

**PLANNING & ZONING COMMISSION MEETING
CITY OF MANSFIELD**

October 17, 2016

Vice-Chairman Smithee called the meeting to order at 6:30 p.m. in the Council Chambers of City Hall, 1200 East Broad Street, with the meeting being open to the public and notice of said meeting, giving date, place, and subject thereof, having been posted as prescribed by Chapter 551, Texas Government Code.

Present:

Coty Smithee	Vice-Chairman
Mel Neuman	Commissioner
Kent Knight	Commissioner
Preston Horn	Commissioner
Gary Mills	Commissioner

Absent:

Wayne Wilshire	Chairman
Larry Hudson	Commissioner

Staff:

Lisa Sudbury	Assistant Director of Planning
Art Wright	Planner
Delia Jones	P&Z Secretary
Scott Lingo	Fire Department

Call to Order

Vice-Chairman Smithee called the meeting to order at 6:30 p.m.

Minutes

Vice-Chairman Smithee called for approval of the September 19, 2016, minutes. Commissioner Knight made a motion to approve the minutes as presented. Commissioner Horn seconded the motion, which carried by the following vote:

Ayes: 4 – Neuman, Knight, Horn and Mills

Nays: 0

Abstain: 1 – Smithee

Citizen Comments

None

Consent Agenda

SD#16-035: Final Plat of Lot 1, Block 1, Leger Addition

Commissioner Knight made a motion to approve the plat. Commissioner Neuman seconded the motion, which carried by the following vote:

Ayes: 5 – Smithee, Neuman, Knight, Horn and Mills

Nays: 0

Abstain: 0

SD#16-031: Public hearing on a replat to create Lot 1R1, Block A, Ladera

The applicant was not available.

Vice-Chairman Smithee opened the public hearing and called for anyone wishing to speak to come forward.

Seeing no one come forward to speak, Vice-Chairman Smithee closed the public hearing.

Commissioner Neuman made a motion to approve the replat. Commissioner Knight seconded the motion, which carried by the following vote:

Ayes: 5 – Smithee, Neuman, Knight, Horn and Mills
Nays: 0
Abstain: 0

ZC#16-015: Public hearing for zoning change from PR to C-2 for Retail, Office and Restaurant Uses by Reilly Brothers on approximately 30 acres, generally located at the southeast corner of E. Debbie Lane and N. Matlock Road

Tom Reilly, the applicant, gave a brief presentation and was available to answer questions.

Vice-Chairman Smithee opened the public hearing and called for anyone wishing to speak to come forward.

Seeing no one come forward to speak, Vice-Chairman Smithee closed the public hearing.

After discussion, Commissioner Neuman made a motion to approve the request. Commissioner Horn seconded the motion, which carried by the following vote:

Ayes: 5 – Smithee, Neuman, Knight, Horn and Mills
Nays: 0
Abstain: 0

ZC#16-017: Public hearing for zoning change from PR to PD for single-family residential by Skorburg Company on approximately 15.47 acres, generally located south of the southeast corner of N. Matlock Road and E. Debbie Lane

Richard Darragh, the applicant, stated that he is requesting the case be tabled to the next meeting, November 7, 2016, in order to allow more time to conduct neighborhood meetings.

Vice-Chairman Smithee opened the public hearing and called for anyone wishing to speak to come forward.

Cynthia Yates and Louellen Brown both spoke in opposition to the request noting too much traffic congestion in the area already and additional homes would make matters worse. Registering in opposition to the request but not wishing to speak was Hubert Yates.

Seeing no one else come forward to speak, Vice-Chairman Smithee closed the public hearing.

Commissioner Neuman made a motion to table the request to November 7. Commissioner Horn seconded the motion, which carried by the following vote:

Ayes: 5 – Smithee, Neuman, Knight, Horn and Mills
Nays: 0
Abstain: 0

ZC#16-019: Public hearing on a request for Specific Use Permit for Retail and Service Establishment Not Elsewhere Listed (brewery) by Dirty Job Brewing in the existing building located at 117 N. Main Street

Derek Hubenak, the applicant, gave a brief presentation and was available to answer questions.

Vice-Chairman Smithee opened the public hearing and called for anyone wishing to speak to come forward.

Nancy Etter, Sheri Bumgardner and Dave Goodwin spoke in support of the request. Daryle Perez had questions regarding hours of operation, type of clientele, odors or smells, church operating in the karate studio and will this affect TABC ruling and how will this business benefit downtown.

Registering in support of the request but not wishing to speak was Eddie Phillips, Dennis Webb, Susan Goodwin, Ann Smith, Justin Watson, Lashawn Hubenak, Myra Miller, Mary Elizabeth Phillips and Nathan Castles.

Ms. Sudbury read for the record three e-mails in support of the request.

Rebuttal:

Mr. Hubenak stated that the hours of operation will be 8 hours per day, 5 days per week (Tuesday thru Saturday, 4:00 p.m. to midnight. He added that he understands the concerns regarding the smells associated with a brewery so he has arranged with a composting business to have the solid waste in sealed barrels picked up and removed every four days. He also noted that he has spoken with Mr. Dorsey regarding the request and he was not for or against it. Regarding clientele, he stated that he isn't expecting problems, however, it will be addressed as needed should security be needed.

Seeing no one else come forward to speak, Vice-Chairman Smithee closed the public hearing.

After discussion, Commissioner Knight made a motion to approve the request with the condition that by-products like spent grains, yeasts and dregs must be transported off-site in 4 days and not disposed of via the brewery's dumpster or other dumpsters in the City of Mansfield and must not be stored outside of the building. Commissioner Mills seconded the motion, which carried by the following vote:

Ayes: 5 – Smithee, Neuman, Knight, Horn and Mills

Nays: 0

Abstain: 0

Commission Announcements

None

Staff Announcements

None

Adjournment

Commissioner Knight made a motion to adjourn the meeting. Commissioner Horn seconded the motion which carried by the following vote:

Ayes: 5 – Smithee, Neuman, Knight, Horn and Mills

Nays: 0

Abstain: 0

With no further business, Vice-Chairman Smithee adjourned the meeting at 7:17 p.m.

Wayne Wilshire, Chairman

Delia Jones, Planning & Zoning Secretary