

**MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., SEPTEMBER 28, 2020, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS**

**Present: Ronald Abraham, Claude McBride, Sherry Williams, Debbie Anderson, Sheila Lynn, Alternate Mildred Arnold, Alternate Dorothy Patterson**

**Absent: Chairwoman Yolanda Shepard**

**Staff: Manager of Planning & Zoning Garrett Langford, Principal Planner Johnna Matthews, Planner Lesley Frohberg, City Attorney David Paschall, Manager of Traffic Engineering Eric Gallt, Planning & Development Services Administrative Aide Devanee Winn**

In accordance with the Governor's suspension of various provisions of the Texas Open Meetings Act issued pursuant to his State Disaster Authority and guidance issued on the suspension by the Attorney General's Office, this meeting was held by telephone conferencing to support social distancing. Commissioners and City Staff attended the meeting who were present in Training Rooms A & B and practiced social distancing.

**COMMISSION BUSINESS**

**1. ROLL CALL**

Mr. Abraham called the meeting to order and declared a quorum present. Manager of Planning & Zoning Garrett Langford called on each Commissioner for the record. Ms. Arnold and Ms. Patterson participated as voting members. Chairwoman Yolanda Shepard was not in attendance and the Commission currently does not have a Vice-Chair. Mr. Langford instructed the Commissioners for voting in a Pro-Temp Chair to preside over tonight's meeting. A motion was made by Ms. Anderson to nominate Mr. Abraham. Ms. Arnold seconded. The motion passed 7-0.

**2. INSTRUCTIONS**

Mr. Langford gave verbal instructions for participation in the meeting.

**3. PUBLIC COMMENTS.**

There were no public comments.

**CONSENT AGENDA**

**4. MINUTES.**

**Discuss and consider approval of the minutes for September 14, 2020, Planning and Zoning Commission.**

Ms. Williams made a motion to approve the minutes as presented. Ms. Lynn seconded. The motion passed 7-0.

**PUBLIC HEARINGS**

**5. ZONING APPLICATION NO. Z0420-0139**

**Conduct a public hearing and consider Zoning Application No. Z0420-0139 submitted by Mazidji Group Engineering on behalf of SAM 77, Inc., for a**

**Comprehensive Plan Amendment from Low Density Residential to Neighborhood Services and a Zoning Change from Agricultural and General Retail to General Retail with a Conditional Use Permit with a modification to allow a convenience store and limited fuel sales within 500 feet of a residential district, generally located at the east corner of Pioneer Road and McKenzie Road (400 McKenize Road and 3100 McKenzie Road).**

Principle Planner Johnna Matthews briefed the Commission. Commissioners expressed concerns about how the development might impact traffic and the surrounding neighborhood. Ms. Matthews explained there would be a Traffic Impact Analysis (TIA) done for the proposed development. Mr. McBride has concerns about all the trees that were removed by the Owner without permits. Representing the Applicant Mr. Mazidji with the Mazidji Engineering Group, came up to address the Commission. Mr. Mazidji explained that the Owner had paid the outstanding fines accrued by removing the trees without permits. They have also done a tree survey to determine the number of trees that need to be replanted and the tree mitigation fee. Mr. Mazidji said that they would do a TIA and comply with its recommendations. Mr. Mazidji also explained that the Owner wants to put in a retail strip with stores that will enhance the surrounding neighborhood. Ms. Williams asked what kind of stores they intend to put into the strip center. Mr. Mazidji answered whatever will best enhance the neighborhood. Chair Pro-Temp Abraham opened the public hearing. Ms. Nancy Riley, 800 Waterwood Lane, came up to speak. Ms. Riley expressed concerns about traffic, with it already being too dangerous without adding more. Ms. Riley is also concerned about more trash being thrown from cars, noise pollution from trucks coming and going to the proposed convenience stores and gas stations. Ms. Riley also has concerns about landscaping being maintained, more crime, quality of life, and property values. Ms. Margaret Comstock, 2604 Pioneer Bluff, Balch Springs, TX, came up to speak. Ms. Comstock is president of the Pioneer Bluff Homeowner's Association. Ms. Comstock stated that their main concern is increased traffic since traffic is already dangerous at the intersection of McKenzie and Pioneer. She is also concerned with young children crossing the busy road to get to the retail strip and gas station. Mr. Bill Kappes, 712 Waterwood Lane. Mr. Kappes does not want any kind of gas station. He feels the location is not properly set up for a gas station. Mr. Kappes thinks that any runoff from the gas station will contaminate the creek and the surrounding property. Mr. Kappes has major concerns about replacing trees with much smaller trees and increasing traffic. Ms. Jane Kappes, 712 Waterwood Lane, came up to speak. Her concerns are the drainage issues caused by development and how it will affect the floodplain and that traffic is too dangerous. Mr. Paul Lecortchek, 716 Waterwood Lane, expressed about the runoff from a gas station. The Owner has no regard for runoff because the Owner pushed the cut down trees into the creek. Mr. John Riley of 800 Waterwood Lane came up to speak. Mr. Riley's biggest concern is the tree removal and how the proposed use of convenience stores and gas stations will reduce the property value. Curt Shrum, 701 Bridgewater Lane, came up to speak. Mr. Shrum is concerned with the traffic and the racing of cars on Pioneer Road. He expressed the need for traffic lights and that Pioneer Rd is too dangerous. Ms. Habashy, daughter of the Owner, Afify Habashy, came up to speak. She assures that Mr. Habashy will take all measures to address all the issues everyone has. They want to help the neighborhood. No one else either in person, in the Council Chambers, or by conference call spoke. Chair Pro-Temp Abraham closed the public hearing. Ms. Williams wanted to know about the drainage issues and whether that will be addressed with the development. Ms. Matthews confirmed that the property owner would be required to complete a Flood Study and comply with the City's drainage requirements. Ms. Williams made a motion to approve

Comprehensive Plan Amendment from Low Density Residential to Neighborhood Service and to postpone Zoning Change from Agricultural and General Retail to General Retail with a Conditional Use Permit until the Traffic Impact Analysis and Drainage Analysis are done, as well as the discussion with Balch Springs about the traffic concerns are done. Ms. Lynn seconded. The motion passed 7-0.

**6. ZONING TEXT AMENDMENT 2020-09**

**Conduct a public hearing and consider amending Mesquite Zoning Ordinance by revising Section 2-202, Garage Conversions; Section 2-203, Schedule of Permitted Uses; and Section 2-401, Number and Location of Spaces, all pertaining to off-street parking requirements in residential zoning districts.**

Manager of Planning and Zoning Garrett Langford briefed the Commission. Ms. Williams asked if someone does a garage conversion but still has room for two car parking, do they still have to add the additional parking? Mr. Langford answered, yes. Chair Pro-Temp Abraham opened the public hearing. No one came up to speak. Chair Pro-Temp closed the public hearing. Ms. Anderson made a motion to approve the text amendment. Ms. Lynn seconded. The motion passed 7-0.

**DIRECTOR'S REPORT**

**7. DIRECTOR'S REPORT.**

**Director's Report on recent City Council action taken on zoning items at their meetings on September 8, and 21, 2020.**

Mr. Langford gave the Director's Report. Zoning actions taken by City Council are as follows:

1. Application No. Z0220-0129, a change of zoning to a Planned Development District to allow a master-planned community that would provide development standards and allows mixed uses, residential and commercial uses, located southwest of East Cartwright Road and both northwest and southeast of Faithon P. Lucas Sr., Boulevard was postponed until the October 5, 2020, City Council meeting.
2. Application No. Z0820-0144, a change of zoning to R-1 Single-Family Residential District to allow a single family home located at 1836 Wilkinson Road was approved by Ordinance No. 4812.
3. Text Amendments regarding game machines and special exceptions were not acted on and have been rescheduled for the October 19, 2020, City Council Meeting.

**PUBLIC COMMENTS**

- 8. Any individual desiring to address the Planning and Zoning Commission regarding the DIRECTOR'S REPORT or ANY OTHER MATTER not listed on the Agenda shall be allowed to speak for a length of time not to exceed three (3) minutes on a first-come, first-served basis. Citizens addressing the Planning and Zoning Commission through a translator will be allowed six (6) minutes.**

There were no public comments.

**Chair Pro-Temp Ronald Abraham called the meeting adjourned at 8:44 P.M.**

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**Chair Pro-Temp Ronald Abraham**