms. Dunn and Mr. Allen dissenting.

A motion was made by Mr. Allen and seconded by Ms. Dunn to approve Option C and Option 3, with the ability to seek a variance from the Board of Adjustment on the design standards and with changes to definitions. The motion failed 3 to 4 with Mr. Akin, Mr. Tosch, Ms. Stuit and Mr. Johnson dissenting.

The Commission discussed other possible options. The consensus of the Commission was that changes do need to be made. However they were unable to come to an agreement. Therefore they asked Staff to forward the item to City Council for their consideration without a recommendation.

III. OTHER BUSINESS

A. Approved the Planning and Zoning Commission meeting calendar for 2010.

Jeff Armstrong presented the meeting calendar. A motion was made by Ms. Dunn and seconded by Ms. Stuit to approve the calendar. The motion passed unanimously.

B. Election of Officers

A motion was made by Mr. Tosch and seconded by Mr. Johnson to reinstate the current officers for the next term – Chairman Jane Ann Cruce and Vice Chairman Richard Allen. The motion passed unanimously.

IV. DIRECTOR'S REPORT

A. Report on recent City Council action.

Jeff Armstrong reported on recent and upcoming Planning and Zoning items.

There being no further business for the Commission, Chairman Cruce adjourned the meeting at 8:15 P.M.

Jane Ann Cruce, Chairman