

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., MARCH 13, 2017, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

Present: Chairman Ronald Abraham, Vice Chairman Mike Potter, Commissioners Janice Bell, Sergio Garcia and Sherry Williams

Absent: Dharma Dharmarajan, Jennifer Vidler

Staff: Director of Planning and Development Services Richard Gertson, Assistant Director Planning & Development Services Jeff Armstrong, Michael Zdansky E.I.T., Planner Lauren Simcic, Assistant City Attorney Cindy Steiner and Senior Administrative Secretary Rachel Baisden

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

I. APPROVAL OF THE MINUTES

A motion was made by Mr. Potter and seconded by Mr. Garcia to approve the February 13, 2017 meeting minutes. The motion passed unanimously.

II. PLAT

A. Consider a preliminary plat of Long Creek Addition, submitted by Van Orr of The O2 Group, LLC, located at 750 State Highway 352 (Long Creek Addition, Block 1, Lot2).

Lauren Simcic briefed the Commission on the request. A motion was made by Mr. Garcia to approve the request with Staff recommendations 1-7 and seconded by Ms. Bell. The motion passed unanimously.

B. Consider a preliminary plat of The Emporium Phase II, submitted by Market East Associates, LLC, located at 1645 and 1649 N. Town Blvd. (Emporium Phase II, Block C, Lot 1R).

Lauren Simcic briefed the Commission on the request. A motion was made by Mr. Potter to approve the request with Staff recommendations and seconded by Ms. Bell. The motion passed unanimously.

III. REZONING

A. Public hearing and consideration of a request to rezone property from C, Commercial and SLH Overlay to PD-C, Planned Development-Commercial and SLH Overlay with a Conditional Use Permit to allow a Truck Stop, submitted by Monte Akers on behalf of TA Operating, Inc. on property described as Truckomatic, Block 1, Lots 1-4, located at 2614 Big Town Boulevard (Zoning File No. 34-46B-2016).

Jeff Armstrong briefed the Commission on the continuation of the request. Attorney Monte Akers on behalf of TA Operating, Inc. 7 Anderson Crossing, Cedar Park, TX and Kyle Reiner on behalf of Travel Centers of America, Boston, MA were available for questions. Chairman Abraham opened the public hearing.

Charlotte Clouch 3007 Portsmouth Drive, opposed the request.

Charles Baker 1713 Huntington Drive, opposed the request due to concerns with crime, effects on schools, churches and that it going to be "extended stay".

Tandy Boroughs 1015 Majors Drive, asked if dropped trailers would be allowed

Yolanda Shepard 1420 Hermitage Drive, request the company to provide a guarantee of property value increase, enhancement of the community and safety.

Mr. Reiner briefly addressed some of the concerned mentioned stating that there will be 24 hours security as required in the ordinance with additional on-going training for property staff and dropped trailers are not allowed.

Chairman Abraham closed the public hearing. Mr. Garcia asked for clarification that in the staff report on page 3 item 4 states “unmounted trailers shall be prohibited”. Mr. Armstrong said yes, that is correct.

A motion was made by Mr. Garcia and seconded by Mr. Potter to approve the request with Staff recommendations. The motion passed unanimously.

IV. TRAFFIC VARIANCE

- A. Consider a request by WRA Architects, Inc. on behalf of Mesquite Independent School District for variances from City Ordinance #3791 Section 15-150 to (1) reduce the minimum driveway spacing for two driveways along E. Davis Street from 150 feet to 113 feet and 59 feet, (2) to reduce the minimum intersection corner clearance on E. Davis Street from 150 feet to 79 feet, (3) to reduce the minimum intersection corner clearance on S. Bryan Beltline Road from 150 feet to 100 feet and (4) to reduce the minimum median opening driveway offset on S. Bryan Beltline Road from 125 feet to 81 feet on property located 300 E. Davis Street.**

Jeff Armstrong briefed the Commission on the request. Representative Tony Able on behalf of WRA Architects, Inc. was available for questions. A motion was made by Mr. Garcia and seconded by Ms. Bell to approve the request. The motion passed unanimously.

V. DIRECTOR'S REPORT

- A. Director's Report on City Council action on zoning items at their meeting on February 20, 2017 and March 6, 2017, City Council meetings.**

Mr. Armstrong briefed the Commission.

There being no further business for the Commission, the meeting adjourned at 7:41 P.M.

Ronald Abraham, Chairman

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., JANUARY 9, 2017, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

Present: Chairman Ronald Abraham, Commissioners Janice Bell, Dharma Dharmarajan, Sergio Garcia and Sherry Williams

Absent: Vice-Chairman Mike Potter and Commissioner Jennifer Vidler

Staff: Manager of Planning and Zoning Jeff Armstrong, Principal Planner Garrett Langford, Planner Lauren Simcic, Assistant City Attorney Cindy Steiner

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

I. APPROVAL OF THE MINUTES

A motion was made by Commissioner Williams and seconded by Commissioner Garcia to approve the minutes of the December 12, 2016, meeting. The motion passed unanimously.

II. REZONING

- A. Public hearing and consideration of a request to rezone property from C, Commercial and SLH Overlay to PD-C, Planned Development-Commercial and SLH Overlay with a Conditional Use Permit to allow a Truck Stop, submitted by Monte Akers on behalf of TA Operating, Inc. on property described as Truckomatic, Block 1, Lots 1-4, located at 2614 Big Town Boulevard (Zoning File No. 34-46B-2016). This item is from the December 12, 2016 meeting.**

Jeff Armstrong briefed the Commission on the request by providing additional information regarding truck idling that was discussed at the Commission meeting on December 12, 2016. Attorney Monte Akers on behalf of TA Operating, Inc. 7 Anderson Crossing, Cedar Park, TX and Kyle Reiner on behalf of Travel Centers of America, Boston, MA were available for questions. There was some discussion regarding the concerns regulating trucks idling, emissions, electric APU/generators and inverters.

Chairman Abraham opened the public hearing.

Charles Baker, 1713 Huntington Drive, opposed the request due to concerns with crime.

Joseph Papania, 1424 Sheffield Court, opposed the request due to concerns with crime and already have enough truck uses in the area.

Yolanda Shepard, 1420 Hermitage Drive, opposed the request because it will negatively impact the community.

Sean Tabayi, 1624 Yorkshire Drive, opposed the request due to concerns with traffic and negative environmental impact.

Fredrick Chew, 1504 Yorkshire Drive, opposed the request due concerns on how the truck traffic will negatively impact street conditions.

Kyle Reiner spoke to address the concerns stating that the company will have 24-hour on site security. Additionally, the demand for the property is for truck related uses.

Cameron Fletcher, 1609 Woodlawn Parkway, opposed the request due to concerns with crime.

Kyle Reiner asserted that TA aims to prevent crime through camera surveillance and employee training.

An unknown speaker, unknown address, stated that truck stops are historically associated with problems.

Being there were no additional speakers, Chairman Abraham closed the public hearing.

A motion was made by Commissioner Garcia and seconded by Commissioner Dharmarajan to approve the request per staff's recommendation. The motion failed by a three to two vote with Commissioners Bell and Williams dissenting. Mr. Armstrong clarified at least four concurring votes are needed approve the motion. Chairman Abraham stated that the case will continue to the January 23, 2017, Commission meeting since no other motions were made.

B. Public hearing and consideration of a request to amend Planned Development Ordinance #2949 to allow used car sales by conditional use permit and to approve a Conditional Use Permit to allow Used Car Sales, submitted by Sean Morrissey on behalf of A MMC Realty, LLC on property described as Crest Addition, Block A, Part of Lot 3R, located at 4700 N. Galloway Avenue (Zoning File No. 1461-149-2016).

Jeff Armstrong briefed the Commission on the request which included staff's recommendation of approval based on the application meeting the criteria for a conditional use permit and meeting the Mesquite Comprehensive Plan. Attorney Prabha Cinclair, 1800 Valley View Lane, Suite 360, Farmer's Branch, TX along with the applicant, Sean Morrissey, 2404 Trinity Court, Heath, TX, were available for questions. The applicant stated that they are proposing a Mitsubishi dealership that would include new car and used sales and provided an overview of the concept plan.

Chairman Abraham opened the public hearing. Being that no one spoke, Chairman Abraham closed the public hearing.

A motion was made by Commissioner Williams and seconded by Commissioner Garcia to approve the amendment to Planned Development #2949 to allow used car sales by conditional use permit per staff's recommendation. The motion passed by a four to one vote with Commissioner Bell dissenting.

A motion was made by Commissioner Williams and seconded by Commissioner Dharmarajan to approve the Conditional Use Permit to allow used car sales per staff's recommendation. The motion passed by a four to one vote with Commissioner Bell dissenting.

C. Public hearing and consideration of a request to rezone property from R-1, Single-family Residential to GR, General Retail, submitted by Kyle Flaming, P.E. on property described as 2.32 acres out of Abstract 972, Page 195, Tract 3.7, located at 100 W. Bruton Lane (Zoning File No. 93-5-2017).

Lauren Simcic briefed the Commission on the request which included staff's recommendation of approval based on the request meeting the intent of the Mesquite Comprehensive Plan.

Chairman Abraham opened the public hearing. James Mitchell, 144 W. Bruton Lane, wanted to know the proposed use and the screening requirements. Ms. Simcic stated that the applicant is proposing an AutoZone store and explained that the screening would include an eight-foot masonry wall when adjacent to a residential district. Mr. Mitchell was also concern about littering, outdoor lighting and security. Being no one else spoke, Chairman Abraham closed the public hearing.

Kyle Flaming on behalf of Dynamic Engineering Consultants, 15678 Frisco Square Boulevard, Frisco TX, appeared as the applicant. Mr. Flaming stated that they understood and will comply with the screening and lighting requirements. He further stated that AutoZone will maintain the property. He also presented an overview of the concept plan.

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., DECEMBER 12, 2016, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

Present: Chairman Ronald Abraham, Commissioners Janice Bell, Dharma Dharmarajan, Sergio Garcia and Sherry Williams

Absent: Mike Potter, Jennifer Vidler

Staff: Director of Planning and Development Service Richard Gertson, Manager of Planning and Zoning Jeff Armstrong, Michael Zdansky E.I.T., Assistant City Attorney Cindy Steiner, Senior Administrative Secretary Rachel Baisden

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

I. APPROVAL OF THE MINUTES

A motion was made by Mr. Dharmarajan and seconded by Mr. Garcia to approve the November 28, 2016, meeting minutes. The motion passed unanimously.

II. PLAT

- A. **Consider a final plat of Big Town Addition, submitted by Jason Weaver, P.E. of Goodwin & Marshall, Inc., located at the southwest corner of U.S. Highway 80 and Big Town Boulevard (Big Town Addition, Block A, Lots 1-4).**

Jeff Armstrong briefed the Commission on the request. A motion was made by Ms. Williams and second by Ms. Bell to approve the request. The motion passed unanimously.

III. TRAFFIC VARIANCE

- A. **Consider a request by Shubham Pandey for a variance from City Ordinance #3791 Section 15-150 to reduce the minimum driveway spacing between two driveways along an arterial street from 150 feet to 27.7 feet for existing driveways that access property located at 3200 and 3250 Oates Drive.** Jeff Armstrong briefed the Commission on the request. Mr. Zdansky from Engineering was available for questions. A motion was made by Ms. Williams and second by Ms. Bell to approve the request. The motion passed unanimously.

IV. REZONING

- A. **Public hearing and consideration of a request to property from C, Commercial and SLH Overlay to PD-C, Planned Development-Commercial and SLH Overlay with a Conditional Use Permit to allow a Truck Stop, submitted by Monte Akers on behalf of TA Operating, Inc. on property described as Truckomatic, Block 1, Lots 1-4, located at 2614 Big Town Boulevard (Zoning File No. 34-46B-2016).**

Jeff Armstrong briefed the Commission on the request. Attorney Monte Akers on behalf of TA Operating, Inc. 7 Anderson Crossing, Cedar Parks, TX was available for questions. Kyle Reiner on behalf of Travel Centers of America, Boston, MA was available for questions. There were some discussion regarding the concerns for parking/anti-idling signs, regulating trucks idling, emissions, electric APU/generators and inverters.

A motion was made by Mr. Dharmarajan and second by Ms. Bell to postpone the request with the public hearing open until the Monday, January 9, 2017 meeting to allow the applicant and Staff to discuss further appropriate rezoning language. The motion passed unanimously.