

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., June 12, 2017, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

Present: Chairman Ronald Abraham, Vice Chairman Mike Potter, Commissioners Janice Bell, Sergio Garcia, Dharma Dharmarajan and Jennifer Vidler

Absent: Sherry Williams

Staff: Director Richard Gertson, Assistant Director Jeff Armstrong, Manager of Planning and Zoning Garrett Langford, Planner Johnna Matthews, Planner Lauren Simcic, Senior Assistant City Attorney Cindy Steiner, Graduate Engineer in Training Michael Zdansky and Senior Administrative Secretary Devanee Winn

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

I. APPROVAL OF THE MINUTES

Mr. Potter moved to approve the minutes and Ms. Vidler seconded the motion. The motion passed 5 to 0.

Mr. Dharmarajan joined the meeting after the approval of the minutes.

II. TRAFFIC VARIANCE

- A. Consider a request by Marc Bentley on behalf of Barnett Signs for a driveway variance from City Ordinance #3791 Section 15-150 to allow two driveways to increase the maximum driveway width from 24 feet to 31 feet on property located at 4400 Action Drive.**

Mr. Langford briefed the Commission on the request. Staff recommended approval.

A motion was made by Ms. Vidler and seconded by Ms. Bell to approve the request with Staff recommendations. The motion passed 6 to 0.

III. PUBLIC HEARINGS

- A. Public hearing to consider an amendment to the Mesquite Comprehensive Plan that would change the land use designation from Low Density Residential to General Business for property located at 440 E. Cartwright Road and 1836 Wilkinson Road.**

Motion was made by Ms. Vidler and seconded by Mr. Potter to deny the request. The motion passed 6 to 0.

- B. Public hearing and consideration of a request to rezone property from R-1, Single Family Residential to GR, General Retail, submitted Matthew Maly on property described being 11.556 acres in the James Moore Survey, Abstract Number 972 and the W.C. Dowdy Survey, Abstract Number 420, City of Mesquite, Dallas County, Texas, located at 440 E. Cartwright Road and 1836 Wilkinson Road. (Zoning File No. Z0517-0005).**

Mr. Langford briefed the Commission on items III A and III B. Mr. Langford explained items A and B were related. If commission wants to approve the rezoning they should also consider amending the comprehensive plan. Staff recommended denial on the plan amendment and zoning change. Nine community response forms were returned in opposition and none were received in favor. Applicant Matthew Maly spoke on behalf of Dunaway Associates in support of the project. A traffic impact analysis (TIA) was conducted that indicated no change in the service level of the adjacent streets. Applicant also indicated that they would be open to zoning into a planned development district and indicated that it would not be a 24 hour operation.

Chairman Abraham opened the public hearing. Resident Andrew Miller, 1712 Coleborne Dr., asked whether there will be a screening wall, how it would affect his property values, and what grocery store chain is going in. Applicant responded that the store is confidential and does not know what the effect on someone's property value, and they would put up a required screening wall. Resident Craig Waters, 528 E. Cartwright, expressed concern about traffic and noted that there are already two grocery stores nearby.

Chairman Abraham closed the public hearing.

Ms. Vidler disagreed with the TIA report. She believes the development would create a major impact on the traffic and the area would be saturated with retail. Mr. Garcia stated that he knows at least 2 empty grocery stores in Mesquite and does not see the need to build another grocery store.

A motion was made by Mr. Dharmarajan to deny and seconded by Mr. Garcia. The motion passed 6 to 0.

- C. Public hearing and consideration of a request to rezone property from Commercial within the TERRA Overlay District to Commercial within the TERRA Overlay District with a Conditional Use Permit to allow a coin-operated amusement game room, submitted by Laine Edwards on behalf of Peter Piper Pizza on property described as being Town East Mall Phase 2, Block A, Lot 2, located at 1104 Town East Mall (Zoning File No. Z0517-0003).**

Ms. Simcic briefed the Commission on the request. Staff recommended approval. There were no public responses. Ms. Bell asked if parents would be allowed to drop off children without parent supervision. Applicant Laine Edwards spoke on behalf of Peter Piper Pizza. Ms. Edwards addressed Ms. Bell's concern and stated that children would have to be accompanied by an adult.

Chairman Abraham opened the public hearing. Seeing no one, Chairman Abraham closed the public hearing.

A motion was made by Ms. Vidler and seconded by Mr. Potter to approve the request with staff recommendations. The motion passed 5 to 1 with Ms. Bell dissenting.

- D. Public hearing and consideration of a request to rezone property from Commercial within the TERRA Overlay District to Commercial within the TERRA Overlay District with a Conditional Use Permit to allow a coin-operated amusement game room, submitted by Michael Poates on behalf of Gatti's Great Pizza on property described as being Town East Crossing, Block A, Lot 4, located at 2021 N. Town East Blvd., Suite 900 (Zoning File No. Z0517-0008).**

Mr. Langford briefed the Commission on the request. Staff recommended approval. Staff received one public response in favor and none in opposition. Mr. Dharmarajan questioned if there would be adult beverages sold on site. Owner Scott Kelly, 550 Bailey Ave., Fort Worth, Tx. spoke on behalf of Gatti's Great Pizza and said that they would be selling adult beverages.

Chairman Abraham opened the public hearing. Seeing no one, Chairman Abraham closed the public hearing.

Mr. Garcia asked Staff how long the space has been empty. Mr. Langford said at least 10 years.

A motion was made by Mr. Potter and seconded by Mr. Garcia to approve the request with Staff recommendations. The motion passed 5 to 1 with Mr. Dharmarajan dissenting.

- E. Public hearing and consideration of a request to rezone property from Commercial to Commercial with a Conditional Use Permit to allow the sale of used merchandise, submitted by Waseem Subhani on behalf of Once Upon A Child on property described as being Driftwood Village Shopping Center, Block A, Lot 1, located at 3501 Gus Thomasson Road., Suite 63 (Zoning File No. Z0517-0006).**

Ms. Matthews briefed the Commission on the request. Staff recommended approval. There were two public responses returned in favor and none against the request. The applicant was not present.

Chairman Abraham opened the public hearing. Debra Morgan, 223 E. Kimbrough St., spoke in favor. She has been to the current location and it is her opinion they need more space. Chairman Abraham closed the public hearing.

Mr. Garcia indicated that they do need more space.

A motion was made by Mr. Garcia and seconded by Ms. Vidler to approve with Staff recommendations. The motion passed 6 to 0.

IV. DIRECTOR'S REPORT

- A. Director's Report on City Council action on zoning items at their meeting on June 5, 2017.**
Mr. Armstrong presented the Director's Report.

There being no further business for the Commission, the meeting adjourned at 8:10 P.M.

Ronald Abraham, Chairman