

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., MARCH 24, 2008, 711 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

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

Absent: Commissioner Barbara Dunn

Staff: Director of Community Development Richard Gertson, 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

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

I. APPROVAL OF THE MINUTES OF THE MARCH 10, 2008, MEETING

A motion was made by Mr. Johnson and seconded by Ms. Stuit to approve the minutes of March 10, 2008. The motion passed unanimously.

II. PUBLIC HEARINGS - ZONING

**A. Consider an application for a Zoning Change to Planned Development Commercial for auto, boat and RV auction on property presently zoned Commercial, submitted by Lakeside Auto Auction, on property described as Abstract 1462, Daniel Tanner Survey, Tract 1.1, located at 3200 E. U.S. Highway 80.**

Chairman Apel noted that the applicant had not arrived and proceeded with the next item on the agenda. Mr. Apel then returned to Item II.A.

Chairman Apel noted that the applicant still was not present. Jeff Armstrong briefed the Commission on the case. Commissioner Apel opened the public hearing.

Mr. Torrance Hunter, 2316 South Pkwy., appeared in opposition to the request. He had concerns about increased noise and traffic in the area. He was also concerned that the property would be unattractive and detrimental to property values in the area. Ms. Elena Juarez agreed and had concerns that emergency vehicle access could be affected by the increased traffic. Ed and Mary Stephens also appeared stating their concerns about the effect this use would have on the enjoyment and continued stability of the neighborhood. No one else appeared and Mr. Apel closed the public hearing.

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

**B. Consider an application for a Zoning Change to Commercial with a Conditional Use Permit to allow a limited service hotel on property presently zoned Commercial, submitted by Kevin Patel, on property described as Abstract No. 486, William Forman Survey and Abstract No. 594, Henry Harter Survey, located 1000 feet east of Galloway along U.S. Highway 80.**

Mr. Kevin Patel presented the case. He stated that the proposed limited-service hotel is a high-end, all-suites franchise with meeting rooms, fitness facilities, indoor pools and outdoor courtyards. There will be a vending area with refrigerated machines and microwaveable products. The average minimum stay is 12 days and the average cost per night is \$75.00. Mr. Patel also stated that the hotel's clients consist of corporate groups, business travelers, church and school groups, among others. The Commissioners asked if the owners were aware of the Community Appearance Manual, and Mr. Patel stated that

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

The Commission discussed the proposal. Commissioners Johnson, Tosch, Stuit and Cruce were not in favor of a limited-service facility, though Ms. Cruce stated that she has stayed in one of the Candlewood suites and was satisfied with her stay. Mr. Allen and Mr. Apel liked the idea of suites but also had reservations about the limited-service facility. The Commission discussed the possibility of having a CUP specific to Candlewood Suites and limiting parking to exclude trailers, equipment and heavy-load vehicles.

A motion was made by Mr. Tosch and seconded by Ms. Cruce to approve the request with staff conditions 1 through 11, with #4 amended to read "Parking of trailers, equipment and heavy-load vehicles shall be prohibited." The motion failed with a vote of 3 to 3 with Ms. Stuit, Mr. Johnson and Mr. Apel dissenting.

A motion was made by Mr. Johnson and seconded by Ms. Stuit to deny the request. The motion failed with a vote of 3 to 3 with Mr. Tosch, Ms. Cruce and Mr. Allen dissenting.

A motion was made by Ms. Cruce and seconded by Mr. Allen to approve the request with staff conditions 1 through 11, adding condition 12, limiting the CUP to the Candlewood Suites franchise. The motion failed with a vote of 3 to 3 with Ms. Stuit, Mr. Johnson and Mr. Apel dissenting.

A motion was made by Mr. Allen and seconded by Mr. Johnson to deny the motion without prejudice. The motion passed unanimously.

### III. COMPREHENSIVE PLANNING

#### **Update on the Extraterritorial Jurisdiction element for the Comprehensive Plan.**

Mr. Gertson, Ms. Waghray, and representatives of the consulting firm Kimley-Horn briefed the Commission on the status of development of the ETJ Plan and discussed some specific goals and objectives.

### IV. DIRECTOR'S REPORT

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

Mr. Gertson indicated that the City Council took no action on any Planning related items at their previous meeting.

There being no further business for the Commission, Chairman Apel adjourned the meeting at 9:45 P.M.

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Tony Apel, Chairman