

**MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 6:00 P.M.,
NOVEMBER 27, 2017, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS**

Present: Chairman Ronald Abraham, Commissioners Dharma Dharmarajan Jennifer Vidler, Janice Bell, Sergio Garcia, Yolanda Shepard, Alternate Debbie Anderson

Absent Vice Chairman Sherry Williams, and Alternate Elizabeth Allen

Staff: Director of Planning & Development Richard Gertson, Assistant Director of Planning & Development Jeff Armstrong, Manager of Planning and Zoning Garrett Langford, Assistant Senior City Attorney Cindy Steiner

Chairman Abraham called the meeting to order and declared a quorum present.

I. APPROVAL OF THE MINUTES OF THE NOVEMBER 13, 2017 MEETING

A motion was made by Jennifer Vidler and seconded by Commissioner Sergio Garcia to approve the minutes of November 13, 2017, meeting. The motion passed unanimously.

II. PRELIMINARY PLATS

- A. Consider a Preliminary Plat for Hagan Hill, Phase 3, submitted by Westwood Professional Services on behalf of Bloomfield Homes, L.P., 34.742 acres located on Lumley Road and Shannon Loop in the Samuel A. Haught Survey, Abstract No. 567, Dallas County, Texas (PL1117-0043, Hagan Hill, Phase 3, containing 103 lots).**

Assistant Director Jeff Armstrong briefed the Commissioners. Chairman Abraham asked if there were any questions for staff. There were no questions. Chairman Abraham asked if anyone on behalf of Hagan Hill would like to come up to speak and answer questions. Mr. Eric Sealy came up to answer any questions. Chairman Abraham asked the commissioners if they had any questions and no one had any questions. A motion was made by Ms. Vidler to approve and Ms. Shepard seconded. The motion passed unanimously.

- B. Consider a Preliminary Plat for Ashley Furniture Addition, submitted by Halff Associates on behalf of Ashley Furniture, located at 4000 E. Scyene Road (PL1117-0042, Ashley Furniture Addition, Block A, Lots 1-4).**

Assistant Director Jeff Armstrong briefed the Commissioners. Chairman Abraham asked if there were any questions for staff. There were no questions. Chairman Abraham asked if anyone on behalf of Ashley Furniture would like to come up to speak. Mr. Richard Dowser came up to answer any questions. Commissioners had no questions. A motion was made by Ms. Jennifer Vidler to approve and Mr. Sergio Garcia seconded. The motion passed unanimously.

III. PUBLIC HEARINGS

- A. Conduct a public hearing and consider an application for a Zoning Change from the "C" Commercial zoning district to the "C" Commercial zoning district, with a Conditional Use Permit to allow indoor recreation facility on a property described as Blue Bell Heights 2, Lot 3, Block A, City of Mesquite, Dallas County, Texas, located at 1210 W. Scyene Road, Suite B (Z1117-0016).**

Planning and Zoning Manager Garrett Langford briefed the Commission. Staff recommended approval. Chairman Abraham asked if the Commissioners had any questions or comments for staff. There were no questions. Chairman Abraham invited the Applicant Ms. Andrea Simpson to come up to speak and answer questions from the Commissioners. Ms. Vidler asked Applicant if she is already operating another location. Applicant answered yes and it is

located in Forney Texas. Ms. Vidler asked Applicant how long she has been operating in Forney. Applicant answered since August 2016. Ms. Vidler asked what age group does the Applicant target. Applicant answered 1-10 years old. Applicant stated they do not allow drop offs. Ms. Vidler asked Applicant if she would have adequate parking. Applicant answered yes. Applicant stated that the new place would have more parking than the other location. Ms. Shepard asked if there is an issue with children going in and out of the building. There are alarms on the door, the children are monitored by parents and staff. Chairman Abraham asked if there were any other questions. There were none. Chairman Abraham opened the public hearing. No one came up to speak. Chairman Abraham closed public hearing. A motion was made by Ms. Vidler to approve. Ms. Shepard seconded. The motion passed unanimously.

B. Continue a public hearing and consider zoning text amendments to Chapter 1A-200, Landscape Requirements; Chapter 1A-300, Screening and Buffering Requirements; Section 3-203, Schedule of Permitted Uses; Chapter 3-300, Development Standards; Chapter 3-400, Off-Street Parking and Loading; Chapter 3-500, Supplementary Use Regulations; Chapter 3-600, Outdoor Sales, Display and Storage Regulations; Chapter 4-930, Skyline Logistics Hub Overlay District; and Section 6-102, Definitions; all pertaining to new and revised regulations for Truck Stops and other development that includes the parking of heavy load vehicles as a principal or accessory use. (ZTA 2017-03). (This item was postpone at the August 28, 2017, September 11, 2017, October 9, 2017, and November 13, 2017, Planning and Zoning Commission meetings.)

Planning and Development Director Richard Gertson briefed the Commissioners and recommends approval. Chairman Abraham asked Mr. Gertson if they are approving the text amendments only. Mr. Gertson answered yes and not for truck stops. Ms. Shepard asked if the commission is looking at the text amendments for refueling only. Mr. Gertson answered yes, the text amendments are for truck stops and heavy load vehicles. Mr. Dharma asked about the possible locations within the proximity of some commercial type properties such as Pepsi and UPS. Mr. Gertson answered some are and some aren't. There were no other questions for staff. Chairman Abraham opened for public hearing. Mr. Chris Garvin came up to speak. Mr. Garvin stated that he is pleased with the new business in Mesquite; however, he has concerns about truck stops. Mr. Garvin lives by Fuel City and Petro City areas. He feels as a resident in this area, there are enough of these types of businesses. The residences want to protect and keep their greenbelts and parks. Ms. Charlotte Claunch came up to speak. She does not want Mesquite to allow any truck stops near single family homes, greenbelts, and schools. No other City in North Texas has such a mixture of industrial and residential in the same area. There are areas for industrial and then there are areas for residential. There are already logistic traffic from the large trucks and she feels she has to compete with these trucks just to get her shopping done. Ms. Claunch also commented on the smell and the crime truck stops attract. Ms. Claunch commented that the City cannot repair the roads now and does not understand why Mesquite would want more trucks since trucks are responsible for tearing up our roads. Ms. Lois Buford came up to speak. Ms. Buford states that she is a lifelong resident of Mesquite. Ms. Buford is against any truck stops. She feels that truck stops attract crime. She is also against refueling centers. Ms. Buford supports the toughest restrictions. Ms. Tia Collier came up to speak. She is a mom and teacher and feels that there other things with the area. Ms. Collier feels we are setting ourselves up for things we do not want. Ms. Robbie Blocker came up to speak. She states she has lived here for 30 years. She hates for people who drive down 80 to see so many truck stops and trucks. She feels we have enough. Ms. Sherry McDaniel came up to speak. She is a lifelong residence and an educator at Mesquite Independent School District. She would like for the City of Mesquite to impose the toughest restrictions as possible. She has concern for the children to be expose the element that truck stops and refueling stations bring to the neighborhood. Ms. Toni Ortega came up to speak. Ms. Ortega expressed her

concerns about the traffic problems trucks bring. Concerned that the trucks will tear up the roads even more and the City doesn't even repair the roads right now. Ms. Ortega does not want the parkland to be touched. Mr. John McDaniel came up to speak. Mr. McDaniels wants the strictest restrictions as possible. Mr. McDaniels stated that the streets are bad enough and the streets cannot handle the extra truck. He also stated truck stops bring in the seedy elements. Mr. Jason Garvin came up to speak. (Note Jason is a minor), he states that the trucks are very loud and he feels that the truck stops bring in drugs and street damage. No one else came up to speak. Chairman Abraham closed the public hearing. Ms. Vidler wanted the citizens to know up until now the City had very little restrictions. Mr. Garcia asked if they could postpone while the Commissioners take a better look at the text amendments. Mr. Langford answered yes. Ms. Vidler asked what else they need to review. These text amendments are the same ones that the Commission has reviewed for the past 5 months and whatever the Commission has asked staff to add in the text, staff has added. Mr. Garcia deferred to Ms. Shepard. Ms. Shepard stated that she has not been around for 5 months so she has missed out on a lot. Ms. Shepard stated that after hearing the citizens' concerns, 2000 feet is not far enough. Ms. Shepard feels that the City needs to be stricter. Ms. Vidler asked Mr. Gertson to come and show the areas for truck stops. Ms. Vidler also noted that truck stops and refueling stations are not the same. Mr. Gertson explained to the citizens and commission that there are currently no trucks in the vicinity. Mr. Gertson stated that everything has been explained so far has been far more restrictive than anything we have now. Mr. Garcia wanted to know if any of the spots are part of the parks. Mr. Gertson answered no. Mr. Gertson explained the process of C.U.P. Mr. Dharma asked if there has been any consideration to use a more productive applications of the property. Ms. Vidler answered it still will have to go to City Council to get a C.U.P. Ms. Shepard asked if they can revisit. Ms. Vidler stated we can change now and asked for a suggestion for distance. Ms. Shepard said another 1000 feet. A motion was made by Ms. Vidler to approve with the added distance of 3000 feet. Ms. Shepard seconded. The motion passed 6 to 1 with Mr. Dharma dissenting.

C. Conduct a public hearing and consider zoning text amendments to Chapter 2-203, Schedule of Permitted Uses; Chapter 3-200, Use Regulations; Chapter 3-300, Development Standards; Chapter 3-400, Off-Street Parking and Loading; Chapter 3-500, Supplementary Use Regulations; and Section 6-102, Definitions; all pertaining to new and revised regulations for Educational Services including Elementary, Secondary Schools. (ZTA 2017-04)

Mr. Garrett Langford briefed the Commission. Staff is requesting that this be postponed until January 8, 2018. Commission had no questions for staff. Chairman Abraham opened up to public hearing. No one came up to speak. A motion was made by Mr. Garcia to postpone until January 8, 2018. Ms. Janice Bell seconded. The motion passed unanimously.

D. Conduct a public hearing and consider zoning text amendments to Chapter 3-200, Use Regulations; Chapter 3-300, Development Standards; Chapter 3-400, Off-Street Parking and Loading; Chapter 3-500, Supplementary Use Regulations; and Section 6-102, Definitions; all pertaining to new and revised regulations for Amusement and Recreation Services including ballrooms and event centers. (ZTA 2017-05).

Mr. Garrett Langford briefed the Commission. Staff recommends approval. Mr. Garcia states that it is good that they are visiting this. This type of service is limited in the City of Mesquite currently. Mr. Garcia would like to extend the hours until 1:00 am without a C.U. P. Ms. Vidler states that she is not okay with later. Mr. Langford explained that if a facility wants to go past 10:00 pm, the facility would have to apply for C.U.P. Ms. Vidler states C.U.P. allows locations to be looked at individually. Chairman Abraham opened up to public hearing. Mr. Dale Coates came up to speak. He states we should not regulate hours. Government needs to

back off. Ms. Tia Collier came up to speak and stated that there is a double standard with business. No else came up to speak. Chairman Abraham closed the public hearing. A motion was made by Ms. Vidler to approve. Ms. Donna Anderson seconded. Motion failed 3 to 4 with Janice Bell, Sergio Garcia, and Yolanda Shepard and Dharma Dharmarajan dissenting.

IV. DIRECTOR'S REPORT

A. Commissioner Training – Development Review and Platting

Mr. Garrett Langford gave the Commissioners an option to hear a presentation. Mr. Langford gave a very brief presentation.

B. Director's Report on recent City Council action on zoning items at their meeting on November 20, 2017.

Jeff Armstrong explained that there were no items related to the Commissioners.

There being no further items before the Commission, the Chairman Abraham adjourned the meeting at 9:05 pm.

Ronald Abraham, Chairman