

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., APRIL 28, 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, Barbara Dunn

Absent: None

Staff: Director of Community Development Richard Gertson, Principal Planner Tammi Nunn, Planner Bee Martin, Planner Arti Waghray, Deputy City Attorney Liz Lunday, Administrative Secretary Kim Attebery, City Engineer Matt Holzapfel

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

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

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

II. SUBDIVISION VARIANCE

Consider a variance from the Subdivision Ordinance requiring that all lots have street frontage for proposed replat of East Dallas Estates, Block 1, Lot 7R.

Mr. George Venner presented the case stating that there are several other properties in the area that are accessible without having street frontage. Mr. Venner stated that the property will be an improvement. Commission and applicant discussed the case. Mr. Johnson stated that he did not believe that the request warrants granting a variance.

A motion was made by Ms. Stuit and seconded by Ms. Cruce to approve the variance. The motion passed with a vote of 6 to 1 with Mr. Johnson dissenting.

III. PLATS

A. Consider a replat for East Dallas Estates submitted by Robert Richardson, Doug Conally and Associates, located off Belt Line, north of U.S. Highway 80, East Dallas Estates, Block 1, Lot 7R.

Robert Richardson presented the request and acknowledged receipt of staff comments. Mr. Curtis Cole also spoke asking for clarification on comment number 8. Staff explained that they need a letter from the owner of the property through which this platted property would be accessed confirming accessibility.

A motion was made by Ms. Cruce and seconded by Mr. Tosch to approve the plat with staff conditions 1-8. The motion passed unanimously.

B. Consider a plat for Ridge Ranch School/City Park Addition submitted by Mike Daniel of Nathan D. Maier Consulting Engineers, located north of E. Cartwright Road on proposed Ridge Ranch Road. Ridge Ranch School/City Park Addition, Block A, Lots 1& 2.

Chairman Apel noted that the applicant was not present. Staff confirmed delivery of plat conditions to applicant.

A motion was made by Ms. Cruce and seconded by Ms. Stuit to approve the plat with staff conditions 1-6. The motion passed unanimously.

IV. PUBLIC HEARINGS – ZONING TEXT AMENDMENT

- A. Consider an amendment to the Mesquite Zoning Ordinance regarding the establishment of a new zoning district, to be known as Civic (CV) District.**

Richard Gertson presented the request and discussed Bee Martin's staff report.

A motion was by Mr. Johnson and seconded by Mr. Allen to approve the request. The motion passed unanimously.

V. PUBLIC HEARINGS – ZONING

- A. Consider an application for a Zoning Change to Civic zoning for various City-owned property, including the Municipal Center, The Performing Arts Center and related parking, on property presently zoned General Retail, Planned Development (GR), Office, and Single-Family Residential, submitted by Matthew Holzapfel on behalf of the City of Mesquite, on property described as Northridge Estates No.1, Block 1, Lots 1-7, Hillview Addition, Block 1 Lots 1 & 2A, located on the northwest and southwest corners of N. Galloway Ave. and Range Rd. (Zoning File No. NR1-6).**

Matt Holzapfel presented the case.

Chairman Apel opened the public hearing. Tom Walthall, 1817 Summit, appeared and asked if this change would affect his property and was told that it would not. No one else appeared and Mr. Apel closed the public hearing.

A motion was made by Mr. Tosch and seconded by Ms. Dunn to approve the request. The motion passed unanimously.

- B. Consider an application for Zoning Change to Commercial on property presently zoned General Retail, submitted by Michael Ray Hunt, for property described as an unplatted tract in the Daniel Tanner Survey, Abst. No. 1462, between I-635 and N. Galloway along the service road on the south side of US Highway 80, located at 1402 E. US Hwy 80.**

Michael Hunt presented the request. He explained that the area is on a one-way frontage road and is not easily accessible for a high-traffic retail business. He also stated that most of the surrounding properties are Commercial zoning. Commissioners asked about past and possible future uses. Mr. Hunt stated that there had been a mowing service, car repossession service and a towing service but that he had no specific uses in mind for the future. Commission stated concerns for the nearby residents if the zoning is changed to Commercial but agreed that the location is not necessarily suited for General Retail purposes. Richard Gertson stated that the applicant had the choice to postpone the decision and research other options such as a Planned Development application.

Chairman Apel opened the public hearing. Curtis Cole appeared in favor of the request stating that the location is not good for a retail operation. Ms. Margaret Hopgood appeared asking when the residents will be notified of any changes and was encouraged to attend the next meeting if postponed. No one else appeared and Mr. Apel closed the public hearing.

The Commissioners were in agreement that it would an appropriate step to postpone the request to enable the applicant to work with staff toward a solution for the best use of the property. The applicant expressed his desire to have the matter tabled for future consideration.

A motion was made by Ms. Cruce and seconded by Ms. Stuit to table the request until the May 27, 2008, meeting. The motion passed unanimously.

VI. COMPREHENSIVE PLANNING

Update on the Extraterritorial Jurisdiction element for the Comprehensive Plan.

Arti Waghray briefed the commission on recent updates in the Extraterritorial Jurisdiction in relation to the Comprehensive Plan.

VII. DIRECTOR'S REPORT

Report on City Council action regarding planning and zoning issues.

Mr. Gertson briefed the commission on recent City Council action.

There being no further business for the Commission, Chairman Apel adjourned the meeting at 9:26 P.M.

Tony Apel, Chairman