

**CITY OF EULESS
PLANNING AND ZONING COMMISSION
SEPTEMBER 6, 2016
DRAFT MINUTES**

**ITEM 2. HELD PUBLIC HEARING FOR ZONING CHANGE CASE NO. 16-02-ZC,
AND CONSIDERED A RECOMMENDATION FOR AN ORDINANCE**

Chairman McNeese opened the public hearing at 6:33 p.m.

Senior Planner Stephen Cook gave a brief description of the case. A representative of the applicant, Beth Le Friante, is the Trustee of the Gagon Family Trust. The Trust is the owner of the Jack-in-the-Box parcel, on which Jack-in-the-Box operates under a ground lease. Due to the Airport Freeway widening, TxDOT has acquired property adjacent to N. Main Street where head-in parking had been provided on the Jack-in-the-Box property. Because of this circumstance, Jack-in-the-Box lost the necessary number of parking spaces to remain in full operation. The property located at 109 E. Fuller Drive could be utilized to create a new parking area and provide the necessary number of parking spaces to enable the restaurant to reopen with indoor dining. The parcel is currently zoned Single Family Detached Dwelling District (R-1) and would not allow the property to be used to create parking for a commercial business. The applicant proposes to change the property to Neighborhood Business District (C-1) to match the existing zoning of the Jack-in-the-Box property. The Gagon Family Trust is under contract to purchase the 109 E. Fuller Drive property.

There are two existing single family residences immediately adjacent to the 109 E. Fuller Drive parcel and are located at 111 E. Fuller Drive and 203 Salem Drive. To mitigate any potential negative consequences commercial redevelopment would bring, specific standards must be followed to develop the parcel for parking. A six foot masonry screening wall must be installed and a five foot landscape buffer established with six foot tall evergreen plantings. In addition, there can be no glare or trespass from lighting installed in the parking lots.

Immediately to the south of the existing Jack-in-the-Box and the 109 E. Fuller Drive parcel is E. Fuller Drive. Directly related to the Airport Freeway expansion; the portion of E. Fuller Drive between N. Main Street and the westbound service road has now been closed. The E. Fuller Drive right-of-way is controlled by the City of Euless. Adjacent to the E. Fuller Drive right-of-way is TxDOT owned right-of-way. There is a formal process that must be followed for TxDOT, which could take up to a year or longer, to declare any rights-of-way as surplus. Once the right-of-way has been declared surplus, opportunities could be created to join 109 E. Fuller Drive with the city and state right-of-way, creating a new development opportunity. However in the short term, if the zone change is approved, 109 E. Fuller Drive could be utilized for the benefit of the Jack-in-the-Box.

Staff recommends approval of the zone change.

Chairman McNeese asked if the owners or representatives were present, if they wished to speak to the group.

Mr. Cook stated that they were not present.

Director of Planning and Economic Development Mike Collins stated for clarification that the owners and their representatives were in California.

Chairman McNeese asked to hear from any proponents/opponents who wished to speak.

Seeing none, Chairman McNeese closed the public hearing at 6:37 p.m.

Commissioner Olmstead asked Mr. Collins if the city would consider a vacation of right-of-way by any adjacent property owners on Fuller Drive.

Mr. Collins explained that City Council would have to authorize that, and that in the future, the staff would recommend that coupled with any surplus property abandoned by the state, Fuller Drive would be abandoned.

There were no further questions or comments presented by the Commission.

Vice Chairman Portugal made a motion to approve Case No. 16-02-ZC for a Zoning Change for 109 E. Fuller Drive from Single Family Detached Dwelling District (R-1) into Neighborhood Business District (C-1). Commissioner Ellis seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Portugal, and Commission Members: Owens, Olmstead, Dunckel, and Ellis.

Nays: None

Abstention: None

Chairman McNeese declared the motion carried. (6-0-0)