

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 6:30 P.M., JANUARY 28, 2008, 711 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

Present: Commissioners Richard Allen, Terry Tosch, Bob Johnson, Barbara Dunn, Ginny Stuit

Absent: Chairman Tony Apel, Vice Chairman Jane Ann Cruce

Staff: Manager of Planning and Zoning Jeff Armstrong, Principal Planner Tammi Nunn, Planner Garrett Langford, Planner Bee Martin, Planner Arti Waghray, Deputy City Attorney Liz Lunday, Administrative Secretary Kim Attebery

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

I. APPROVAL OF THE MINUTES OF THE JANUARY 14, 2008, MEETING

A motion was made by Mr. Johnson and seconded by Ms. Stuit to approve the minutes of January 14, 2008. The motion passed unanimously.

II. PRELIMINARY REPLAT

A. Consider a preliminary replat submitted by Sami Sharif, located at the north corner of Forney Avenue and south Town East Blvd.

Richard King, on behalf of Sami Sharif, presented the proposed preliminary plat. He acknowledged receipt of the plat conditions from staff.

A motion was made by Mr. Tosch and seconded by Mr. Johnson to approve the preliminary plat with staff comments 1-11. The motion passed unanimously.

II. PUBLIC HEARINGS – ZONING

A. Consider an application for a Zoning Change to Planned Development Commercial for an office-warehouse on property presently zoned Commercial, submitted by Tristan Eager of Pogue Engineering, on property described as East Dallas Estates, Block 1, Lot 4R, located east of 415 U.S. Highway 80 (Zoning File No. EDE-23).

Randy Pogue, Pogue Engineering, appeared and requested that the case be postponed until the February 11, 2008, meeting.

A motion was made by Mr. Johnson and seconded by Ms. Stuit to postpone the case. The motion passed unanimously.

B. Consider an application for a Zoning Change to Commercial with a Conditional Use Permit to allow an indoor shooting range on property presently zoned Commercial, submitted by James Sneed, on property described as a 1.7 acres lot, T. Thomas Abstract 1461, located at 2400 IH-30 (Zoning File No. 1461-143).

James Sneed, along with Alvin Sissel, appeared and presented the request. Mr. Sneed asked for a copy of the staff recommendations and reviewed them briefly. Mr. Sneed asked if a monument sign would be allowed and had several questions about landscaping options including whether or not the existing green space fronting their property could be included in their landscaping percentages. Mr. Armstrong explained that the portion of the property in question is actually in the TxDOT right-of-way and could not be counted as part of his landscaping. The applicant explained that the percentage and location of landscaping, as suggested, would be difficult to attain due to the layout and the size of the property. Commission, staff and applicant discussed several landscaping options.

Mr. Allen asked for a description of how the gun range would operate. Mr. Sneed explained that the gun range would be for members only and that he runs a heavily regulated operation that is built to protect the members and neighbors as well as the adjoining businesses he plans to have on the property. The building will have fully insulated steel walls and an air filter system. He stated that he had another gun range in Dallas and that it was successful. Mr. Johnson asked if there were state regulations to consider and Mr. Sneed stated that this size of operation is not regulated at the state level. Mr. Tosch asked about the noise from the outside. Mr. Sneed and Mr. Sissel stated that the noise from the outside is minimal due to the heavy insulation and sound proofing and would not be a factor.

Acting Chairman Allen opened the public hearing. Pastor Beddingfield, 4104 Ashwood, expressed concerns that the gun range would be so near his church and a residential area. He was concerned that the property would disrupt the look of the area with a structure this size considering that TxDOT may take part of the right-of-way. He also had concerns for the security of the surrounding properties, and about the removal of harmful contaminants from discharging the guns. No one else appeared and Mr. Allen closed the public hearing.

Ms. Stuit commented that the noise is not a factor in her experience and that she felt the applicant had sufficiently addressed the issues of safety, security and environmental pollutants. Mr. Johnson asked about the right-of-way issues and Mr. Armstrong stated that there is a possibility that the state may be planning something and that the City will be working with developers on this issue as it comes up. Mr. Johnson commented that the drawings as submitted did not satisfy the requirements of the Community Appearance Manual. Mr. Snell stated that he was aware of the Community Appearance Manual and should have no trouble complying with the requirements, though he still has some concerns about the landscaping. Acting Chairman Allen stated that he agreed with Ms. Stuit and thought that the applicant had addressed all of the neighborhood impact issues sufficiently.

A motion was made by Ms. Stuit and seconded by Mr. Tosch to approve the request with staff recommendations, revising number 1 to allow one monument sign in addition to the wall sign, deleting number 5 and removing the words "chain link" from recommendation number 6. The motion passed unanimously.

III. DIRECTOR'S REPORT

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

Mr. Armstrong briefed the Commission on upcoming City Council cases.

There being no further business for the Commission, Acting Chairman Allen adjourned the meeting at 7:48 P.M.

Richard Allen, Acting Chairman