MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., AUGUST 10, 2020, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

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

Absent: **Vice-Chair David Gustof, Alternate Dorothy Patterson**

Staff: **Director of Planning & Development Services Jeff Armstrong, Planner Lesley Frohberg, City Attorney David Paschall, Senior Administrative Secretary Devanee Winn**

Alternate Mildred Arnold was seated in the place of Vice-Chair David Gustof

COMMISSION BUSINESS

1. **ROLL CALL**
   Planner Lesley Frohberg called on each Commissioner for the record. Chairwoman Shepard called the meeting to order and declared a quorum present.

2. **INSTRUCTIONS**
   Ms. Frohberg gave verbal instructions for participation in the meeting.

3. **PUBLIC COMMENTS.**
   There were no public comments.

CONSENT AGENDA

4. **MINUTES.**
   Discuss and consider approval of the minutes for July 27, 2020, Planning and Zoning Commission.
   A motion was made by Ms. Anderson to approve the minutes as presented. Ms. Lynn seconded. The motion passed 7-0.

PUBLIC HEARINGS

5. **ZONING TEXT AMENDMENT 2020-05**
   Conduct a public hearing and consider zoning text amendments to Mesquite Zoning Ordinance, Section 3-203, Schedule of Permitted Uses; Section 3-507, Coin-Operated Amusement Devices, Section 6-102, Definitions; all pertaining to new and revised regulations for amusement devices, game machines, video games, and similar devices. (Tabled from the June 22, 2020, Planning and Zoning Commission meeting.)
   Director of Planning & Development services Jeff Armstrong briefed the Commissioners. There was a discussion between the Commissioners and Staff regarding the time frame the City will give to decrease the number of game machines from 4 to 2 game machines. Mr. Armstrong answered that the Commission could suggest a time frame. Ms. Williams asked if Staff can decrease the number of games machines from 4 to 1. City Attorney David Paschall explained that decreasing to 1 game machine might open us up to challenge of the ordinance. Mr. Paschall explained that other municipalities have tried to decrease and/or eliminate game machines. The

cases are now working through the courts and once there is a verdict on those cases, then Staff can re-evaluate City's requirements. The public hearing was left open from the July 27, 2020 meeting. No one had any comments either in person or by conference call. Chairwoman Shepard closed the public hearing. A motion was made by Ms. Williams to approve the Text Amendment with an expiration date no later than 1 year after the City Council approves the Text Amendment. Mr. McBride seconded. The motion passed 7-0.

6. **ZONING TEXT AMENDMENT 2020-07**
Conduct a public hearing and consider zoning text amendments Section 1-302, Nonconforming Uses; Section 1-303, Nonconforming Structures and Premises; Section 1-603, Special Exceptions; Section 1-702, Accessory Telecommunications Facilities; Section 1A-403, Application to Remove Protected Tree; Section 2-201, General Use Regulations; Section 2-305, Special Exceptions; Section 2-603, Permitted Modifications – Specific Structures; Section 2-604, Special Exceptions; Section 3-201, General Use Regulations; Section 3-403, Special Exceptions; Section 3-702, Permitted Modifications – Specific Structures; and Section 3-703, Special Exception of the Mesquite Zoning Ordinance pertaining to the applicable approval criteria for Special Exceptions.
Planner Lesley Frohberg briefed the Commissioners. Chairwoman Shepard opened the public hearing. No one had comments either in person or by conference call. Chairwoman closed the public hearing. A motion was made by Ms. Anderson to approve as written. Ms. Williams seconded. The motion passed 7-0.

7. **DIRECTOR'S REPORT.**
Director's Report on recent City Council action taken on zoning items at their meeting on August 3, 2020.
Director of Planning & Development Services Jeff Armstrong briefed the Commissioners. The zoning actions are as follows;

1. Appointment of one alternate member (Alternate No. 2) to the Board of Adjustment for a term to expire December 31, 2020. **Larry Good was appointed as Alternate Member No. 2 to the Board of Adjustment for a term to expire December 31, 2020. 19**
2. Appointment of one alternate member (Alternate No. 1) to the Planning and Zoning Commission/Capital Improvements Advisory Committee for a term to expire December 31, 2021. **Dorothy Patterson was appointed as Alternate Member No. 1 to the Planning and Zoning Commission and Capital Improvements Advisory Committee for a term to expire December 31, 2021.**
3. Consider an ordinance for Application No. Z0520-0140, submitted by Daniel Santos on behalf of DBS Construction Support, LLC, for a change of zoning from Commercial to Commercial with a Conditional Use Permit to allow the sale and outdoor display of used farm equipment, located at 4340 Interstate Highway 30. **Approved by Ordinance No. 4798 with modifications.**
4. Consider an ordinance for Application No. Z0620-0142, submitted by MM Mesquite 50, LLC, to amend Planned Development Ordinance No. 4595 to allow an amenity center, a convenience store with fuel sales and modify the screening wall requirements on property located at 1900 and 2000 West Scyene Road, 21713 and 21717 IH-635, 1703 and 1705 Rodeo Drive and 417 Rodeo Center Boulevard. **Approved by Ordinance No. 4799 with modifications.**

[NOTE: Commission action, *if any*, shall not be taken regarding the Director's Report until Public Comments have been received.]

PUBLIC COMMENTS

8. **Any individual desiring to address the Planning and Zoning Commission regarding the DIRECTOR'S REPORT or ANY OTHER MATTER not listed on the Agenda shall be allowed to speak for a length of time not to exceed three (3) minutes on a first-come, first-served basis. Citizens addressing the Planning and Zoning Commission through a translator will be allowed six (6) minutes.**
   No Public Comments.

Chairwoman Shepard called the meeting adjourned at 7:48 P.M.

Yolanda Shepard

Chairwoman Yolanda Shepard