

# MINUTES

SEPTEMBER 13, 2021

## 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   | Ms. Nancy Felix     | <input type="checkbox"/> Present In-Person            | <input type="checkbox"/> Present by Telephone/Video | <input checked="" 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   | Ms. Sherry Williams | <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   | Mr. Ronald Abraham  | <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  | Ms. Debbie Screws   | <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

|                  |                                    |   |   |
|------------------|------------------------------------|---|---|
| Lesley Frohberg  | Senior Planner                     | <input checked="" type="checkbox"/> Present In-Person | <input type="checkbox"/> Present by Telephone/Video |
| Ellen Soward     | Planner                            | <input checked="" type="checkbox"/> Present In-Person | <input type="checkbox"/> Present by Telephone/Video |
| 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 & Zoning       | <input checked="" type="checkbox"/> Present In-Person | <input type="checkbox"/> Present by Telephone/Video |
| David Paschall   | City Attorney                      | <input checked="" type="checkbox"/> Present In-Person | <input type="checkbox"/> Present by Telephone/Video |
| Devanee Winn     | Planning & Development Admin. Aide | <input checked="" type="checkbox"/> Present In-Person | <input type="checkbox"/> Present by Telephone/Video |

**NOTE: Alternate Debbie Screws was seated in place of Nancy Felix.**

#### COMMISSION BUSINESS

##### 1. ROLL CALL

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

#### PUBLIC COMMENTS

2. There were no public comments on the Consent Agenda.

#### CONSENT AGENDA

##### 3. MINUTES.

Consider approval of the minutes for the August 23, 2021, Planning and Zoning

Commission.

**4. PLAT APPLICATION NO. PL0821-0099**

**Consider approval of Plat Application No. PL0821-0099 for Ridge Ranch Phase 3 (a 55-lot single-family subdivision) submitted by Dowdey, Anderson & Associates, Inc. on behalf of Bloomfield Homes, L.P., on 15.909 +/- acres located south of E. Cartwright Road and George Boyce Road.**

**ACTION**

A motion was made by Commissioner Abraham to **APPROVE** the consent agenda with corrections; Commissioner Melend seconded; motion carried 7-0.

**PUBLIC HEARINGS**

**5. REPLAT APPLICATION NO. PL0821-0095**

**Conduct a public hearing and consider approval of Plat Application No. PL0821-0095 submitted by Scott Davis for a replat of Sherwood Forest 1, Lot 189 to subdivide the property into two lots, located at 502 Fleet Circle.**

**PRESENTATION**

Planner Ellen Soward presented to the Commission.

**PUBLIC HEARING**

Chairwoman Williams opened the public hearing. Lesley Morales 453 Fleet Circle came up to speak. Ms. Morales needed a detailed explanation of what exactly a replat means and if it would impact her house directly. Manager of Planning & Zoning Garrett Langford explained that the replat will simply divide the 502 Fleet Circle lot into 2 lots so that there may be a house built on the empty lot and it will not directly impact her home or property. No one else came up to speak. Chairwoman Williams closed the public hearing.

**ACTION**

Commissioner Arnold made a motion to **APPROVE**; Commissioner Lynn seconded; motion carried 7-0.

**6. ZONING APPLICATION NO. Z0821-0211**

**Conduct a public hearing and consider Zoning Application No. Z0821-0211 submitted by Iresha Hayes for a Zoning Change from General Retail to General Retail with a Conditional Use Permit to allow a daycare located at 1515 E. Kearney St, Suite 500.**

**PRESENTATION**

Senior Planner Lesley Frohberg presented to the Commission. Commission had concerns about the restaurant equipment, alcohol sales next door, staffing, and the name on the sign. Ms. Frohberg explained that the restaurant equipment has been removed

and has been inspected by fire. Ms. Frohber explained that the alcohol sales next door are allowed because the business is considered a daycare and not a school. Staffing will be available for both suites and they are in the process of changing signage to represent the daycare name.

### **PUBLIC HEARING**

Chairwoman Williams opened the public hearing. No one came to speak. Chairwoman closed the public hearing.

### **ACTION**

Commissioner Arnold made a motion to **APPROVE**; Commissioner Lynn seconded; motion carried 7-0.

## **7. ZONING APPLICATION NO. Z0821-0214**

**Conduct a public hearing and consider Zoning Application No. Z0821-0214 submitted by Abdallah Adham for a Zoning Change from Commercial within Military Pkwy - Scyene Corridor (MP-SC) Overlay District to Commerical to remove the MP-SC Overlay District and to allow uses permitted in the Commercial zoning district, located 1210 W. Scyene Road.**

### **PRESENTATION**

Manager of Planning & Zoning Garrett Langford presented to the Commission. Staff recommendations would be approval for a zoning change to Planned Development-Commercial with the following stipulations;

1. All uses permitted in the Mesquite Zoning Ordinance's Commercial District classification ("Commercial") are allowed on the property except as modified in Subsections "a" and "b" of this paragraph. The uses permitted in the Commercial District are subject to the same requirements applicable to the uses in the Commercial District, as set out in the Mesquite Zoning Ordinance. For example, a use permitted in the Commercial District only by conditional use permit ("CUP") is permitted in the district only by CUP.
  - a. The following uses are prohibited on the property:
    - i. SIC Code 753: Automobile Repair Shops
  - b. The following uses are permitted only by CUP:
    - i. SIC Code 549a: Convenience Stores
2. All parking spaces shall be striped before the issuance of any new certificate of occupancy.

3. The chainlink fences on the property shall be removed before the issuance of any new certificate of occupancy. Screening for outdoor storage shall comply with Section 3-600 of the Mesquite Zoning Ordinance.
4. Dumpsters shall be screened and enclosed per the requirements in the Mesquite Engineering Design Manual.
5. Eight trees shall be installed along the south right-of-way line and/or along the north right-of-way line. The trees can be placed within the property or within the right-of-way. The trees shall consist of shade or evergreens trees. Three ornamental trees may be used for each shade or evergreen tree. Tree species, size, and spacing shall be installed in compliance with Section 1A-500-1 Tree Schedule of the Mesquite Zoning Ordinance.
6. All conditions of this PD ordinance are required before the issuance of any new certificate of occupancy except that, landscaping, and dumpster screening shall be completed by no later than nine months from the date of approval of this PD ordinance. Commissioners had questions of what would replace the chain-link fence and if the building was occupied. Mr. Langford explained the chain-link fence would be replaced with either wood or masonry and the building is fully occupied as of now.

#### **APPLICANT**

The Owner Abdallah Adham 14160 Valley Creek Dr. came up to explain the reason he would like to remove the overlay is that it makes it very hard to lease out because of the restrictions the overlay carries. Mr. Adham will also comply with all of the stipulations staff have recommended.

#### **PUBLIC HEARING**

Chairwoman Williams opened the public hearing. No one came to speak. Chairwoman closed the public hearing.

#### **ACTION**

Commissioner Melend made a motion to APPROVE staff's recommendation of Planned Development- Commercial with the stipulations; Commissioner McBride seconded; motion carried 7-0

#### **DIRECTOR'S REPORT**

##### **8. Director's Report on recent City Council action taken on zoning items at their meeting on August 16, 2021.**

Director of Planning & Development Jeff Armstrong briefed the Commission on actions taken at the City Council Meeting. The zoning actions are as listed;

1. An ordinance amending the Mesquite City Code, as previously amended, by creating new Chapter 20 titled “Boards, Commissions, and Committees” thereby codifying the City’s general regulations and other associated provisions regarding said title; making certain deletions and additions to Chapters 2, 3, 4, 5, 6, 7, and 15.5, including repealing and replacing certain ordinances, both uncoded and codified, to revise and relocate most of the City’s boards, commissions, and committees into new CHAPTER 20, revising portions of Chapter 2, Article IV, Division 2 “Code of Ethics” associated with provisions relating to board, commission, and committee regular members and alternates and revising Appendix D - Comprehensive Fee Schedule to include a fee for appeals to the Building Standards Board. **Approved by Ordinance No. 4894. 7**
2. A resolution repealing Resolutions No. 15-[19]90; No. 03-[19]96; and No. 09-2003 related to the Capital Improvements Advisory Committee whereby the City Council intends to repeal said resolutions because provisions related to the Capital Improvements Advisory Committee will instead, by ordinance, be codified into the Mesquite City Code. **Approved by Resolution No. 48-2021. 9**
3. Consider an application to allow fee in lieu of parkland dedication for the subdivision of a parcel into two lots, located at 502 Fleet Circle. Approved.
4. Zoning Application No. Z0721-0205, submitted by George Morris, for a change of zoning from Commercial and Town East Retail and Restaurant Area Overlay to Commercial and Town East Retail and Restaurant Area Overlay with a Conditional Use Permit to allow a major reception facility with modifications to the 500-foot separation requirement from a residential zoning district and the permitted hours of operation, located at 2021 North Town East Boulevard, Suite 1100. **Approved by Ordinance No. 4898 with a two-year Conditional Use Permit and an additional stipulation that includes the Conditional Use Permit be reviewed in 6 months.**
5. Comprehensive Plan Amendment from Neighborhood Retail to Medium Density Residential and Zoning Application No. Z0421-0190, submitted by Chris Blevins of HP Civil Engineering, for a change of zoning from Planned Development - Light Commercial Ordinance No. 3580 to Planned Development - Townhomes, to allow a townhome development including 43 homes, located at 1535 North Belt Line Road. **Approved by Ordinance No. 4899 and fee in lieu of parkland dedication approved. 2**

#### **PUBLIC COMMENTS**

9. There were no public comments.

**Chairwoman Williams called the meeting adjourned at 7:51 P.M.**

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**Chairwoman Sherry Williams**