

MINUTES

SEPTEMBER 12, 2022

PLANNING & ZONING COMMISSION CITY OF MESQUITE, TEXAS

City Hall
City Council Chambers
757 North Galloway Avenue
Mesquite, Texas

REGULAR MEETING

ATTENDANCE: COMMISSIONERS (REGULAR MEMBERS AND ALTERNATES)

POSITION NO.	REGULAR MEMBER NAME	ATTENDANCE		
Position No. 1	Mr. Nellapalli Dharmarajan	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video	<input type="checkbox"/> Absent
Position No. 2	Ms. Millie Arnold	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video	<input type="checkbox"/> Absent
Position No. 3	Mr. Roger Melend	<input type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video	<input checked="" type="checkbox"/> Absent
Position No. 4	Ms. Sherry Williams- Resigned	<input type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video	<input checked="" type="checkbox"/> Absent
Position No. 5	Mr. Claude McBride	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video	<input type="checkbox"/> Absent
Position No. 6	Ms. Sheila Lynn	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video	<input type="checkbox"/> Absent
Position No. 7	Ms. Debbie Screws	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video	<input type="checkbox"/> Absent
ALTERNATE NO.	ALTERNATE NAME	ATTENDANCE		
Alternate No. 1	Rick Cumby	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video	<input type="checkbox"/> * Absent (* Attendance Required: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes)
Alternate No. 2	Elizabeth Rodriguez-Ross	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video	<input type="checkbox"/> * Absent (* Attendance Required: <input type="checkbox"/> No <input type="checkbox"/> Yes)

Note: Commissioner Rick Cumby was seated in place of Chairman Melend

ATTENDANCE: STAFF

Jeff Armstrong	Director of Planning & Development	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video
John Cervantes	Planner	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video
Karen Strand	Deputy City Attorney	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video
Devanee Winn	Administrative Aide Planning & Development	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video

Note: Commissioner Ross was seated for Chairman Roger Melend and Commissioner Rick Cumby was seated for Commissioner Sherry Williams who has resigned leaving position 4 "Vacant". Vice-Chair Sheila Lynn was acting Chair.

The Planning & Zoning Meeting start time was 7:38 PM.

COMMISSION BUSINESS

1. ROLL CALL

Administrative Aide of Planning & Development Devanee Winn took roll call and declared a quorum was present.

PUBLIC COMMENTS

2. Any individual desiring to address the Planning and Zoning Commission regarding an item on AGENDA (non-public hearing items) or any matter not listed on the Agenda shall do so on a first-come, first-served basis. Comments are limited to three (3) minutes, except for a speaker addressing the Planning and Zoning Commission through a translator will be allowed six (6) minutes.

No comments.

CONSENT AGENDA

3. MINUTES.

Consider approval of the minutes for August 8, 2022, Planning and Zoning Commission.

4. PLAT APPLICATION NO. PL0622-0127

Consider approval of Plat Application No. PL0622-0127 submitted by Strand AE on behalf of Arka Mesquite Investments, LLC., for Lots 1R and 2, Block A, Creek Crossing No. 11 Retail Addition, located at 2544 Clay Mathis Road.

5. PLAT APPLICATION NO. PL0622-0130

Consider approval of Plat Application No. PL0622-0130 submitted by Half Associates on behalf of CICC I – TX1B02, LLC., for a replat, Skyline Business Park, Section 3, Lot 4R, Block 2, located at 1371 S. Town East Boulevard.

ACTION

Commissioner Arnold made a motion to APPROVE items 3-5 as presented;

Commissioner McBride seconded; the motion carried 7-0.

PUBLIC HEARINGS

6. ZONING APPLICATION NO. Z0821-0215

Conduct a public hearing and consider Zoning Application No. Z0821-0215 submitted by Stephany Sheekey, Amerco Real Estate Company, for a Zoning Change from Commercial to Planned Development – Commercial to allow a self-storage facility with modifications, located at 2300 Gross Road. **THIS ITEM HAS BEEN WITHDRAWN FROM CONSIDERATION. THE APPLICATION WILL BE RENOTICED TO ANOTHER PUBLIC HEARING DATE.**

7. ZONING APPLICATION NO. Z0722-0249

Conduct a public hearing and consider Zoning Application No. Z0722-0249 submitted by John LeFevers, Andrew Oakwood Investments, LLC., for a Zoning Change from General Retail to General Retail with a Conditional Use Permit to allow for a carwash located at 1601 W. Bruton Road.

PRESENTATION

Director of Planning & Development Jeff Armstrong presented to the Commission.

DISCUSSION

Commissioner Ross wanted to know why there is not a screening wall between the carwash and the residential neighborhood. Mr. Armstrong explained that a requirement for a screening wall is for adjacent residential zoning and that would not apply here because the residentially zoned property is across the street from the proposed carwash.

Vice-Chair Lynn opened the public hearing before the Applicant's presentation.

APPLICANT

John LeFever 836 Via Altos, presented to the Commission.

DISCUSSION

Commissioners expressed concerns about keeping the proposed car wash clean of trash, security lighting, and hours of operation. Mr. LeFeverers stated there will be daily trash pick up which is necessary for a car wash, security lighting will be all around the car wash, and hours of operation are 24 hours Monday through Sunday. This is a self-operated car wash.

PUBLIC HEARING

Deputy City Attorney Strand advised that Vice-Chair Lynn ask for any public comments before closing the public hearing. No one came up to speak. Vice-Chair Lynn closed the public hearing.

ACTION

Commissioner McBride made a motion to APPROVE with staff's recommendations; Commissioner Arnold seconded; the motion carried 7-0.

8. ZONING APPLICATION NO. Z0722-0251

Conduct a public hearing and consider Zoning Application No. Z0822-0251 submitted by Mark Cohen, on behalf of Responsive Education of Texas, for a Zoning Change from Commercial within the TERRA Overlay District to Commercial within the TERRA Overlay District with a Conditional Use Permit to allow a charter high school (Premier High School), located at 3733 and 3766 Emporium Circle.

PRESENTATION

Director of Planning & Development Jeff Armstrong presented to the Commission. Commissioners had concerns about security, the number of students and what other businesses would be occupying the remainder of the building.

Vice-Chair Lynn opened the public hearing before the Applicant's presentation.

APPLICANT

Mark Cohen 5330 Alpha Road and Steve Westlake 2613 Jackson Way Mansfield, Texas presented to the Commission. Mr. Westlake addressed the Commission's concerns. Mr.

Westlake said that the security will be set up with a key card entrance. No one will enter without the key card. The number of students will be up to 200, however; all the students will not be there at the same time. The school has a morning session and an afternoon session to accommodate students that have jobs and/or children that will need child care. There is no way to tell what kind of businesses will occupy the other suites until they are ready to lease.

PUBLIC HEARING

Deputy City Attorney Strand advised that Vice-Chair Lynn ask for any public comments before closing the public hearing. No one came up to speak. Vice-Chair Lynn closed the public hearing.

ACTION

Commissioner Arnold made a motion to **APPROVE** with staff's recommendations; Commissioner Screws seconded; the motion carried 5-2 with Commissioner Ross and Commissioner Dharmarajan voting no.

9. ZONING APPLICATION NO. Z0722-0252

Conduct a public hearing and consider Zoning Application No. Z0822-0252 submitted by Shahbaz Ali Syed for a Zoning Change from Commercial with Special Permit, Ord. No. 1027, within the Skyline Logistic Hub Overlay District to Commercial with Special Permit, Ord. No. 1027, and a Conditional Use Permit to allow a coin-operated amusement gameroom with three (3) coin-operated game machines within the Skyline Logistic Hub Overlay District, located at 3828 E US Highway 80.

PRESENTATION

Planner John Cervantes presented to the Commission.

Vice-Chair Lynn opened the public hearing before the Applicant's presentation.

APPLICANT

Shahbaz Ali Syed 2713 Spring Drive, Richardson, TX gave a long and detailed presentation to the Commission. Mr. Ali Syed stated that if he is not allowed to have these coin-operated machines, he will have to close and sell the business. Commissioner Ross asked what they win when they play these machines. Mr. Ali Syed said they win store credit to buy candy and drinks.

PUBLIC HEARING

Deputy City Attorney Strand advised that Vice-Chair Lynn ask for any public comments before closing the public hearing. No one came up to speak. Vice-Chair Lynn closed the public hearing.

ACTION

Commissioner Ross made a motion to **APPROVE** with the stipulation of having only 2 coin-operated machines; Mr. Dharmarajan seconded; the motion carried 6-1 with Commissioner Arnold voting no.

10. ZONING TEXT AMENDMENT ZTA 2022-04

Consider amending the Mesquite Zoning Ordinance by making certain additions and deletions to sections contained in Part 2, Section 2-200 “Use Regulations,” and Section 2-600 “Accessory Structures” pertaining to revising and establishing new regulations for garage conversions, accessory dwelling units, and solar panels on residential zoned properties and revising Part 6, 6-100, Section 6- 102 “Definitions.”

PRESENTATION

Director of Planning & Development Jeff Armstrong presented to the Commission.

DISCUSSION

The Commissioners discussed tandem parking and they think that with the older and smaller homes tandem parking should be allowed when there is a garage conversion. The Commissioners also agree with the solar panel amendment.

PUBLIC HEARING

Vice-Chair Lynn opened the public hearing. No one came up to speak. Vice-Chair closed the public hearing.

ACTION

Commissioner McBride made a motion to APPROVE amendments for garage conversions, accessory dwelling units, and solar panels as presented by staff with the stipulation of tandem parking and/or side-by-side parking be allowed; Commissioner Ross seconded; the motion carried 7-0.

11. DIRECTOR’S REPORT

Director’s Report on recent City Council action taken on zoning items at their meetings on August 15, and September 6, 2022.

Director of Planning & Development Jeff Armstrong presented the zoning actions.

August 15, 2022

A request from John Hood, on behalf of Dallas County Commissioners Court Administration, to substitute the requirement of an eight-foot-tall, long-span precast concrete screening wall for a six-foot-tall ornamental fence and existing trees, on property located at 500 South Galloway Avenue. **APPROVED**

Zoning Application No. Z0322-0239, submitted by Sparks Property Holding, LLC, for a change of zoning from Planned Development Ordinance No. 1110 to Planned Development - Commercial to allow a restaurant with accessory uses, located at 3200 East U.S. Highway 80. **DENIED**

September 6, 2022

Zoning Application No. Z0422-0241, submitted by Lauren Montgomery, JGH Consultants, LLC on behalf of Bluewater R&D, LLC, for a change of zoning from R-1,

Single-family Residential to Planned Development - General Retail, to allow a carwash, located at 1415 South Belt Line Road. **Approved by Ordinance No. 4984.**

Vice-Chair Sheila Lynn adjourned the meeting at 9:45 PM.

NOTE: After the meeting adjourned Commissioner McBride wanted to change his vote on item 8. **ZONING APPLICATION NO. Z0722-0251** from a yes vote to approve the motion to a no vote. The motion still carries with a 4-3 vote.

Vice-Chair Sheila Lynn