

**MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M.,
AUGUST 13, 2018, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS**

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

Absent Alternate Elizabeth Allen

Staff: Director of Planning & Development Services Jeff Armstrong, Manager of Planning & Zoning Garrett Langford, Principal Planner Johnna Matthews, Planner Hannah Carrasco, Planner Ben Callahan, Assistant City Attorney Cynthia Steiner, Senior Administrative Secretary Devanee Winn

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

I. APPROVAL OF THE MINUTES OF THE JULY 23, 2018 MEETING

- A. A motion was made by Ms. Vidler to approve the minutes. Ms. Anderson seconded. The motion passed unanimously 7-0.

II. PLATS

- A. Conduct a public hearing and take action on a Replat for Skyline Business Park, Section 2, submitted by JDJR Engineers and Consultants, Inc., on behalf of W.D. Diamond Development, Inc., on property described as Lot 5, Block D of Skyline Business Park, Section 2, located at 1720 S. Town East Blvd. (PL0718-0074, Skyline Business Park, Section 2, Block D, Lots 5R1 & 5R2).

Manager of Planning & Zoning Garrett Langford briefed the Commissioners. Mr. Langford stated that the replat meets all the requirements. Chairman Abraham opened for Staff questions. Commissioners had no questions for Staff. Chairman Abraham asked if Applicant was in attendance. Applicant was not in attendance. Chair opened the public hearing. No one came to speak. Chair closed the public hearing. A motion was made by Ms. Vidler to approve. Vice Chair Williams seconded. The motion passed unanimously 7-0.

- B. Consider and take action on a Preliminary Plat for American National Bank, submitted by Raymond L. Goodson Jr., Inc., on behalf of American National Bank, on property described as 5.994 +/- acres in the Daniel S. Carver Survey, Abstract No. 342, City of Mesquite, Dallas County, TX, located at 917 Military Parkway. (PL0718-0075, J.R. Anderson Addition, Block A, Lot 1).

Mr. Langford briefed the Commissioners and stated that the Preliminary Plat meets all the requirements. Chairman Abraham opened for Staff questions. Commissioners had no questions for Staff. Chairman Abraham asked if Applicant was in attendance. Applicant was not in attendance. Chair opened the public hearing. No one came to speak. Chair closed the public hearing. A motion was made by Vice Chair Williams to approve. Mr. Garcia seconded. The motion passed unanimously 7-0.

III. ZONING

- A. Conduct a public hearing and consider an application submitted by Manuel Rosales (Iglesia Cristiana Canaan) for a Zoning Change to remove two tracts of land from the Skyline Logistics Hub Overlay District, to allow for the construction of a church. The subject tracts will retain the underlying zoning district of "C" Commercial, on properties described as Tract 1 (2.7872 acres) and Tract 2 (1.8116 acres) in the Henry J.

Webb Abstract No. 1636, City of Mesquite, Dallas County, TX, located at 4600 Samuell Blvd. and 4636 Samuell Blvd. (Z0718-0057).

Principle Planner Johnna Matthews briefed the Commissioners. Chairman Abraham opened for Staff questions. Ms. Shepard asked if the only reason Staff recommended denial is because the land is to be saved for industrial use. Ms. Matthews answered yes. There were no other questions for staff. Chairman Abraham invited the applicant up to answer any questions the Commission might have. David Rosales representing the applicant Manuel Rosales came up to speak. Mr. Rosales explained that when they purchased the property in 2011, they discussed with the City about building a church on the property. The City told the applicant that they could build a church and so they purchased the property. The applicant feels that building a church will not affect the surrounding businesses. The Applicant feels that the surrounding residential property would benefit from a church more than an industrial building. Vice-Chair Williams asked Mr. Rosales if they were aware of the zoning change that took place in 2015. Mr. Rosales stated that they never received a notice about the zoning change. Ms. Delia Rios came up to speak. Ms. Rios represented the applicant at the time they purchased the land. Ms. Rios explained that it has taken some time to get the funds to start building a church as big as they want to build. Ms. Rios also said that she does not think the applicant received a notice stating the zoning change. There was a discussion between the Staff and Commissioners about the process of notifying the land owners and the public prior to the zoning change. There were no other questions for the Applicant or Staff. Chairman Abraham opened the public hearing. No one came up to speak. Chairman Abraham closed the public hearing. Ms. Vidler made the statement that she agrees with the Staff's recommendation. Ms. Shepard has concern that the applicant bought the land with the intention of building a church and the City changed the zoning. There was a discussion between the Staff and the Commissioners about the process of the mailing out notices to property owners. A motion was made by Ms. Vidler to deny the request for a zoning change. Mr. Dharmarajan seconded. The motion passed 4-3 with Vice-Chair Williams, Mr. Garcia, and Ms. Shepard dissenting.

B. Conduct a public hearing and consider an application submitted by Trevor Kollinger for a Zoning Change from "A" Agriculture to "GR" General Retail to allow General Retail uses that are permitted in the "GR" zoning district on a property described as 25.464 +/- acres in the Martha Music Survey, Abstract No. 312, City of Mesquite, Kaufman County, TX, generally located at the southeast corner of IH 20 and FM 741 Rd. (Z0718-0056).

Planner Hannah Carrasco briefed the Commissioners. Chairman Abraham opened for staff questions. No one had questions for staff. Chairman Abraham opened for the applicant to speak and answer any questions that the Commission might have. Trevor Kollinger came forward as the applicant and gave a presentation showing the future plans for the property. Ms. Vidler asked if the list of prohibited uses that is included in the packet is acceptable to the applicant. Mr. Kollinger answered yes. There were no other questions. Chairman Abraham opened the public hearing. No one came up to speak. Chairman Abraham closed the public hearing. A motion was made by Ms. Vidler to approve the zoning change. Ms. Shepard seconded. The motion passed unanimously 7-0.

C. Conduct a public hearing and consider an application submitted by Dick Demien, HHW Solutions for a Zoning Change "I" Industrial to "I" Industrial, with a Condition Use Permit to allow "Storage and Aggregation of chemicals" on a property described as Dalworth Industrial District, Block B, Lot 4, City of Mesquite, Dallas County, TX, located at 844 Dalworth Drive, Suite 7. (Z0718-0053).

Planner Ben Callahan briefed the Commissioners. Mr. Callahan requested that the case be tabled until the August 27th Planning & Zoning meeting. The Commission had questions

concerning the storage and disposal of the chemical that staff and/or the applicant will address at the August 27th meeting. Chairman Abraham opened the public hearing. No one came up to speak. Chairman Abraham stated that the public hearing would stay open until the August 27, 2018, Planning & Zoning meeting. A motion was made by Ms. Vidler to table and keep the public hearing open until August 27th. Mr. Garcia seconded. The motion passed unanimously 7-0.

- D. Conduct a public hearing and consider an application submitted by Jose Martinez, Martinez Inspections for a Zoning Change “C” Commercial to “C” Commercial, with a Conditional Use Permit to allow the sale of used tires on a property described as Beltline Range Addition, Block A, Lot 1R, City of Mesquite, Dallas County, TX, located at 1616 Range Drive, Suite 100, (Z0718-0054).**

Mr. Callahan briefed the Commissioners. Chairman Abraham opened for Staff questions. Chairman Abraham asked if the applicant knows of the condition Staff has recommended. Mr. Callahan answered yes. Ms. Vidler asked if the applicant was here to answer some questions. Mr. Callahan answered that the applicant was informed of the meeting and that he would attend; however, the applicant failed to appear. There was a discussion regarding outdoor display versus outdoor storage. Mr. Langford gave the Commissioners the definition of both. There were no other questions for Staff. The Commissioners wanted to table this case until the August 27th Planning & Zoning meeting so they can ask the Applicant questions. Chairman Abraham opened the public hearing. No one came up to speak. A motion was made by Vice-Chair Williams to table and keep the public hearing open until the August 27th meeting. Ms. Shepard seconded. The motion passed unanimously 7-0.

- E. Conduct a public hearing and consider an application submitted by Les Pritchett, Urban Air Adventure Park for a Zoning Change “C” Commercial to “C” Commercial, with a Conditional Use Permit to allow indoor recreation on a property described as The Emporium, Block B, Lot 13, City of Mesquite, Dallas County, TX, located at 3777 Childress Avenue, (Z0718-0051).**

This case was withdrawn.

IV. DIRECTOR’S REPORT

- A. Director’s Report on recent City Council action on zoning items at their meeting on August 6, 2018.**

Mr. Langford briefed the Commissioners. City Council approved the text amendments to allow indoor recreational uses in most of the City’s non-residential areas by right. As a result of the approved text amendment, the request for the Conditional Use Permit to allow indoor recreation at 3600 Gus Thomasson Road was no longer needed.

There being no further items before the Commission, the Vice Chairman adjourned the meeting at 8:12 p.m.

Chairman Ronald Abraham