

## MINUTES

**FEBRUARY 27, 2023**

### 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 checked="" type="checkbox"/> Present In-Person <input type="checkbox"/> Present by Telephone/Video <input type="checkbox"/> Absent
Position No. 4	Elizabeth Rodriguez-Ross	<input checked="" type="checkbox"/> Present In-Person <input type="checkbox"/> Present by Telephone/Video <input 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 checked="" type="checkbox"/> No <input type="checkbox"/> Yes)
Alternate No. 2	Dr. Michael Fulton	<input checked="" type="checkbox"/> Present In-Person <input type="checkbox"/> Present by Telephone/Video <input type="checkbox"/> * Absent ( * Attendance Required: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes)

#### ATTENDANCE: STAFF

Jeff Armstrong	Director of Planning & Development	<input checked="" type="checkbox"/> Present In-Person <input type="checkbox"/> Present by Telephone/Video
Garrett Langford	Manager of Planning and Zoning	<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
Jalyn Porchay	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

#### CALL TO ORDER

##### 1. ROLL CALL

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

#### PUBLIC COMMENTS

##### 2. No comments.

#### CONSENT AGENDA

**3. MINUTES.**

Consider approval of the minutes for February 13, 2023, Planning and Zoning Commission.

**4. PLAT APPLICATION NO. PL0922-0140.**

Consider approval of Plat Application No. PL0922-0140 submitted by Teague, Nall, and Perkins, Inc., on behalf of Oak National Holdings, LLC., for a final plat for Berkshire Estates Phase 2, a 43-lot single-family subdivision on 64.173 acres, generally located southwest of the FM 2932 and Adams Drive (County Rd 214).

**5. PLAT APPLICATION NO. PL0223-0160.**

Consider approval of Plat Application No. PL0223-0160 submitted by LJA Engineering, Inc., on behalf of KLLB AIV, LLC, for a final plat for Solterra South Phase 1 addition, a 162-lot single-family subdivision on 89.115 acres generally located south of Faithon P. Lucas Sr, Blvd. and west of South Mesquite Creek.

**6. PD SITE PLAN APPLICATION NO. SP0622-0296.**

Consider approval of PD Site Plan Application No. SP0622-0296 submitted by Langan Engineering and Environmental Services, on behalf of Leon Capital, for a PD Site Plan for Long Creek Industrial, a two-building industrial development generally located south of Long Creek Drive and east of SH 352.

**ACTION**

Vice-Chair Arnold made a motion to **APPROVE** the consent agenda as presented; Commissioner McBride seconded; the motion carried 7-0.

**PUBLIC HEARINGS****7. ZONING APPLICATION NO. Z1222-0280.**

Conduct a public hearing and consider Zoning Application No. Z1222-0280 submitted by Ana Cuevas-Niño and Gerardo Niño for a Zoning Change from General Retail to Commercial, located at 1601 W. Bruton Road. *Postponed from the February 13, 2023, Planning and Zoning Commission meeting.*

**PRESENTATION**

Planner John Cervantes presented to the commission.

**DISCUSSION**

The commission had concerns about there being outdoor storage, security, and the number of cars that would be stored overnight. Chairman Melend wanted to know why the fence can't be a wood fence. Planner Cervantes explained the reason for a wrought iron fence was to make sure there would be a visual through the fence for code enforcement. With a solid fence, there would not a visual to make sure there is not any outdoor storage of cars or anything else stored outdoors.

**APPLICANT**

Representing the Applicant, Adrian Korea 317 S. Stillwater Blvd, Dallas, TX, came up to address the commissioner's concerns. Mr. Korea explained that there would not be any outdoor storage. The security would be lighting and cameras plus there will be a security company. Mr. Korea stated that there would not be more than 3 cars on the property overnight.

**PUBLIC HEARING**

The Chair opened the public hearing. No one came to speak and the public hearing was closed.

**ACTION**

Chairman Melend made a motion to **APPROVE** Planned Development General Retail with Staff's recommendations; Vice-Chair Arnold seconded; the motion carried 7-0.

**8. ZONING APPLICATION NO. Z0123-0283.**

**Conduct a public hearing and consider Zoning Application No. Z0123-0283, submitted by James McCoy, McCoy Law Firm, for a Conditional Use Permit to allow an alternative financial establishment with modifications to requirements that permit it (1) to be located within 200 feet of any lot zoned or used for residential purposes, (2) to be co-located within the same structure as other uses, and (3) to be located within 1,000 feet of another lot which contains an alternative financial establishment, located at 3301 Gus Thomasson Rd.**

**PRESENTATION**

Planner Jalyn Porchay presented to the commission.

**DISCUSSION**

Chairman Melend wanted to know if the proposed business would be including cash checking, bill pay, prepaid phone cards, and prepaid debit cards. Planner Porchay explained the definition of an alternative financial establishment. Chairman Melend also wanted to know if the C.U.P. will apply to the attorney and not the business. Planner Pochay answered that unless the Commission requests through their action to apply the C.U.P. to the owner and/or the attorney, the C.U.P. will be attached to the parcel.

**APPLICANT**

James McCoy, PC, 12400 Coit Rd., Suite 560, Dallas, TX came up to speak and address the commission. Mr. McCoy stated the business will consist of cash checking, bill pay, money transfers, and prepaid phone cards. Commissioner Rodriguez-Ross asked what the business hours would be. Mr. McCoy answered either 9 AM to 9 PM or 10 AM to 10 PM whatever the store hours are. Commissioner Arnold asked if the other La Michoacana stores have this type of business. Mr. McCoy answered yes, they do.

**PUBLIC HEARING**

The Chair opened the public hearing. No one came to speak and the public hearing was closed.

### **DISCUSSION**

Commissioner Dharmarajan stated that he sees an up trend in these types of businesses and what is the benefit. The Chair stated it benefits the residents that do their grocery shopping at the store, it is a convenience to them. Commissioner Dharmarajan also wanted to know about security. Mr. McCoy came back up to address the security. He explained that there are cameras all around the store and cameras above the cashier working.

### **ACTION**

Chairman Melend made a motion to **APPROVE** with staff's recommendations; Commissioner Lynn seconded; the motion carried 5-2 with Commissioners Arnold and Dharmarajan desenting.

## **9. DIRECTOR'S REPORT**

### **Director's Report on recent City Council action taken on zoning items at their meeting on February 20, 2023.**

Director of Planning and Development Services Jeff Armstrong stated that the City Council had no zoning actions. Mr. Armstrong did let the Commissioners know that there will possibly be some upcoming zoning for the commission regarding the Texas Department of Housing and Community Affairs (TDHCA) for the 2023 Competitive 9% Housing Tax Credits Program for the construction of affordable housing located at 2500 Baker Dr., NE corner of Poteet Dr. and Independence Dr., and 2200 Newsom Rd.

Chairman Melend adjourned the meeting at 7:55 PM.

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**Chairman Roger Melend**