

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., AUGUST 11, 2008, 711 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

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

Absent: Vice Chairman Jane Ann Cruce

Staff: Director of Community Development Richard Gertson, Manager of Planning and Zoning Jeff Armstrong, Planner Bee Martin, Neighborhood Planner Arti Waghray, 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 JULY 28, 2008, MEETING

A motion was made by Mr. Tosch and seconded by Mr. Allen to approve the minutes of July 28, 2008, correcting item II. on the motion to approve to read "staff recommendations 1 through 8". The motion passed unanimously.

II. PLATS

- A. **Consider a replat of Towne Crossing Addition Block B, submitted by Jerry Dittman, Assistant Director of Public Works, City of Mesquite, located between Interstate 635 and Town Crossing Blvd. at Driftwood Dr. Towne Crossing Addition, Block B, Lots 2B-1, 2D-1, and 2G-1.**

Jeff Armstrong presented and stated that the City is agreeable to recommended conditions 1 through 7. Commissioner Tosch stated concerns about the safety of the intersection.

A motion was made by Mr. Allen and seconded by Ms. Stuit to approve the request with staff recommendations 1 through 7. The motion passed 5 to 1 with Mr. Tosch dissenting.

- B. **Consider a plat for Calvary First Baptist Church Addition, submitted by Doug Connally & Associates, Inc., located at 2600 East Glen Blvd. Calvary First Baptist Church Addition, Lot 1.**

Jeff Armstrong presented and stated that the City is agreeable to recommended conditions 1 through 5, though there were revisions to the recommendations as follows: 2) Provide an Oncor Electric Delivery Easement or Utility Easement to cover existing overhead line along the north property line (shown as 381.51 feet) from Galloway extending west along the property line and the property line extending to N. Ebrite St.; 4) The preliminary plat is missing the required City of Mesquite Tax Status on the face of the plat.

A motion was made by Mr. Allen and seconded by Mr. Johnson to approve the request with staff recommendations 1 through 5 with modifications. The motion passed unanimously.

III. PUBLIC HEARING – ZONING TEXT AMENDMENTS

- A. **Consideration of Zoning Text Amendment No. 2008-7 regarding special regulations on nonconforming uses, structures and premises, including the repeal of 1-301(C)(5) that allows nonconforming pawnshops to expand or enlarge.**

Richard Gertson presented the request and explained that the section being repealed allowed for the expansion of nonconforming pawnshops. He stated that this was inconsistent with the regulations for other nonconforming uses.

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

A motion was made by Ms. Stuit and seconded by Ms. Dunn to approve the text amendment. The motion passed unanimously.

#### IV. PUBLIC HEARINGS – K-20 INTERIM CODE AND REZONING

- A. Consider an amendment to Section 4-100 and the addition of 4-1100 to the Mesquite Zoning Ordinance to create a new floating zone classification to be known as the Kaufman-Interstate 20 District (K20), which shall incorporate the Interim K-20 Development Code containing new or amended procedural requirements, the creation of zoning subdistricts, certain community types and mandatory regulating plans, standards for site design, and regulations affecting building form, building design, setback, parking, signage, landscaping and permitted uses. (Zoning Text Amendment No. 2008-5)**

Richard Gertson and Arti Waghray presented the proposed K-20 Code.

*(to be completed).....*

A motion was made by Mr. Johnson and seconded by Mr. Tosch to postpone the request until the August 25, 2008, meeting. The motion passed unanimously.

- B. Consider designation and classification of all properties within the City of Mesquite located east of the East Fork of the Trinity River as subject to the application of the new Kaufman-Interstate 20 District floating zone classification.**

A motion was made by Mr. Johnson and seconded by Mr. Tosch to postpone the request until the August 25, 2008, meeting. The motion passed unanimously.

#### V. DIRECTOR'S REPORT

- A. Discuss TxAPA Planning Conference to be held in Galveston, October 1-4, 2008.**
- B. Report on City Council action and other planning and zoning issues.**

Mr. Gertson briefed the commission on recent City Council action and other issues.

There being no further business for the Commission, Chairman Apel adjourned the meeting at 9:35 P.M.

---

Tony Apel, Chairman