

**MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M.,
MARCH 12, 2018, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS**

Present: Chairman Ronald Abraham, Vice Chair Sherry Williams, Dharma Dharmarajan, Sergio Garcia, Yolanda Shepard, Jennifer Vidler, Alternate Debbie Anderson, Alternate Elizabeth Allen

Absent

Staff: Interim Director Jeff Armstrong, Manager of Planning & Zoning Garrett Langford, Assistant Senior City Attorney Cindy Steiner

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

I. APPROVAL OF THE MINUTES OF THE FEBRUARY 26, 2018 MEETING

A motion was made by Ms. Vidler to approve with the correction of adding Jennifer Vidler as present on the February 12, 2018 minutes. Mr. Dharmarajan seconded and the motion passed unanimously.

II. PLAT

- A. Consider and take action on a preliminary plat for Lone Star Acres, Block 1, Lot 1, submitted by Mike Hood, on property described as being 5.432 acres in the Stephen White Survey, Abstract No. 567, Kaufman County, Texas, located east of FM 2932 and south of IH 20. (PL1117-0045)**

Mr. Langford briefed the Commissioners. Staff recommended approval with the recommendations 1-13 listed in the staff report. A motion was made by Vice Chair Williams to approve with the staff recommendations. Mr. Dharmarajan seconded. The motion passed unanimously.

III. PUBLIC HEARINGS

- A. Conduct a public hearing and consider an application submitted by Donna Woodson for a Zoning Change to amend Planned Development – Industrial No. 1848 to allow the subject to be developed for a nonresidential use on a property described as being 1.79 acres in the Thomas J Sewell Survey, Abstract No. 1359, City of Mesquite, Dallas County, Texas, located at 2821 Newsom Rd (Z0218-0021).**

Mr. Langford briefed the Commissioners. Staff received one notice in opposition to the request with no comments. Staff recommended that the property be rezoned to the Office zoning district. Chairman Abraham asked without the zoning change then nothing else can be done on the property. Mr. Langford answered that it is correct. Jennifer Keathly, North Central Reality, came up to speak on behalf of the applicant, Donna Woodson. No one had questions for the applicant. Chairman Abraham opened the public hearing. Daniel Signs, 2909 Fowler Ct., spoke in opposition to the zoning change. Mr. Signs stated that he doesn't know what the use is for, but feels that the property is so small nothing can be done with the property and that it should be acquired by one of the adjacent churches. Ms. Keathly returned to the lectern and stated that they contacted both churches and neither church wanted the property. No one else came up to speak. Chairman Abraham closed the public hearing.

Ms. Vidler stated that she feels that there is a hardship on the owner under the current zoning and that an office use would be more in tune with the neighborhood. A motion was made by

Ms. Vidler to recommend approval to rezone the property to the Office zoning district. Mr. Garcia seconded. The motion passed unanimously.

- B. Conduct a public hearing and consider an application submitted by Game X Change for a Zoning Change from the “GR” General Retail zoning district to the “GR” General Retail zoning district with a Conditional Use Permit to allow used merchandise sales on a property described as Mall East Addition Phase II, Block 1, Lot 3R1, City of Mesquite, Dallas County, Texas, located at 1220 N. Town East Boulevard, Suite 100 (Z0218-0023).**

Mr. Langford briefed the Commissioners. Staff recommended approval with 9 conditions, with a change to condition No. 6 to eliminate the requirement for shrink-wrapping the game. Ms. Vidler asked if this CUP will be limited to this particular applicant at this location. Mr. Langford answered yes.

Representative for Game X Change, Coy Johnson, came up to answer any questions that the commissioners might have. Ms. Vidler asked approximately how much of the product is used. Mr. Johnson answered 90% is used. Ms. Vidler asked if this is standard for this type of business. Mr. Johnson answered yes. Ms. Shepard asked what kind of ratings the products have. Mr. Johnson answered they carry E for everyone through M for mature. They do not have adult only video. There were no more questions for the applicant.

Chairman Abraham opened for public hearing. No one came to speak. Chairman Abraham closed the public hearing. A motion was made by Ms. Vidler to approve the request as presented. Seconded by Ms. Shepard. The motion passed unanimously.

- C. Conduct a public hearing and consider an application submitted by Les Pritchett for a Zoning Change from the “GR” General Retail zoning district to the “LC” Light Commercial zoning district with a Conditional Use Permit to allow indoor recreation in Suite 620 on a property described as Mall East Addition Phase II, Block 1, Lot 3R1, City of Mesquite, Dallas County, Texas, located at 1220 N. Town East Boulevard (Z0218-0020).**

Mr. Langford briefed the Commissioners. Staff recommends approval with 2 stipulations listed in the staff report. Chairman Abraham opened for staff questions. There were no questions for staff. Chairman Abraham asked if the Applicant or representative was here to speak. Applicant Les Pritchett came up to speak. Vice Chair Sherry Williams asked what the primary ages of the patrons. Mr. Pritchett answered it is opened to everyone but primarily ages 5-15 years old. Ms. Shepard asked if parents can just drop off children. Applicant answered that parents have to come in and sign a waiver. Applicant stated that this business is not intended for parent drop off. Chairman Abraham asked if there will be any snacks. Applicant answered that they do have café consisting of mostly pre-package food. Applicant stated that the food is less than 10% of the revenue. Chairman Abraham opened for public hearing. No one came up to speak. Chairman Abraham closed the public hearing. A motion was made by Vice Chair Williams to approve with staff recommendations. Ms. Shepard seconded. The motion passed unanimously.

- D. Conduct a public hearing and consider an application submitted by Ryan Dykstra for a Zoning Change to amend Planned Development – General Retail No. 3872 to allow additional uses on a property described as Samuel Park Farms Retail, Block A, Lot 2, City of Mesquite, Dallas County, Texas, located at 705 State Highway 352 (Z0218-0022).**

Mr. Langford briefed the Commissioners. Staff recommended approval to amend add additional uses to the PD but leave the existing concept plan in place. Chairman Abraham asked if the applicant or representative was here. Applicant, Ryan Dykstra, came up to speak. Mr. Dykstra presented a new concept plan to the Commissioners. Ms. Vidler asked if staff needs to have time to review the new concept plan. Mr. Langford answered yes and recommended that the Commission table this item to give staff enough time to work with the applicant and make adjustments to the new concept plan, if needed. Chairman Abraham opened for public hearing. Rita Trammell, 901 Old Barn Ln, came up to speak. Ms. Trammell asked if TXDOT will take any additional right-of-way for State Highway 352 and how that might affect her property. Mr. Langford answered that staff was unaware of additional right-of-way being needed by TXDOT. Mr. Dykstra indicated that TXDOT is acquiring easement from their property in order to address drainage issues. Sunil Edward, 921 Old Barn Ln, came up to ask how all of this will affect his property. Ms. Vidler answered that they need time to review the new concept plan. Ms. Steiner explained if the Commission votes to leave the public hearing open, then Mr. Edwards can come to that meeting and get more information. No one else came up to speak. Ms. Vidler made a motion to postpone until the March 26, 2018 meeting leaving the public hearing open. Ms. Williams seconded. The motion passed unanimously.

IV. DIRECTOR'S REPORT

A. Director's Report on recent City Council action on zoning items at their meeting on March 5, 2018.

Interim Director Jeff Armstrong briefed the Commissioners. There were two items City Council addressed at the March 5, 2018 Council meeting: 1) truck parking at hotels would be eliminated and 2) the new wording addressing heavy load vehicle refueling and limited fuel sales was approved.

There being no further items before the Commission, the Chairman adjourned the meeting at 8:13 pm.

Chairman Ronald Abraham