MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., JANUARY 27, 2020, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

Present: **Chairwoman Yolanda Shepard, Vice-Chair David Gustof, Ronald Abraham, Sherry Williams, Debbie Anderson, Sheila Lynn, Claude McBride, Alternate Mildred Arnold**

Absent: **Alternate Jerome Geisler**

Staff: **Director of Planning & Development Services Jeff Armstrong, Manager of Planning & Zoning Garrett Langford, Principal Planner Johnna Matthews, Planner Lesley Frohberg, Planner John Chapman, Senior Administrative Secretary Devanee Winn, City Attorney David Paschall, Graduate Engineer Jonathan Browning**

Chairwoman Shepard called the meeting to order and declared a quorum present.

I. CONSENT AGENDA

A. **Approval of the minutes for January 13, 2020, Planning and Zoning Commission.** A motion was made by Ms. Anderson to approve the consent agenda. Ms. Williams seconded. The motion passed 7-0.

II. PUBLIC HEARING

A. **Conduct a public hearing to receive input from residents and affected parties regarding the adoption of a moratorium on applications and plans for development for permits, plats, verifications, rezonings, site plans for Convenience Store Developments within the corporate City limits of Mesquite.** Director of Planning & Development Services Jeff Armstrong briefed the Commission. Mr. Abraham asked if there were any current or pending applications for convenience stores. Mr. Armstrong stated that all the new convenience stores are already under construction. Manager of Planning & Zoning Garrett Langford stated that there are no new applications pending. Mr. Armstrong explained the intent of the moratorium is to allow the City time to update the current ordinances to improve public safety and to have those requirements apply to convenience stores. Chairwomen Shepard opened the public hearing. No one came up to speak. Chair closed the public hearing. The Commissioners voiced support for the moratorium. The Commission took no action.

III. ZONING CASES

A. **Conduct a public hearing and consider Zoning Application No. Z1219-0122 submitted by Camden Homes, on behalf of Cyrus Akhavizadeh for a Zoning Change from "O," Office to "PD-T," Planned Development – Townhomes to allow a 45-lot townhome development, located at 3001 N. Town East Blvd.** Principal Planner Johnna Matthews briefed the Commission. The Commissioners discussed building height, screening, parking, and access. Applicant Cyrus Akhavizadeh

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of Camden Homes stated that all of the townhomes would have a rear-entry with a two-car garage. The development will have a Homeowner's Association. While the HOA could not regulate on-street parking in a public right-of-way, it will preclude future homeowners within the development from converting the garages to avoid reducing the amount of parking on each lot. The applicant indicated that the townhomes would be two-stories, and the screening wall will be 6 feet. Chair opened the public hearing. Browning Cooksey came up to speak. Mr. Cooksey wanted to know if the alley would be fenced with a screening wall. Ms. Matthews answered no. No one else came up to speak. Chair closed the public hearing. A motion was made by Mr. Gustof to approve with staff's recommended stipulations. Ms. Lynn seconded. The motion passed 7-0.

B. **Conduct a public hearing and consider Zoning Application No. Z1219-0124 submitted by John Cooksey, for a zoning change from Commercial to Commercial with a Conditional Use Permit to allow a primary outdoor storage yard, located 2511 Edinburgh Street.**

Planner Lesley Frohberg briefed the Commission. The applicant was not present to answer questions. Chair opened the public hearing. Mr. Browning Cooksey who is a cousin of the applicant came up to speak. Mr. Cooksey wants to get a clearer understanding of screening wall materials. Mr. Cooksey thinks there should be better options for materials for screening walls. No one else came up to speak. Chair closed the public hearing. Commissioners want to postpone and have the Applicant come to the next meeting for questions. A motion was made by Mr. Abraham to postpone this case until the February 10, 2020, meeting and keep the public hearing open. Mr. Gustof seconded. The motion passed 7-0.

C. **Conduct a public hearing and consider Zoning Application No. Z1219-0125 submitted by Armando Garcia, on behalf of Kiddleton, Inc., for a zoning change from Commercial to Commercial with a Conditional Use Permit to allow an arcade, located 2063 Town East Mall.**

Planner Lesley Frohberg briefed the Commission. Applicant Armando Garcia came up to speak. Mr. Garcia stated that this will be the first location for Kiddleton. The business will not prepare food but they will sell chips and snacks. Customers will be able to bring their own for events or parties. Chair opened the public hearing. Mr. Browning Cooksey came up to speak. Mr. Cooksey wanted to know if it will penny or nickel arcade machines. The applicant answered that they would purchase a game card to use. No actual coins will be used. Chair closed the public hearing. A motion was made by Ms. Williams to approve with staff's recommended stipulations. Ms. Lynn seconded. The motion passed 7-0.

D. **Conduct a public hearing and consider Zoning Application No. Z0120-0126 submitted by the City of Mesquite for a Zoning Change from "AG," Agriculture to "PD-SF," Planned Development – Single Family Residential to allow a single family subdivision, generally located at the western corner of FM 2757 and Kelly Road, in the Andrew Nail Survey, Abstract No. 355, City of Mesquite, Kaufman County, Texas.**

Principal Planner Johnna Matthews briefed the Commission. The Commissioners discussed screening and road maintenance. City Attorney David Paschall stated that the development agreement has provisions for the upkeep during construction and after

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development, the streets would be the responsibility of the City of Mesquite. Chair opened the public hearing. No one came up to speak. Chair closed the public hearing. A motion was made by Ms. Williams to approve. Ms. Anderson seconded. The motion passed 7-0.

E. **Conduct a public hearing and consider zoning amendments to Section 3-302, Schedule of Permitted Uses; Section 3-504, Refueling Stations; a new Section 3-511, Convenience Stores; Section 6-102, Definitions; all pertaining to new regulations and revised regulations for fueling stations and convenience stores. (ZTA 2020-02)**
Manager of Planning & Zoning Garrett Langford briefed the Commission. Mr. Langford asked that this item be postponed and to leave the public hearing open until February 24, 2020. Chair opened the public hearing. No one came up to speak. A motion was made by Mr. Gustof to postpone to February 24, 2020, and to leave the public hearing open. Ms. Lynn seconded. The motion passed 7-0.

F. **Conduct a public hearing and consider amending Article VII of the Mesquite Subdivision Ordinance by adding Section E. Underground Utilities pertaining to new and revised regulations for requiring overhead utilities to be placed underground. (STA 2020-01)**
Manager of Planning & Zoning Garrett Langford briefed the Commission. The purpose of amending Article VII of the Mesquite Subdivision Ordinance is to add Section E. for requiring overhead utilities to be placed underground in new residential or commercial developments. Chair opened the public hearing. No one came up to speak. Chair closed the public hearing. A motion was made by Ms. Anderson to approve as presented. Mr. McBride seconded. The motion passed 7-0

IV. DIRECTOR'S REPORT

At this time, any individual wishing to discuss the Director's Report shall be allowed to speak for a length of time not to exceed three minutes on a first-come, first-served basis. Citizens addressing the Planning and Zoning Commission through a translator will be allowed six minutes.

A. **Director's Report on recent City Council action taken on zoning items at their meeting on January 21, 2020.**
Director of Planning & Development Services Jeff Armstrong informed the Commissioners there were no zoning actions taken at the City Council meeting on January 21, 2020.

There being no further items before the Commission, Chairwoman Shepard called the meeting adjourned at 8:30 PM.

Chairwoman Yolanda Shepard

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